

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

SUPER LOTTO

4 17 43 44 47

Meganumber: 21

Jackpot: \$18 Million

FANTASY 5

2 12 19 20 33

DAILY 3

Daytime: 1 4 7

Evening: 4 4 0

DAILY DERBY

1st: 06 Whirl Win

2nd: 12 Lucky Charms

3rd: 05 California Classic

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NEWS OF THE WEIRD BY CHUCK SHEPARD

Lee Ka-wai filed a lawsuit in Hong Kong's Small Claims Tribunal in September against the Rolex Corp., claiming intense psychological trauma from a rash she developed on her wrist after wearing the company's US\$3,800 Oyster Perpetual watch. Lee blames the rash on the label on the back of the watch, which Rolex says everyone knows must be removed after purchase but which Lee left on out of fear that removal would void the warranty.

TODAY IN HISTORY

Today is the 334th day of 2005.
There are 31 days left in the year.

On Nov. 30, 1782, the United States and Britain signed preliminary peace articles in Paris, ending the Revolutionary War.

In 1803, Spain completed the process of ceding Louisiana to France, which had sold it to the United States.

In 1804, Supreme Court Justice Samuel Chase went on trial, accused of political bias. (He was acquitted by the Senate.)

QUOTE OF THE DAY

"No particular man is necessary to the state. We may depend on it that, if we provide the country with popular institutions, those institutions will provide it with great men."

THOMAS BABINGTON MACAULAY
ENGLISH HISTORIAN (1800-1859)

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Assembly race heats up early

BY CAROLYN SACKARIASON
Daily Press Staff Writer

41st DISTRICT — The election isn't until next summer, but three Santa Monicans have been stumping for months, if not years, for this region's state Assembly seat.

Assemblywoman Fran Pavley (D-Agoura Hills), who has held the seat since 2000, will give up her position next year due to term limits. When she retires her seat, Pavley will have served three two-year terms.

Although Election Day for the seat is in November 2006, the true



JULIA BROWNLEY

winner will be decided on June 6 in the primary election.

Five Democratic candidates have entered the race, including



KELLY HAYES-RAITT

Santa Monicans Jonathan Levey, Kelly Hayes-Raitt and Julia Brownley. The other two — Barry Groveman and Louise Rishoff —



JONATHAN LEVEY

are from Calabasas and Agoura Hills, respectively.

See CANDIDATES, page 6

MASSive music



Fabian Lewkowicz/Daily Press

Crews prepare the inside of the MASS Music Dome at the Santa Monica Pier. Taking its name from the acronym for music, architecture, sonic and sculpture, the acclaimed MASS Ensemble, beginning on Dec. 1, will present regular evenings of music, dance and technology in the architectural structure of a giant geodesic dome.

Red Line to Santa Monica could lose strongest opponent

By The Associated Press

LOS ANGELES — Congressman Henry A. Waxman is rethinking his opposition to proposals for a downtown-to-Santa Monica subway.

The Los Angeles Democrat has been an immovable barrier to tunneling on the Westside since a gas explosion 20 years ago in the

Fairfax District. He helped lead the effort to halt plans to extend the Metro Red Line subway west under Wilshire Boulevard. Now, he's reviewing results of a new study that say the project could be built safely.

The Westside subway is a top priority of Mayor Antonio Villaraigosa, and a panel convened

at the request of the Metropolitan Transportation Authority concluded the Wilshire subway could be made safe. Waxman has asked the panel to produce a written report on its findings.

"If the report confirms what we've been hearing, I will introduce a proposal to rescind the

restriction," Waxman said.

A Red Line extension would still be years away, however. No funding is earmarked for a Red Line extension and the per-mile price for subway construction has skyrocketed in the last 20 years, to between \$300 million and \$350 million.

Council is confident in its choice for city manager

BY RYAN HYATT

Daily Press Staff Writer

CITY HALL — Elected officials say they're confident in their choice for Santa Monica's new city manager, despite concerns some have expressed regarding controversy he's endured while holding his position in San Diego.



LAMONT EWELL The Nov. 22 City Council announcement that Lamont Ewell is to become Santa Monica's top administrator as of Jan. 14 has

See CITY MANAGER, page 5

Jacquie Banks

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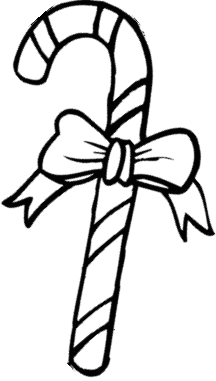


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Santa Monica Daily Press



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)
★★★★ Do you want to have a say with a partner? Of course you do. Then mellow out. You find that you are involved in a classic case of honey working better than vinegar. What also might be helpful is to walk in another's shoes. Tonight: Detach from an immediate situation.



TAURUS (April 20-May 20)
★★★★ The voices and attitudes of others soften. A situation that has been difficult suddenly eases up. You might want to handle a personal matter differently. Work with individuals, not the group. Stay centered. Tonight: Special time with a friend.



