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Volume 12 Issue 310

Santa Monica Daily Press

We have you covered

LOSING TO WIN
SEE PAGE 4

THE HIT THE ICE ISSUE

Architects: Downtown Specific Plan too specific

BY DAVID MARK SIMPSON
Daily Press Staff Writer

CITY HALL Local architects criticized the evolving Downtown Specific Plan for being too specific at the Planning Commission meeting Wednesday night.

During the public portion of the meeting, in which commissioners were discussing the framework plan for the first time since its approval in September, three local architects spoke and took questions from commissioners about the plan as it stands.

"Right now, we have a municipal code that is more complicated than other jurisdictions' municipal codes and it dictates, pretty much, what the buildings are," said architect David Hibbert, who's designed numerous buildings in the city. "We refer to buildings in Santa Monica as zoning envelopes. This goes further than that and makes decisions for you as the architect, other than maybe the wrapper that we put on it."

David Hibbert, Hank Koning, and Michael Folonis opined for a combined 40

SEE PLAN PAGE 10



CHILLIN'
Daniel Archuleta *daniela@smdp.com*
Professional ice skaters hit the ICE at Santa Monica rink on Thursday during the opening ceremony for the popular holiday attraction.

City sued over fatal Big Blue Bus, motorcycle crash

BY DAVID MARK SIMPSON
Daily Press Staff Writer

CITY HALL The family of a man who was killed last year after a collision with a Big Blue Bus has filed a lawsuit against City Hall and the bus driver.

Filed in Los Angeles Superior Court by Donald and Martha O'Dell, it claims that their son, Patrick O'Dell, who was riding a motorcycle on Sunset Boulevard, was struck and killed by a Route 9 bus that was turning onto Sunset Boulevard from Marquez Avenue. They are asking for an unspecified amount of money.

This lawsuit is one of 12 accident-related suits filed against BBB in the past 12 months, city officials said. There were six non-accident lawsuits — situations where passengers fell while on a bus — filed against BBB during that time.

As the Route 9 bus made a left onto Sunset, attempting to head north, it crossed into the southbound lane where O'Dell, who was 25, was driving, the suit claims. The bus and the motorcycle collided resulting in O'Dell's death.

"The family is devastated and the case is just beginning now, and it's not a death that should have happened," said the family's attorney, Conor Kelly.

Police on scene said that speed was the main factor in the accident, according to a 2012 article in the Pacific Palisades Patch. Witnesses, the article said, saw O'Dell run a red light.

The lawsuit alleges that their son was

SEE SUIT PAGE 8

Malibu High, Juan Cabrillo tested for PCBs and radon

BY KNOWLES ADKISSON & NANCY SEGONA
Special to the Daily Press

MALIBU Malibu High and Juan Cabrillo Elementary campuses were tested for environmental contaminants over the weekend, nearly a month after some teachers complained the middle school campus could be causing them health problems.

Juan Cabrillo and MHS were tested for radon from Thursday to Sunday last week, while MHS was also tested for polychlorinated biphenyls (PCBs).

Concerns over PCBs flared in early October when a number of MHS teachers expressed fear in a letter to the Santa Monica-Malibu Unified School District (SMMUSD) that the diagnosis of three

SEE MALIBU PAGE 8

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What's Up Westside

OUT AND ABOUT IN SANTA MONICA

Friday, Nov. 8. 2013

A time to wine down
Monsoon Cafe
1212 Third St., 7 p.m. — 10 p.m.
Three hours of unlimited pours of wines! Why travel when you can have wines from around the world come to you? Enjoy awesome food, amazing wines, and great music. Admission: $60. For more information, call (310)869-5788 or visit samowineparty.tumblr.com

Movie based on epic failure
Santa Monica High School
601 Pico Blvd., 7 p.m.
The Samohi Theatre presents "Noises Off," a hilarious comedy that is the quintessential theater insider's play, with its backstage backstabbing, wardrobe malfunctions, and high-speed hi-jinx. Admission: $15. For more information, call (310) 395-3204 ext. 71241 or visit samohitheatre.org.

Travel writing 101
The Writers Junction
1001 Colorado Ave., 7:30 p.m. — 9:30 p.m.
Join award-winning travel writers Erin Byrne, Lindsay Taub and Lanee Neil of "The Voyage Vixens" in a workshop where they will share how to start a travel writing career. There will also be wine and chocolate tasting courtesy of Kendell Jackson Winery and Daphne Chocolatier along with a Q&A with the travel writers and a "deep travel" writing exercise. For tickets and more information, visit travel-writingworkshop.eventbrite.com.

Wait it out
Santa Monica Playhouse
1211 Fourth St., 7:30 p.m.
Yukar Production presents the world premiere of "The Waiting Room," written and directed by Ergo. During a heavy rainstorm, a young man who has lost his way finally comes upon a home. A mysterious male resident welcomes him in. The man hands the boy a book. In the book is the forgotten tale of the legend of humans. Admission: $20. For more information, call (424) 259-2233.

Saturday, Nov. 9, 2013

Drop off your oil
O'Reilly Auto Parts
2018 Lincoln Blvd., 9 a.m. — 3 p.m.
Changing your oil? Need a filter? Get a free one. Bring your used motor oil and oil filters for recycling. Exchange your used oil filter for a new free one. Limit one new filter per customer. Free used motor-oil-recycling containers also available.

Fix-it clinic
Santa Monica Bike Center
1555 Second St., 10 a.m.
Bike Center staff discuss bicycle parts you probably know: tires, tubes, rims, spokes, and hubs. You will practice getting wheels off a bike, true a wheel (vertical and horizontal leaps), learn about proper spoke size and tension, and replace broken spokes. For more information and to register, visit sustainablestreets.org/bike-maintenance or call (424) 288-1747.

Steamrollin'
Santa Monica Pier
11:30 a.m. — 5 p.m.
Heal the Bay and Time Warner Cable are teaming up to present S.T.E.A.M. Machines, a festival of interactive science, technology, engineering and math activities using art as the medium and fun as the common denominator. For more information, visit santamonicapier.org/steam.

Comedy talk
Martin Luther King, Jr. Auditorium
601 Santa Monica Blvd., 3 p.m. — 4:30 p.m.
Come see a comedic conversation between legendary comedian Tim Conway and actor Jeff Garlin. The two comedians will talk about Conway's book "What's So Funny." There will also be a book sale and a signing one hour prior to the program. Admission: free. Tickets will be released in the Main Library lobby one hour prior to program. Guests must be present to receive a ticket. No reservations available. For more information, call (310) 458-8600 or visit smpl.org.

Veterans Day BBQ
West Los Angeles VA Medical Center
11301 Wilshire Blvd., 2 p.m. — 7 p.m.
In honor of Veterans Day, VA Greater Los Angeles Healthcare System in partnership with Greater Los Angeles Fisher House Foundation is hosting a free BBQ and a concert featuring Sugar Ray for veterans, military members and families. Seating is available on a first come, first served basis. Admission: Free. For more information, call (310)478-3711, ext. 42441 or visit losangeles.va.gov.

Weathering the storm
Santa Monica Playhouse
1211 Fourth St., 7:30 p.m.
It's Jerry Mayer's buoyant smash hit comedy, as a mother and father take their daughters and sons-in-law on a happy anniversary cruise and quickly find themselves awash in a sea of stormy relationships. Admission: $29 general; $22.50 student/senior. For more information, call (310) 394-9779, ext. 1.

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

DOWNTOWN

Free memory screenings for seniors

A Santa Monica nonprofit will be holding a free memory screening for seniors.

WISE & Healthy Aging will be the screening site for the Westside on Nov. 19, which is National Screening Day, according to the Alzheimer's Foundation.

"The screening will take about 10 minutes, and it is available at no cost to all Westside seniors," WISE & Healthy Aging President and CEO Grace Cheng Braun said.

The Alzheimer's Foundation chose WISE as its community partner because the foundation has been serving Westside seniors for more than 45 years, according to a press release by the organization.

WISE stresses that screenings are important for finding out if a person has a memory problem. The screenings can check a person's memory and thinking skills, and can be used to indicate the appropriate treatment.

In addition to the screenings, the event will give WISE an opportunity to tell the community about a new fee-based program called "WISE Minds: Custom Workouts for Your Body and Brain."

The program is based on the Dakim Brain Fitness program which has been featured on PBS and other network news shows.

WISE Minds is not limited to those with early memory loss and it is geared toward all adults ages 50 and older and it will be debuting in January 2014.

The service will consist of workouts with a personal trainer that feature exercises that focus on getting the blood flowing upward in the brain.

The free memory screenings will be available at WISE & Healthy Aging from 10 a.m. to 2 p.m. on the first floor of the Ken Edwards Center located at 1527 Fourth St., Santa Monica.

For more information, call WISE & Healthy Aging at (310) 394-9871.

– BRIAN ADIGWU

DOWNTOWN

Calling all hackers

The Santa Monica community is invited to participate in a competitive event aimed at building apps for multiple devices.

The "Internet of Things" hackathon, will be held on Nov. 15 at the Real Office Centers Santa Monica. Judges on the panel will be from AT&T and Intel.

The event's main focus will be education and sustainability and it will give technical and non-technical attendees an opportunity to build applications and compete for prizes.

"Part of the challenge is to build an application that positively affects the environment," AT&T senior marketing manager Alex Donn said.

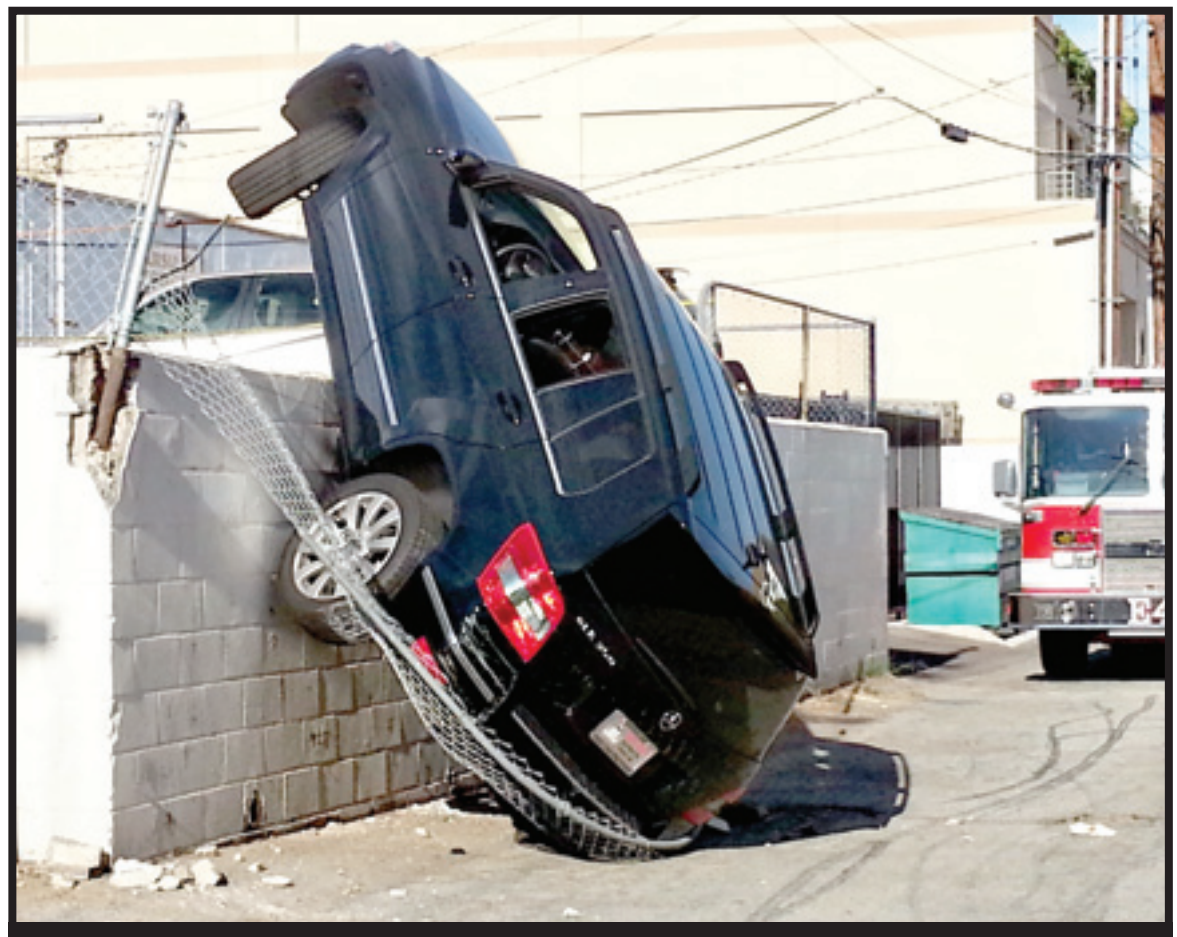
The apps will be judged on each entrant's ability to articulate what the app does, the originality of the idea, and the technical challenges confronted and overcome.

The prize for first place is $1,000, second place is $500, and third place is $200. In addition, the prize for best education app is $1,000 in gift cards and a total of $6,000 in donations from AT&T's approved list.

First and second place winners will receive an all-expenses-paid trip to the National Accelerator Demo at Las Vegas, at the start of the International Consumer Electronics Show on Jan. 3 – 5, 2014 where they have the opportunity to compete for the $20,000 grand prize.

For more information regarding the "Internet of Things" hackathon, visit iothackathon.co or sign up at iothacklax-sr.eventbrite.com.

– BA



WRONG WAY

Photo courtesy Michael Bongarzone

Santa Monica Fire Department personnel responded to Casa Escobar on Thursday after a driver crashed through a fence in the eatery's parking lot. The car had to be hoisted into the air to free it from this position.

Judge to decide treatment of mentally ill inmates

DON THOMPSON
Associated Press

SACRAMENTO, Calif. Attorneys for the state and those representing prison inmates presented starkly different views Thursday of prison guards' use of pepper spray against the mentally ill as they completed closing arguments in a federal use-of-force trial.

At issue is whether the heavy use of pepper spray by state prison guards against some mentally ill inmates violates prisoners' civil rights.

The state's own expert witness testified that guards use pepper spray far too often and in quantities that are too great. He also said previous recommendations for changes were rejected or ignored.

"Treat them as people. Treat them as mentally ill people who need help," said Jeffrey L. Bornstein, one of the attorneys representing inmates' welfare.

He said prison guards were not properly trained to remove mentally ill inmates who refuse to leave their cells, leaving them to resort to pepper spray and batons.

"They torture mentally ill people by the way they do those cell extractions," he argued. "It's inhumane the way they treat people who are mentally ill."

The trial in federal court in Sacramento featured the airing of a half-dozen videos that showed pepper spray used multiple times on screaming inmates who refused to leave their cells. Last month, corrections officials said they will change their rules to limit how much pepper spray can be used.

Patrick McKinney, a supervising deputy attorney general who represents the state in the case, said there is no evidence of a system-wide problem. In fact, he

SEE **INMATES** PAGE 11

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LETTERS TO THE EDITOR

Send comments to editor@smdp.com

Youth movement

Editor:

Young people in L.A. are avoiding Santa Monica ("Next generation of leaders hard to pinpoint," Nov. 5). They tell me it is too expensive, too crowded and full of uninteresting, self-absorbed people. The dynamic young people referred to in this article are living in places like downtown L.A., where it is far more livable for their social economic status and vitality.

What does Santa Monica really have to offer them besides a better climate? The city is being sold down the river by greedy residents and developers chasing a buck over lifestyle. The town has no sense of history or place. It is up for sale to harvesters with the biggest money pot. And, with the exception of two new members, our City Council is only too happy to sell their positions through the rationale of the irrational Land Use & Circulation Element.

It's tragic, really. I have lived in Santa Monica for 20 years, and I am losing love for my town. I avoid Downtown as much as possible because it's simply too much of a hassle.

Our neighborhoods are being consumed by money climbers who have no care for their surroundings beyond their mortgage and rent obligations. The landlords are, shall I say kindly, a breed apart. We can only blame ourselves for letting it happen. The housing situation on the Westside is a terrible joke, with parasitic realtors turning our homes into commodities at the behest of senseless debt holders.

The character of Santa Monica is changing, and young people don't like it. There's nothing here for them.

As long as the silent public allows itself to be ignored by its elected representatives, City Hall will continue to follow the money. Meanwhile, scummy developers will get away with lies like the insulting ad campaign in this paper for the Fairmont Miramar's ploy to build unprecedented, luxury high-rise condos for "the good of the people."

Or, you can go to City Hall and tell them to stop the runaway train. It's our town, too.

Bob Roberts
Santa Monica



Laughing Matters

Jack Neworth

Send comments to editor@smdp.com

The bright side of losing

GROWING UP IN THE PICO/LA CIENEGA neighborhood of Los Angeles in the 1950s, I longed to be the corner newsboy. At rush hour, he stood proudly at that busy intersection shouting, "Extra, extra, read all about it!" Stopped at the red light, cars would honk and the newsboy would dash to the driver's window and hurriedly exchange the paper for a dime. All before the light changed to green.