GEMINI (May 21-June 20)
★★★★ Dig into work and handle as much as you can. Others are more than willing to chip in. Be grateful for what is good rather than demand more. Others run the show, yet your attitude could determine more than you realize. Tonight: Say yes.



CANCER (June 21-July 22)
★★★★ Your creativity runs high. Listen to what others suggest as well. Your willingness to absorb others' ideas could make or break your success. Put your best foot forward and brainstorm away. Think positively. Tonight: Ever playful.



LEO (July 23-Aug. 22)
★★★★ Center on your priorities first, and tap into your own needs and desires. Creatively determine what is important, and then brainstorm away. You will greet success. Sleuth through problems rather than give up and toss your hands in the air. Tonight: Let your friskiness come out.



VIRGO (Aug. 23-Sept. 22)
★★★★ You might want to think through and discuss recent events, hassles and situations. Good will emerges through your openness and a willingness to listen. Prioritize, as you might not be exactly sure what is best to do. Tonight: Happy at home.



LIBRA (Sept. 23-Oct. 22)
★★★ Expenses could be heavy, but through your innate talents you have the ability to make money as well. Make an effort to reach out to others. Return messages too, because others have good, or at least interesting, news. Tonight: Talk the night away.



SCORPIO (Oct. 23-Nov. 21)
★★★★ Investigate what others really mean. Your positive attitude could be contagious. What a relief! Aim for more of what you want from various situations. Your charisma snaps any loose ends into place. Tonight: Your treat.



SAGITTARIUS (Nov. 22-Dec. 21)
★★★ Take your time moving forward. Think through your decisions and what might be a good alternative. You might want to ask others for their opinions. The Moon swings into your sign in the afternoon, adding to your energy. Tonight: Your call.



CAPRICORN (Dec. 22-Jan. 19)
★★★★ You'll hit the bull's-eye if you get started early enough today. Late afternoon, you pull back and take time to think. A friend verbalizes his or her thoughts. Listen to your inner voice. Tonight: Take your time.



AQUARIUS (Jan. 20-Feb. 18)
★★★ Others seek you out for advice. You take the lead. You are the leader of the gang. Others look up to you. Listen to them. Review a situation with care. Tonight: Very playful with friends.



PISCES (Feb. 19-March 20)
★★★★ Look behind the scenes. You might want to do some research or check out matters. Investigate what might be happening. You are on top of your game. Others recognize what it is going on. Think positively about what is happening. Tonight: Out on the town.



Santa Monica Daily Press

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LOCAL



COMMUNITY BRIEFS

A 'Heartfelt' holiday celebration

By Daily Press staff

Gratitude flourished among hundreds of needy families this past month when a local nonprofit opened up its heart and its supporters opened up their wallets.

The Heartfelt Foundation on Nov. 19 hosted its annual Thanksgiving holiday celebration, where hundreds of less fortunate children and their families were invited to celebrate the Thanksgiving holiday. The festive holiday party was held again this year at Santa Monica College, a long-time supporter of Heartfelt's work.

The party touched and brightened the lives of many children and their families, organizers said. The kids had a day filled with arts and crafts, clowns, magic shows, face-painting and ice cream sundaes. The parents were grateful and appreciative for the hearty, delicious Thanksgiving dinner served to all and the overflowing food baskets, gift certificates, gift bags and goodies that each family received, organizers said.

In addition to hosting the Thanksgiving celebration party, Heartfelt also coordinated sending 60 volunteers throughout the city delivering food baskets to the homebound elderly and terminally ill. The volunteers who participate in Heartfelt's service projects throughout the year are key to the organization's success. More than 150 volunteers gave of their time and resources Saturday to help make the day a resounding success, organizers said.

The Heartfelt Foundation is a Santa Monica-based nonprofit organization founded in 1979 to assist individuals and families around the world through support services, food, medicine and financial assistance. Heartfelt relies on the generosity of individuals and businesses in the community and grants to carry on its work.

A benefit for earthquake victims

By Daily Press staff

A local concert has been organized in hope to raise money to help victims of the devastating earthquake that hit Pakistan in October.

L.A. based artist Tee-M is putting together a benefit to raise money for the South Asian earthquake families at Club Twenty Twenty in Santa Monica, Friday, Dec. 9, from 8 p.m. to 10 p.m. Author Mike Stark will serve as emcee for the evening, and the event will feature performances by Brandon Schott, Slow Car Crash, Willies, DJ Monkey and Tee-M.

On Oct. 8, an 7.6 earthquake struck near Islamabad, Pakistan. The death toll is now over 80,000 with extensive damage in Pakistan, Kashmir and India.

Club Twenty Twenty is located at 2020 Wilshire Blvd. in Santa Monica and there is a \$10 cover. The proceeds will go to The President's (Pakistan) Relief Fund.