I loved newspapers, especially the sports page, which I pored over to see how my heroes had fared the night before. Sports were a sanctuary from the grim news of the real world. Until the sports page began reading like a police blotter.

In 1958, sports news in L.A. changed dramatically with the arrival of the Dodgers from Brooklyn. Only months later the Lakers came from Minneapolis. Why they kept the name "Lakers" is puzzling as there are no more lakes in Los Angeles than there is jazz in Utah.

The Lakers, of course, are one of the NBA's most famous and successful franchises. They hold the all-time records for wins (3,125), winning percentage (.620), and NBA finals appearances (31). They're second in NBA championships only to the Boston Celtics, winning 16 championships to the Celtics 17 NBA titles. But, as the expression goes, "That was then and this is now."

I'm hardly letting the cat out of the bag, but this season could be a long one for Lakers fans. By the way, "letting the cat out of the bag" goes back to medieval times when people sold pigs at the village marketplace that they carried there in bags. Occasionally, unscrupulous sellers would stuff the bag with cats.

But back to the Lakers, who have a large and dedicated following in Santa Monica. According to Superpages.com, there are 72 restaurants, bars and sports bars here with big screen TVs. During basketball season, it's safe to say the Lakers bring in thousands of enthusiastic customers on any given night. (I'll drink to that.)

With the economy still in a precarious state, and the Lakers, especially without Kobe, in an even more precarious state, business in these Santa Monica establishments might take a serious hit. After all, who would want to watch the Lakers lose, night after night?

As a Santa Monica resident, I consider it my civic duty to rescue these fine establishments from a real fiscal cliff. I humbly suggest that there's a bright side to losing. Bright enough to keep the bars filled with customers cheering as the Lakers go down to defeat.

In the NBA Draft Lottery, the 14 teams that don't make the playoffs compete for the top draft choice with the aid of Ping-Pong balls. (That's not a typo.) The team with the worst record gets 25 percent of the balls, the team with the second worst record gets 19.9 percent and so on.

The balls are placed in a giant hopper that spins them around and then pops them up one by one. As the commissioner selects the ball, he announces to the audience which team gets the top draft choice. Fans of the "lucky" team celebrate while fans of the rest groan in disappointment. But with the next ball comes hope of getting the second draft choice.

Next year's draft is reportedly the best since the Lebron James draft 10 years ago. With that in mind, the Lakers' motto could be "Losses this year mean champagne next year." So that when two fans are in a sports bar on the occasion of a heartbreaking Lakers overtime loss, one could justifiably turn to the other and say, "Isn't this great?"

In the glory days of two-peats and three-peats and any kind of "peat," Lakers fans held an index finger up in the air and proudly chanted, "We're number one!" Today we should hold both hands in the air, quickly close and open the palms twice and proudly chant, "We're number 30!" Outrageous? Perverse? Well I say, (with apologies to Vince Lombardi) when it comes to getting the number one draft choice, "Losing isn't everything, it's the only thing".

On Tuesday, the Lakers got trounced by the Mavs. On Wednesday the Celtics, after their worst start since 1969, finally won a game. It seems like history is repeating itself as the two rivals may battle down to the wire. Only in this case it won't be for the O'Brien Championship Trophy, but rather for that coveted first Ping-Pong ball.

While it's probably not in the best interests of the Lakers' future, part of me hopes the team makes the playoffs and has a good run in the postseason. Harkening back to my childhood dream of being the corner newsboy, if the Lakers do defy the playoff odds, I already have my title for that column — "Extra, extra, read all about it."

JACK can be reached at facebook.com/jackneworth, twitter.com/jackneworth or via E-mail at jnsmdp@aol.com.

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

19,000 daily circulation, 46,450 daily readership. Circulation is audited and verified by Circulation Verification Council, 2013. Serving the City of Santa Monica, and the communities of Venice Beach, Brentwood, West LA. Members of CNPA, AFCP, CVC, Associated Press, IFPA, Santa Monica Chamber of Commerce.

Published by Newlon Rouge, LLC
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Your column here

Jerry Rubin

Send comments to editor@smdp.com

Turning 70: A time for reflection, gratitude

I STILL CAN'T BELIEVE IT. HOW SCARY. But also how cool. I never thought I would live long enough to be celebrating my 70th birthday. And now that it's almost here, I have to admit it is a bit frightening and exciting at the same time.

For me, there is one thing I did know for sure. I felt that a substantial period of time for personal reflection was in order as I approach this Dec. 11 birthday milestone. I thought that giving myself 100 days of pre-birthday daily reflections on my life, my family, my friends and my endeavors as a peace activist would be productive and help me become a kinder, more compassionate, more thoughtful and, in essence, a better person.

I thought the 100 days would also be an extra reminder to reflect on how important it is to have a positive attitude and be grateful for the many wonderful people and opportunities in my life.

Why is my approaching birthday a somewhat frightening time? We all are getting older, but even when I was celebrating my 50th, 60th and 65th birthdays, I didn't fully realize that I was in that mix. I still don't feel like I'm 70. I still feel young at heart. But might that just be an ongoing case of perpetual immaturity? Who knows? All I know is I feel a sadness that world leaders are still not addressing the issues of peace holistically and extensively enough. I can't help but wonder how long it will take for us, as a human species, to get our act together? The older I get the sadder it feels to know that war and nuclear weapons haven't been abolished years ago.

There is also the fear and reality of losing family, loved ones and dear friends as well as older activists that I have come to respect and admire over the years. That loss keeps happening on all those levels with greater frequency the past few years. And, of course, fears about my own health and my fervent desire to not be a burden are ongoing worries for me.

So, what's new? Everyone has these fears. Stop worrying, Jerry. Quit complaining, even to yourself. Easier said than done for someone who has been a worrier since childhood.

Part of my 100 days of reflection has been fasting. No, not a political fast or protest, just a way to sacrifice something that I can often do too much of. Eating. So, since the day after Labor Day I've been consuming only liquids. I've been adding vitamins, minerals and other supplements into my drinks, so in essence it's really not even a fast. But it seems to strengthen my resolve and help me focus more on my reflective task at hand.

Of course things get less scary every time I have nice conversations with optimistic seniors who now are in their late 70s, 80s or older. That really gives me hope and inspiration. The seniors I meet have so much spunk and wisdom.

And speaking with our youth and concerned students also helps make the process of getting older a lot less frightening. Students visit my sticker table on the Third Street Promenade all the time. We have fantastic conversations about the state of the world. They are astute, knowledgeable and hopeful. Most seem not to be apathetic at all. How true it is that we must save the world for future generations.

But the students I meet are looking for opportunities to help save the world for themselves. They want to participate and learn how their voices can be heard, even though they are not old enough to vote. The older I get, the smarter and more sensible the younger generation seems. Isn't it time to consider lowering the voting age once again?

I've also recently joined the YMCA to get a bit more exercise than simply walking from one meeting to the next. I now "workout" three times a week. There are so many optimistic and supportive people working at and attending the Y, and so many people, including many seniors, getting active and healthier. I'm glad I joined and sincerely recommend it to others. The exercise and support I get there helps me lower my worrying and fear threshold immensely.

Above all, I feel very grateful that I have been lucky enough to be a peace activist for well over three decades. There are always ongoing frustrations and fears, but there are also many rewards.

You are all invited to join me and my beautiful-in-every-way wife Marissa as we host with Rusty's Surf Ranch my "Public 70th Birthday Celebration" the evening of Dec. 11 on the Santa Monica Pier. It's a fundraising and fun-raising benefit to help restore Paul Conrad's landmarked peace sculpture in the Civic Center, and a way to meet some of the SaveChainReaction.com dedicated team members and supporters. It should be fun for everyone attending. And it should be a scary-diminishing and cool-enhancing happy birthday time for me.

The more I think about it, turning 70 is cooler than scary. I'm already starting to think of ideas for another public birthday celebration for a good cause when I turn 75.

JERRY PEACEACTIVIST RUBIN can be found on the Third Street Promenade selling bumper stickers with politically charged slogans or at a number of community meetings.

The Q Line

Which way for Michigan?

City officials are considering a plan that would make a portion of Michigan Avenue east of Santa Monica High School a one-way street to make biking safer for students.

So, this week's Q-Line question asks:
Do you think this would improve safety around Samohi or should Michigan be left as is?

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





Mutual funds go from worst to first – again

STAN CHOE
AP Business Writer

NEW YORK Want to know which mutual funds are topping the performance charts this year? Check the ones that struggled last year.

Consider the fund that's leading all others. The Firsthand Alternative Energy fund (ALTEX) has nearly doubled this year, up 93 percent. The big jump, though, comes only after several rough years for the fund. Investors who bought it three years ago still haven't made back all of their earlier losses, according to data from Morningstar.

The sharp flip in performance is another example of how quickly fortunes can turn for mutual funds that focus on narrow segments of the market, whether it's alternative-energy companies, Indian stocks or gold miners. Such funds offer the possibility of greater rewards, but they come at the price of potentially higher risk and expenses. Investors who want to concentrate on a particular part of the market are generally advised to do so as part of a larger, diversified portfolio.

"The more narrowly focused a fund is, the greater the level of volatility there tends to be in its returns," says Todd Rosenbluth, director of ETF and mutual fund research at S&P Capital IQ. "This year's winners are often next year's losers, and sometimes last year's losers are this year's winners."

The big turnaround in performance for the Firsthand Alternative Energy fund wasn't the result of an overhaul of its philosophy or process, says Portfolio Manager Kevin Landis. Many of the stocks that the fund owns were also in the fund last year, such as Power Integrations (POWI), a California company that makes chips used to convert high-voltage power. The reversal is due more to changing sentiment toward the alternative-energy industry.

"It's funny, we almost couldn't have picked a worse time to start an alternative energy fund," Landis says. It started in late 2007, and it lost money in four of the ensuing five years as the global recession sapped markets and a glut of supply in solar equipment depressed prices. The fund lost 48 percent in 2008, its first full year. Last year, the Standard & Poor's 500 index posted a total return of 16 percent, but the fund lost 24 percent.

But alternative-energy stocks rebounded this year, with solar stocks climbing as demand for their products rose around the world. SolarCity (SCTY), a solar-equipment leasing company, has surged 317 percent, though its gains have been trimmed in in the last couple days. Its stock first started trading publicly in December, and it is the Firsthand Alternative Energy fund's biggest investment.

Power Integrations, which has been part of the fund both this year and last, has returned 63 percent in 2013 after gaining just 1 percent in 2012 and losing 17 percent in 2011.

Landis is optimistic that more gains are on the way for the industry. Prices for power made from the sun and other alternative sources are dropping. "And if you look at your power bill, the prices you're paying don't seem to be going down, so the math just steadily improves," he says.

The rising tide of interest in alternative-energy stocks has lifted funds specializing in the area. Guinness Atkinson's Alternative Energy fund (GAAEX) is the third-best mutual fund this year. It has climbed 73 percent in 2013, after losing 15 percent last year.

Firsthand's Landis has experience watching sentiment shift toward an industry. He made his name as a technology fund manager during the dot-com boom when his Firsthand Technology Value fund surged 190 percent in 1999. It was one of the hottest funds in the hottest industry. But the fund's returns sank with the deflating technology bubble, and it lost 44 percent in 2001 and another 56 percent in 2002.

It joins a long list of specialized mutual funds that have gone from hot to not and sometimes back again.

The best mutual fund in 2011, for example, was PIMCO's Extended Duration fund (PEDIX). It invests in longer-term securities than most bond funds, and it returned 56 percent in 2011. But its performance has since fallen back: It gained 3 percent in 2012 and has lost 18 percent this year.

In 2007, Indian stock mutual funds returned an average of 57 percent as investors were clamoring for the strong economic growth of emerging markets. That dwarfed the 5 percent return for the S&P 500 that year. But during the financial crisis in 2008, Indian stock funds plunged further than other markets, falling an average 64 percent.

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CRIME WATCH
BY DAILY PRESS STAFF



Huff, puff, burn her house down

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

SATURDAY, NOV. 2, AT 9 P.M.,
Santa Monica Police officers responded to the 2200 block of 28th Street regarding a disturbance. When they arrived they were informed of an ongoing dispute between two tenants, one of whom had recently been evicted. The former tenant knocked on the door of the other tenant's apartment and accused her of taking her property. The alleged victim told the suspect that she was going to call the police if the woman didn't leave. The suspect then allegedly said she was going to burn the other woman's apartment down with her inside. The tenant said the suspect then went and grabbed an old mattress and leaned it up against one of the apartment's walls and tried to light it on fire. When she called police, the suspect fled. Officers were able to find her and she was placed under arrest for attempted arson and making criminal threats. She was identified as Marisela Ann Guzman, 35, of Santa Monica. Her bail was set at $250,000.

SUNDAY, NOV. 3, AT 2:14 A.M.,
Officers on patrol saw a man standing beside a car parked along Bay Street near the beach. Officers stopped to talk with the man, asking him if he had a car in the area. He pointed to said car and told officers that he arrived in that one. Officers ran the plate and got the owner's name. They then asked the man who owned the car. He gave a different name. Officers felt the man was exhibiting signs of being under the influence of a stimulant and asked him if he was high. The man allegedly replied, "maybe a little bit." When officers asked him when was the last time he ingested drugs, he said that he had smoked "wax" a few hours earlier and had a "bump." Wax is slang for concentrated marijuana and a bump is slang for a line of meth. Officers placed the man under arrest for being under the influence. While at the jail they said they found a rolled up $1 bill with a white powdery residue inside that later tested positive for meth. The suspect was eventually booked for possession. He was identified as Marco Antonio Alvarez, 22, of Los Angeles. His bail was set at $10,000.

FRIDAY, NOV. 1, AT 2 P.M.,
Officers responded to the 300 block of Colorado Avenue – Sears – regarding a report of a burglary in progress. When officers arrived they spoke with store security who said they watched as the suspect stuffed a sports jacket down the front of his pants in an attempt to conceal it. He then left the store without offering to pay for the jacket, police said. When stopped by security outside the store, the suspect allegedly shoved one guard and ran. When he got to a wall he threw the jacket and a backpack over the wall and tried to scale it. He was unsuccessful. He then ran south on Ocean Avenue into Tongva Park. Responding officers caught up with him and placed him under arrest. The jacket, valued at $180, was recovered. The suspect was booked for robbery. He was identified as Sean Eustazio Stanley, 18, of Los Angeles. His bail was set at $50,000.

FRIDAY, NOV. 1, AT 1:15 P.M.,
Officers responded to Sears once again regarding a report of a shoplifter in custody. When they arrived they spoke with security who said they saw a man take two watches, a pair of sunglasses and several pieces of clothing and hid them on him. He did so by going into a dressing room two times. Both times he left without any items. When employees looked inside the dressing rooms they didn't find any merchandise. Security stopped the suspect and found the stolen items. Police said the suspect stole seven items valued at $186.95. He refused to give his name so he was booked as John Doe, 52, of Los Angeles. He was booked for burglary. His bail was set at $20,000.

THURSDAY, OCT. 31, AT 12:47 A.M.,
Officers responded to the 800 block of Fourth Street regarding a possible bicycle theft that just occurred. A witness told the officers that someone was cutting a bicycle lock outside of an apartment building. The person reporting the attempted theft was able to provide a description of the suspect. Officers were able to find him along the 800 block of Fourth Street. During their investigation, officers said they found burglary tools on the ground next to the suspect's car. Two other people were with him, along with a few bicycles. When questioned, the trio claimed they were riding the bikes on the beach. Officers felt that was suspicious given the time of day and the location where they were found. Officers detained them and searched the car and allegedly found drug paraphernalia and meth. Officers believed the bikes were stolen and placed the three under arrest for possession of stolen property. The suspects were identified as Daniel Anthony Vasquez, 26, of Venice, Calif.; Jessica Sanchez, 22, of Venice, Calif.; and Rudy Daniel Valenzuela, 29, of Inglewood, Calif. Bail was set at $20,000 each.

WEDNESDAY, OCT. 30, AT 4:42 P.M.,
Officers responded to Santa Monica Place – Nordstrom – regarding a report of a shoplifter in custody. When officers arrived they spoke with security who said they saw the suspect walk out of the store with an L.A. Kings hat on his head that he picked up while inside. They searched his Nordstrom bag and found other items they believed to be stolen. The suspect said he was diabetic and was possibly having a seizure at the time that the items were placed in his bag. He claims he did not remember doing that. Officers transported the suspect to a hospital to be checked out. After he was cleared, he was placed under arrest for petty theft with a prior. He was identified as Kenneth Steven Wasp, 24, of West Hollywood, Calif. His bail was set at $20,000.

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editor@smdp.com

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

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SUIT
FROM PAGE 1

"riding his motorcycle in a lawful and reasonable manner and obeying all rules of the road."

It names Timothy Datryn Thrash as the driver of the bus and claims he drove "carelessly and negligently" and that he was "negligently hired, trained, educated, and supervised" by BBB.

BBB officials were not able to comment for this story.

The suit further alleges that the intersection lacks proper pavement markings, signage, traffic controls, turn lanes, light timing, and more, creating a "trap." BBB knew of the hazards, the suit alleges.

In March, the Daily Press reported that the Department of Transportation removed a "bus exempt" sign at the location from which Thrash allegedly made the turn. BBB officials had to scramble to create a detour for the area, the article said, and ultimately submitted an alternative route to the DOT.

Officials said the change was not the result of any accident occurring in the area, and that they had "been looking to make a change for some time" to combat tardiness on the route. DOT's approval of the new route was pending at the time and BBB officials would not say whether the route had changed.

Route 9, according to a BBB route map that is not very detailed, appears to now take Sunset, rather than Marquez, to the intersection in question.

> **"THE FAMILY IS DEVASTATED AND THE CASE IS JUST BEGINNING NOW, AND IT'S NOT A DEATH THAT SHOULD HAVE HAPPENED."**
>
> Conor Kelly
> Attorney

dave@smdp.com

MALIBU
FROM PAGE 1

teachers with thyroid cancer and health problems among other teachers could be related to contaminants on campus.

Soil from the middle school quad containing elevated levels of PCBs was removed in 2011.

Radon is a radioactive gas known to cause lung cancer, which is found in many buildings, as well as soil, rock and water. The Malibu area is known to have a high, naturally occurring level of radon, and several staff requested the district test for its presence near the campuses.

Results from the testing should be available by Nov. 22, according to Mark Katchen, an environmental consultant hired by SMMUSD.

Katchen met and agreed to work with Dr. Paul Rosenfeld, an expert hired by concerned parents on the specifics of the testing, according to a press release from SMMUSD superintendent Sandra Lyon.

"The discussion was positive, productive and yielded agreement on refined testing protocols for PCBs," Lyon said.

Katchen and the district were planning on applying standards set by the U.S. Environmental Protection Agency (EPA) regarding acceptable levels of PCB exposure in schools and the workplace to the testing results, Katchen said Tuesday in a telephone interview. Rosenfeld requested that Katchen and the district instead apply the EPA standard for residential exposure, which occurs over a longer period of time.

The two sides reached an agreement to modify the calculation, somewhere in the middle.

"With adjustment for the duration of exposure, the group agreed to test for this extremely conservative limit," Lyon wrote in the press release.

Ken Miller, a spokesman for the group Malibu Parents for Healthy Schools, said the parents felt progress was made at the meeting but that concerns over the testing protocols were valid. Miller referenced the district's hiring of McDaniel Lambert Inc., a Venice-based risk assessment firm that has done business for companies such as Chevron and British Petroleum and testified in defense litigation.

"They are unabashedly, undeniably a company that represents companies accused of contamination," Miller said Tuesday in a telephone interview. "That's who their clients are. You can call them. I don't think they'd deny that. So their orientation is to excuse or minimize contamination."

Miller said parents wanted to make sure that Rosenfeld would be given the opportunity to view the raw data from the testing in case there is any question about data or its interpretation.

When told of the concerns over McDaniel Lambert, Katchen said there had been a misunderstanding. McDaniel Lambert would not be involved in the test results, he said, but rather in the PCB testing protocols.

"[McDaniel Lambert] have nothing to do with the testing," Katchen said. "The results are generated by a laboratory that comes to me. But McDaniel has nothing to do with those numbers. For ease, they already have a spreadsheet that runs these calculations. But they have nothing to do with the data."

Katchen said that McDaniel Lambert had worked for a range of clients, also including the U.S. government and various cities.

"This is business. Dr. Rosenfeld does most of his work for the plaintiff's side. I'm not casting any aspersions. We're all scientists, we're all trying to find the truth.

"If you stick with established EPA practices and established risk assessment practices, which we're doing, then there's a level of scientific integrity, then it doesn't matter who your client is."

Despite his concerns over testing, Miller said the parent group was pleased with the task force meeting.

"I think we were very happy with it," he said. "We're happy that Paul [Rosenfeld] was invited. We're happy that the group kept working. We think it was a successful meeting. I think it should be a blueprint for how the rest of the process is conducted."

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This article originally appeared in the Malibu Times.

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OTO DEVELOPMENT

GWYNNE PUGH URBAN STUDIO

PLAN
FROM PAGE 1

minutes on what they are calling overly strict standards.

City officials are studying floor area ratios of both 4.0 and 4.5 for the Downtown plan.

Floor area ratio, or FAR, is the ratio between the total floor area in a development and the amount of the parcel that a building uses.

Architects were not concerned with the FAR requirements alone but with a combination of all the proposed standards, which regulate, among other things, the percentage of open space required per lot and the maximum percentage of total area allowed per floor.

"Developers, when they come to us, they have the expectation of getting maximum FAR and if that means that the top floor can only be 50 percent, they're going to want it to be 50 percent," he said. "You're going to define what all these floors are."

This, he said, would make all the buildings look the same. He recommended imposing only maximum height and FAR requirements.

"We can't just give you that because based on what you said earlier, which is that property owners are going to maximize the box they can build to," said Commissioner Jim Ries. "You might want to make the nicest design in the world but you're applicant wants to maximize profit which does not include doing a very creative building."

Hibbert responded that city officials, planning commissioners, Architectural Review Board, and City Council reviews should be approving developments on a site by site basis.

"But if we don't give standards how are we going to say, look, this doesn't meet our standards?" Ries responded. "Because then their attorney is going to say to us, 'it meets the FAR and it meets the height.' You can't make up design issues."

Hibbert argued that design issues could be included as "guidelines," which are less binding than "standards."

Neal Payton, a consultant helping to form the plan, acknowledged that the standards can limit greatness.

"There's this thing about design standards and design guidelines: They don't result in great architecture," he said. "They prevent lousy architecture. That's what it's all about. There's no substitute for a great architect."

Still, Payton said, he could think of seven or eight examples off the top of his head of specific plans in California that are "way more specific in terms of their regulatory development standards," than the one presented by city officials on Wednesday.

"The statute certainly allows for a specific plan to be regulatory," he said. "It's very clear."

Among the cities with more detailed specific plans, Payton pointed to Ventura, Santa Ana, Fresno, and Hercules.

Commissioner Sue Himmelrich said that Ventura, Santa Ana, and Fresno would not be her "model cities for what Santa Monica should look like." She suggested more flexibility in the plan, saying that most projects built under the current standards look like wedding cakes, with each floor getting progressively smaller.

"It might be a wedding cake with a courtyard in the middle, but it's still a wedding cake," she said. "I think we need to give the really great architects who come into this city the flexibility to do the great things they do."

City officials will present a draft of the final plan, with changes based on suggestions from the commission, early next year.

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INMATES
FROM PAGE 3

said, the use of pepper spray to remove mentally ill inmates from their cells is relatively rare — 122 times over a recent 10-month period.

Rarer still are uses that could be interpreted as abuse of incompetent inmates, he said. The videos presented in court fail to show employees' attempts, sometimes lasting hours, to talk inmates out of their cells before they use force as a last resort. Batons are used only in life-threatening situations.

"There has been no evidence that staff used force against the mentally ill for the purposes of inflicting pain or punishment. The opposite is true: Force is used to make sure they're receiving their necessary medication ... and ultimately receiving proper care," McKinney told U.S. District Judge Lawrence Karlton, who has presided over the underlying class-action lawsuit for more than two decades.

The dispute is the latest chapter in a 23-year-old lawsuit that has helped prompt sweeping changes in the state's prison system, including a sharp reduction in inmate overcrowding. Federal judges, backed by the U.S. Supreme Court, have ruled that reducing the prison population is necessary to improve care for sick and mentally ill inmates.

Yet one witness for inmates, Dr. Edward Kaufman, testified that little has changed in the 20 years since Karlton first ruled that guards were using excessive force against mentally ill prisoners who refused to comply with their orders.

Kaufman first toured California prisons in 1992 and 1993 as an expert witness in the same lawsuit. Then, guards used stun guns and launchers that fired wooden or rubber blocks. Now they have batons and pepper spray.

Karlton said he is torn on several issues in the case. Even if there were individual abuses, he questioned if there is enough evidence of a system-wide "pattern and practice," the standard needed to prove a constitutional violation. And even if he finds a constitutional violation, Karlton questioned how far he could go to order reforms.

The excessive force complaint resurfaced after Karlton rejected Gov. Jerry Brown's attempt to end court oversight of inmate mental health programs in April.

Separately, the judge is considering whether mentally ill inmates on death row are given proper treatment.

The hearing over excessive force centered on the videos, which were recorded by correctional officers as part of their official duties. The death row debate was punctuated by the story of a condemned inmate who punched out his own eyes with a pair of ball point pens. The psychotic inmate tried to kill himself three times at San Quentin State Prison but was never hospitalized. He finally hanged himself in April.

The judge and lawyers representing inmates and the state agreed that there have been significant improvements in caring for condemned inmates in recent years. The question is whether they have gone far enough or whether a licensed psychiatric hospital unit is needed at San Quentin.

Karlton's written rulings on the alleged excessive use of force and the treatment of condemned inmates are expected in coming weeks.

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Surf Forecasts

Water Temp: **62.4°**

FRIDAY – **POOR** – SURF: **1-2 ft** knee to thigh high occ. 3ft
Steep-angled NW swell eases, generally passing by the region; minor Southern Hemi energy; reinforcing NW swell-mix fills in late

SATURDAY – **POOR TO FAIR** – SURF: **1-2 ft** knee to thigh high
New NW swell-mix; stay tuned...storm dependent; minor Southern Hemi energy

SUNDAY – **POOR** – SURF: **1-2 ft** ankle to knee high
Trace NW and SSW swells; possible new NW windswell mix

MONDAY – **POOR** – SURF: **1-2 ft** ankle to knee high occ. 3ft
Possible new NW swell mix; minor Southern Hemi energy

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 30, 2013**

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QUICK STATS (for the last 30 days)
- Number of sewage spills -- 0
- Number of beach closures due to a sewage spill -- 0
- Number of wet days -- 0
- Number of A grades for dry/wet weather -- 28 / ns
- Number of (C,D,F) grades for dry/wet weather -- 0 / ns

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
Leo Carrillo Beach, at Arroyo Sequit Creek mouth.	A+	ns
Nicholas Beach at San Nicholas Canyon Creek mouth.	A+	ns
El Pescador State Beach, between Lechusa and Los Alisos creeks.		
Encinal Canyon at El Matador State Beach.	A	ns
Broad Beach at Trancas Creek mouth.	A+	ns
Zuma Beach at Zuma Creek mouth.	A+	ns
Walnut Creek, projection of Wildlife Rd. (private).	A+	ns
Paradise Cove Pier at Ramirez Canyon Creek mouth.	A+	ns
Escondido Creek, just east of Escondido State Beach.	C	ns
Latigo Canyon Creek mouth.	C	ns
Solstice Canyon at Dan Blocker County Beach.	A	ns
Puerco State Beach at creek mouth.	A+	ns
Marie Canyon storm drain at Puerco Beach, at 21572 Malibu Rd..	A+	ns
Surfrider Beach at Malibu Colony fence.	A+	ns
Surfrider Beach (broach location)- daily.	A	ns
Malibu Pier - 50 yards east.	A+	ns
Carbon Beach at Sweetwater Canyon.	A	ns
Las Flores State Beach at Las Flores Creek (point zero).	A	ns
Big Rock Beach at 19948 PCH stairs.	A+	ns
Pena Creek at Las Tunas County Beach.	A+	ns
Tuna Canyon.	A+	ns
Topanga State Beach at creek mouth.	A	ns
Castlerock Storm Drain at Castle Rock Beach.	ns	ns
Santa Ynez Storm Drain at Castle Rock Beach.	A+	ns
Will Rogers State Beach at 17200 PCH (1/4 mile east of Sunset drain).	A	ns
Will Rogers State Beach at Bel Air Bay Club drain near fence.	B	ns
Will Rogers State Beach at Pulga Canyon storm drain.	A+	ns
Will Rogers State Beach at Temescal Canyon drain.	A+	ns
Will Rogers State Beach at Santa Monica Canyon drain (Chautauqua).	A	ns
Santa Monica Beach at Montana Ave. drain.	A+	ns
Santa Monica Beach at Wilshire Blvd. drain.	A	ns
Santa Monica Municipal Pier.	F	ns
Santa Monica Beach at Pico/Kenter storm drain.	A	ns
Santa Monica Beach at Strand St. (in front of the restrooms).	A+	ns
Ocean Park Beach at Ashland Ave. drain.	A	ns
Venice City Beach, at the Rose Ave. storm drain.	A+	ns
Venice Beach at Brooks Ave. drain.	A+	ns
Venice Beach at Windward Ave. drain.	A+	ns
Venice Fishing Pier - 50 yards south.	A+	ns
Venice Beach- projection of Topsail St..	A+	ns
Marina del Rey, Mothers' Beach- lifeguard tower.	F	ns
Dockweiler State Beach at Ballona Creek mouth.	B	ns
Dockweiler State Beach at Culver Blvd. drain.	A+	ns
North Westchester Storm Drain at Dockweiler State Beach.	A+	ns
Dockweiler State Beach at World Way (south of D&W jetty).	A+	ns
Dockweiler State Beach at Imperial Hwy drain.	A+	ns
Dockweiler Beach- opposite Hyperion Treatment Plant.	A+	ns
Dockweiler State Beach at Grand Ave. drain.	B	ns

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

Heal the Bay is a 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.

Cubs hire Renteria as manager

MEGHAN MONTEMURRO
Associated Press

CHICAGO First-time manager Rick Renteria is focused on the future of the Chicago Cubs, rather than their past failures.

Renteria preached accountability Thursday when he was introduced via teleconference as the franchise's 53rd manager. He takes on a challenging job that goes beyond merely trying to bring a winning team to Wrigley Field.

The development of young ballplayers has been labeled as one of his strengths. And with Starlin Castro and Anthony Rizzo needing help, the former San Diego Padres bench coach has got lots of work ahead of him with a team that finished 66-96.

"My personality doesn't allow for being counted out," Renteria said. "I think what we're trying to do between the lines will speak for itself. In the end, we're all judged in one fashion or another, but I don't preoccupy myself too much about what I think's going to happen. I preoccupy myself with what I want to do."

First thing he needs to do: Get healthy. Renteria will be introduced at Wrigley at a later date as he is recuperating in San Diego following hip surgery in October.

The 51-year-old Renteria got a three-year contract with club options for 2017 and 2018. He is another unproven hire by team president Theo Epstein and the Cubs after the struggling organization initially expressed interest in New York Yankees manager Joe Girardi.

Girardi, a Peoria, Ill., native and Northwestern product who once played for the Cubs, signed a four-year contract worth up to $20 million to stay with New York.

"Rick's reputation is impeccable," Epstein said. "He stood out throughout the process to lead the Chicago Cubs into our next chapter."

"You can't find anybody in this game to say a bad or neutral word about Rick Renteria," he said.

The Cubs are relying on Renteria to improve on a 127-197 record during Dale Sveum's two years as manager. Despite the franchise's four consecutive losing seasons and a last-place finish in the NL Central in 2013, Renteria refused to accept the assumption that the Cubs won't be competitive next year.

The Chicago Cubs last made the playoffs in 2008 and have not won a playoff game since 2003. Under Renteria, they'll be coming off their first last-place finish in seven seasons.

City of Santa Monica

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

SUBJECT: A public hearing will be held by the Planning Commission for the following:

Development Agreement 10-002, Environmental Impact Report 10-002, Bergamot Transit Village Center Development Agreement, 1681 26th Street. The applicant is requesting Planning Commission consideration and recommendation to the City Council of a Development Agreement and Final Environmental Impact Report for a mixed-use project consisting of 472 rental housing units, 26 artist work/live units, up to 374,434 sf of creative office space, up to 15,500 sf of restaurant space, and up to 13,891 sf of neighborhood retail space. The project would include surface easements for an extension of Nebraska Avenue between Stewart Street to 26th Street, a new north-south street within the Creative Office Phase of the project, and a new north-south street within the Residential Phase of the project. The project would have a building height that ranges between 60 feet and 84 feet. The project is proposing 1,936 parking spaces in a three-level subterranean parking garage. The project site consists of 310,504 sf (approximately 7.1 acres) and has frontage on Olympic Boulevard, 26th Street, and Stewart Street. As part of the Development Agreement, the proposed project would provide certain community benefits. Pursuant to Santa Monica Municipal Code (SMMC) Section 9.48.130, the Planning Commission shall hold a public hearing on the proposed development agreement and shall make its recommendation to the City Council for review. **APPLICANT/PROPERTY OWNER: Hines/26th Street LLC.** The public hearing for this item began on September 11, 2013, and was continued to September 18, October 23, and the date below.

WHEN: **Wednesday, November 20, 2013 at 7:00 p.m.**

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

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

MORE INFORMATION
If you want additional information about this project or wish to review the project, please contact the Project Planner (310) 458-8341. The Zoning Ordinance is available at the Planning Counter during business hours or available on the City's web site at www.smgov.net. The meeting facility is wheelchair accessible. If you have any disability-related accommodation request, please contact (310) 458-8341, or TYY Number: (310) 458-8696 at least five (5) business days prior to the meeting. Santa Monica "Big Blue" Bus Lines #1, #2, #3, Rapid 3, #7, and #9 service the City Hall and the Civic Center. Pursuant to California Government Code Section 65009(b), if this matter is subsequently challenged in Court, the challenge may be limited to only those issues raised at the Public Hearing described in this notice, or in written correspondence delivered to the City of Santa Monica at, or prior to, the Public Hearing.

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

MOVIE TIMES

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

Lee Daniels' The Butler (PG-13) 2hrs 12min
Fruitvale Station (NR) 1hr 15min
7:30pm
Evening begins with a discussion with actor/producer Forest Whitaker.

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

Thor: The Dark World (PG-13) 2hrs
7:30pm, 10:40pm

Ender's Game (PG-13) 1hr 54min
7:45pm, 10:55pm

About Time (R) 2hrs 04min
8:00pm, 11:10pm

Counselor (R) 1hr 51min
8:15pm, 11:15pm

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

Gravity 3D (PG-13) 1hr 31min
8:00pm, 10:40pm

Ender's Game (PG-13) 1hr 54min
8:30pm, 10:10pm

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

Last Vegas (R) 1hr 30min
7:45pm, 10:30pm

Thor: The Dark World 3D (PG-13) 2hrs
8:15pm, 11:30pm

Free Birds (PG) 1hr 30min
10:00pm

Free Birds in 3D () 1hr 30min
7:30pm

Jackass Presents: Bad Grandpa (R) 1hr 33min
7:35pm, 11:20pm

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

All Is Lost (PG-13) 1hr 40min
7:30pm

Capital (Le capital) (R) 1hr 53min
10:10pm

Kill Your Darlings (R) 1hr 35min
10:00pm

How I Live Now () 1hr 41min
7:50pm, 10:15pm

Enough Said (PG-13) 1hr 33min
7:40pm

12 Years a Slave (R) 2hrs 13min
7:20pm, 10:15pm

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

CHAT OVER A MEAL, TAURUS

ARIES (March 21-April 19)
★★★★ You could be dealing with someone who thinks he or she is in charge. You might prefer to not take this person on. Anger builds and comes out in a meeting. Tonight: Let the fun begin.

TAURUS (April 20-May 20)
★★★ Keep reaching out to someone at a distance. This person might be resistant at first, but you will be able to help him or her see your logic. A discussion about your feelings with a child or loved one needs to happen soon, because the other party is on edge. Tonight: Chat over dinner.

GEMINI (May 21-June 20)
★★★★ You have an opportunity to reach out to someone you really care about. It is time for a one-on-one conversation. Make a point of having this chat as soon as possible; otherwise, you might be unduly concerned or uptight. Tonight: Have a discussion over dinner.

CANCER (June 21-July 22)
★★★★ You have a great sense of when is and when is not a good time to bend for someone else. A friend or loved one could have pushed you very hard. You might decide to go along with this person one more time only to be sorry that you did later. Tonight: Curb your anger.

LEO (July 23-Aug. 22)
★★★★ Get as much done as possible. You'll want to free up time earlier than on most Fridays. You will enter a very social period this weekend. Tonight: Sort through your many invitations and requests.

VIRGO (Aug. 23-Sept. 22)
★★★★ Focus on the lighter side of what is happening. Detach, and you won't get triggered. Tempers will flare otherwise, and you easily could lose your temper. Tonight: Make plans that will allow you to work through some of the stress.

LIBRA (Sept. 23-Oct. 22)
★★★ You might have difficulty getting going. So much so, you might decide to cancel plans and assume the role of couch potato. Everyone needs to take some much-needed down time sooner or later. Tonight: You might get a last-minute urge to go out.

SCORPIO (Oct. 23-Nov. 21)
★★★★ You are all smiles and seeing life from a Friday point of view. How you deal with a very assertive friend might surprise him or her. You rarely lose your temper when dealing with this person, so he or she will need to be ready to accept this side of you. Tonight: Mosey on home.

SAGITTARIUS (Nov. 22- Dec. 21)
★★★★ Deal with a money matter as quickly as possible. You could be pondering an important decision. If you can take the weekend to mull over this issue, do. Try not to get into a tiff with a difficult associate. Return calls later in the afternoon. Tonight: Go with the most fun option.

CAPRICORN (Dec. 22-Jan. 19)
★★★ You might have been toying with the idea that you would like to do something silly. Your sense of humor and the time you spend to involve someone else demonstrates your caring far more than you realize. Tonight: Be clear about your plans in order to avoid a misunderstanding.

AQUARIUS (Jan. 20-Feb. 18)
★★★★★ You might want to be a couch potato just for a day. Everyone, including you, needs time off to do what he or she wants -- even if that is doing nothing. You put yourself out for others so often that you do not make enough time for you. Tonight: Catch a second wind.

PISCES (Feb. 19-March 20)
★★★ Use the daylight hours to the max, when success seems to travel with you. Your unusual creativity and charisma draw many people toward you. Tonight: Vanish. Let others wonder where you are.

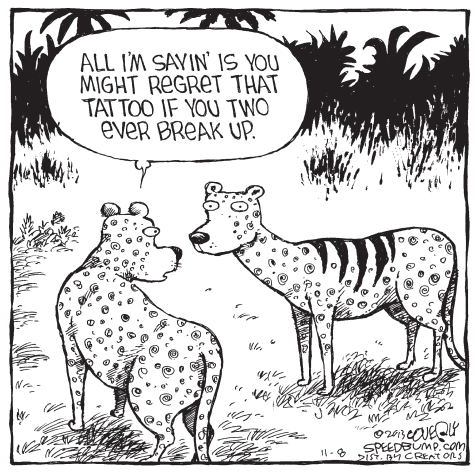
Friday, November 8, 2013

This year you will be more optimistic and expressive than you have been for quite a while. If you are single, you might feel bowled over by your popularity. Before you know it, you could be acting like a kid in a candy store. Date as much as you want. You will know when you connect with someone significant. If you are attached, the two of you could have your share of misunderstandings, but you'll learn to see them as quick passages. You will relate on an intense level. AQUARIUS is a loyal friend.

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

INTERESTED IN YOUR DAILY FORECAST?
Check out the HOROSCOPES above!
smdp.com Santa Monica Daily Press office **(310) 458-7737**

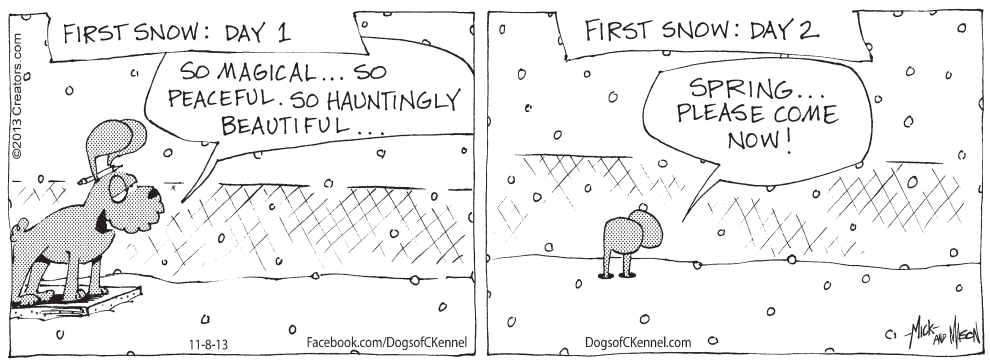
Speed Bump By Dave Coverly



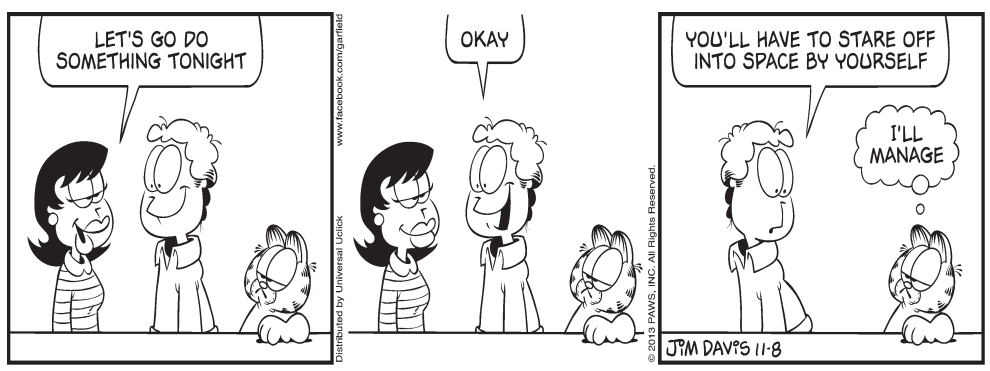
Strange Brew By John Deering



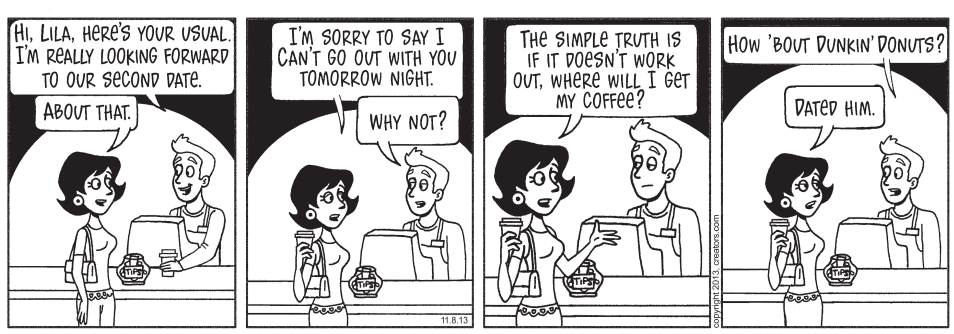
Dogs of C-Kennel By Mick and Mason Mastroianni



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 ★★★★

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

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

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

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MYSTERY PHOTO

Daniel Archuleta *daniela@smdp.com*

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

CROSSWORD

By THOMAS JOSEPH

ACROSS

1 Sun block ingredient
5 Intimation
9 Molecule makeup
11 Bakery workers
13 Suggest
14 Namely
15 Industrious one
16 1977 Peter Frampton hit
18 Pooh-pooh
20 Peculiar
21 — Gay (historic plane)
22 Rocker Glenn
23 Pool need
24 Stir-fry vessel
25 Ship part
27 Urban oases
29 Wing
30 Dry wine
32 Grounds for a 15-yard penalty
34 Charged particle
35 Dick's veep
36 "I surrender!"
38 Film prize
39 Cheapskate
40 Villa d'—
41 "Hey, you!"

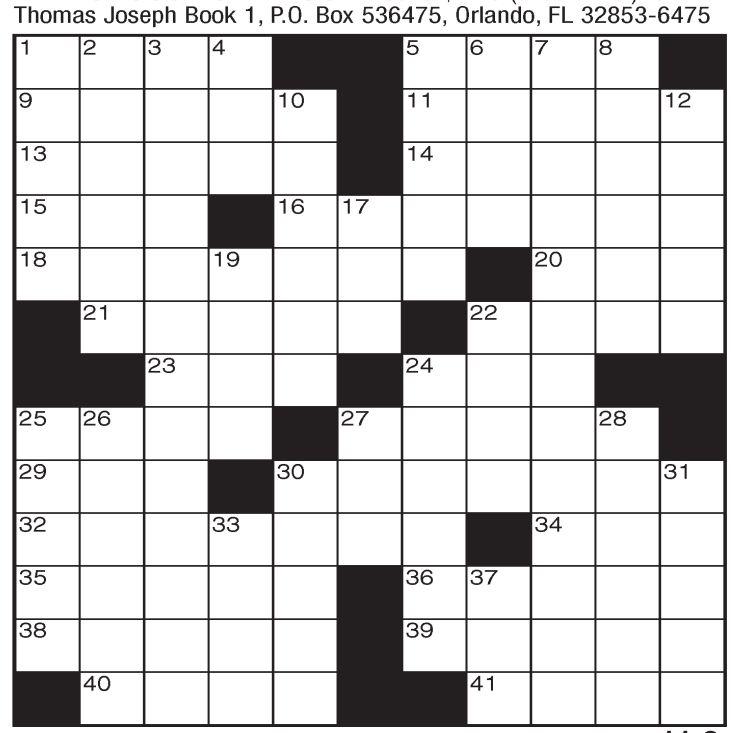
DOWN

1 Irene of film
2 Immediately
3 NBA team
4 French friend
5 Words to the maestro
6 Clickable picture
7 NBA team
8 Electron tube
10 Suppress
12 Scrutinize
17 Calf cry
19 Ref's call
22 Thrown — loop
24 "Don't leave yet"
25 Ashton Kutcher's "That '70s Show" role
26 Go by
27 Frat letter
28 Fancy wraps
30 Task
31 Static
33 Part of QED
37 Wee bite

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

Yesterday's answer

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



11-8

DAILY LOTTERY

POWERBALL
Draw Date: 11/6
1 5 10 15 49
Power#: 22
Jackpot: $87M

MEGA MILLIONS
Draw Date: 11/5
2 11 42 64 74
Mega#: 2
Jackpot: $115M

SUPER LOTTO PLUS
Draw Date: 11/6
3 4 8 13 43
Mega#: 6
Jackpot: $29M

Fantasy 5
Draw Date: 11/7
8 11 24 28 39

DAILY 3
Draw Date: 11/7
MIDDAY: 1 5 9
EVENING: 7 8 8

DAILY DERBY
Draw Date: 11/7
1st: 11 Money Bags
2nd: 03 Hot Shot
3rd: 07 Eureka
RACE TIME: 1:43.10

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

NEWS OF THE WEIRD
BY CHUCK SHEPARD

■ The NASA space agency reported an intruder on its Ames Research Center website in September, emanating from a site in Brazil manned by someone perturbed by the U.S.'s (and, also, by the way, the Illuminati's) eavesdropping. "Stop spy on us!" and "Obama heartless! Inhumane!" were just two of the messages on the 14 NASA sites taken down temporarily. A Slate.com blogger surmised that the hacker intended to target the National Security Agency -- NSA -- instead of NASA.

■ Criminals Not Ready for Prime Time: (1) Tony Taylor was arrested in Chicago in October after driving off with a woman's SUV by convincing her he was a valet parking agent and handing her a claim check. He was detained shortly afterward at a nearby Nordstrom only because he tried to get cash refunds for items that had been in the woman's back seat. (2) A woman notified police in Fremont, Calif., in September that a thief had rummaged through her vehicle at night but had taken only a low-end gift-shop item -- leaving behind a checkbook, some money and an expensive pillow. The item, she said, perhaps looked like a small bag of marijuana, but in reality was a novelty-store bag of dried elephant dung. "It's a great gag gift," she said.

TODAY IN HISTORY

1957 - Operation Grapple X, Round C1: the United Kingdom conducts its first successful hydrogen bomb test over Kiritimati in the Pacific.

1960 - John F. Kennedy defeats Richard Nixon in one of the closest presidential elections of the twentieth century to become the 35th president of the United States.

WORD UP!

clepe
\ kleep \ , verb;
1.to call; name (now chiefly in the past participle as ycleped or yclept).

Santa Monica Daily Press

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Immediate positions (all shifts) in the environmental services department with a local hospital in the Santa Monica area are now available. Please call Nancy at (310) 829-8431.

Help Wanted

LOVE DOGS? EARN $$ FROM HOME Home FT? Keep a neighbor's dog in your home while they travel. Meet the dog & owner B4 committing to jobs. Earn up to $35 per dog per day (often multiple dogs.) Apply online at http://dogboarding.sleepoverrover.com/ become-a-host.html or call 866-867-5048

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Tutor avail. for K-8. Santa Monica, experienced credentialed special education teacher/ IEP. Positive behavior support strategies applied. (310) 741-8343

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Tip: Act Quickly

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Santa Monica Daily Press **HOURS** MONDAY - FRIDAY 9:00am - 5:00pm **LOCATION** 1640 5th Street, Suite 218, Santa Monica, CA 90401

meet me under the

FIG TREE



We invite you to join us for a day of festivities under the Moreton Bay Fig Tree as we celebrate the Holiday Season

SUNDAY · DECEMBER 8th · 2013 · 2PM to 6PM

ADMISSION IS FREE · FOR MORE INFORMATION, PLEASE CALL: 310.576.7777

Fairmont MIRAMAR HOTEL & BUNGALOWS SANTA MONICA

THE MIRAMAR PLAN

THIS EVENT BENEFITS WESTSIDE FOOD BANK