Holiday hoopla

By Daily Press staff

The Ocean Park Library is where it's at for kids this December.

The Ocean Park Library is offering a mix of children's stories and a special puppet show. The program is for children from 3 to 7 years old and will take place on Tuesday, Dec. 6. There will be two shows, one at 3:30 p.m. and one at 4:30 p.m., at the Ocean Park Library, 2601 Main St. Tickets are free but must be picked up at noon on Tuesday, Dec. 6. Space is limited so tickets are given on a first-come, first-served basis. There are no phone reservations.

For more information, call (310) 392-3804.

Tell Santa Monica what you think!

...write a letter to the editor

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Santa Monica Daily Press



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SURF REPORT

Wednesday is when our next NW swell is due. Size from this one is expected to run chest to head high for most west-facing breaks. Wednesday is also holding the threat of some less than favorable WNW winds picking up early on along with a slight chance of rain; however, the winds and precipitation should not affect areas south of Ventura County.

Today the water is:

59°

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	12:05	1.6	1:29	0.3	6:33	5.7	7:35	3.8
TUESDAY	12:34	1.8	2:05	-0.3	6:59	6.1	8:21	3.8
WEDNESDAY	1:02	1.4	2:31	0.0	7:28	5.4	9:15	3.2
THURSDAY	1:37	1.2	3:04	-0.1	8:07	4.9	9:40	3.0
FRIDAY	2:06	1.1	3:41	0.3	8:41	4.3	10:09	2.9

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The Q Line

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City Hall is currently embroiled in a bitter legal battle with the attorneys who successfully represented Santa Monica in its litigation against 18 oil companies for allowing MTBE to leak into the city's water supply. At issue is how much City Hall owes its lawyers for their services. And although city officials are looking to minimize the percentage of the more than \$120 million settlement that is shared with those attorneys, they are racking up millions in legal fees in the process.

So this week, Q-Line wants to know, "Do you approve of the way in which City Hall is handling its legal dispute with its former attorneys? 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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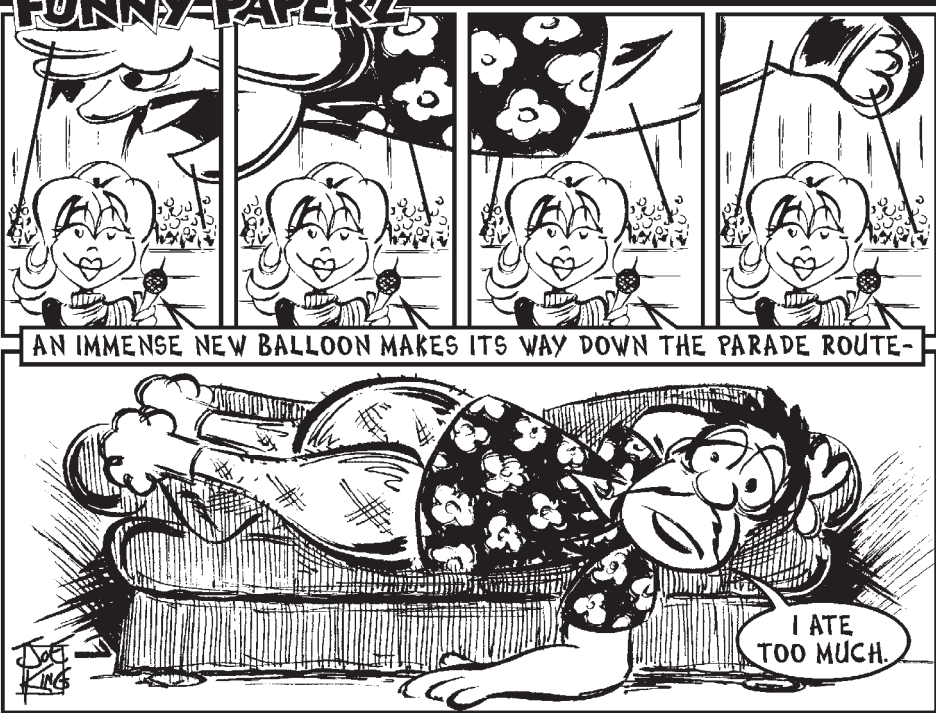
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LETTERS TO THE EDITOR

Editorial cartoonists deserve more respect

Editor:

I always enjoy seeing an editorial cartoon over your letter page and Joe King's recent cartoon (SMDP, Nov. 22, page 4) was quite pointed, mentioning how, "more than half the editorial cartoonists in this country work without a regular salary."

I was one of 100 or so disappointed readers protesting at the L.A. Times over the firing of columnist Robert Scheer. A number of us also found it disgraceful that the Times also fired editorial cartoonist Michael Ramirez, with no plans to replace him.

There were over 200 editorial cartoonists in the U.S. in the 1980s and now there are less than 90. For a big city paper (a monopoly no less) to not have a local cartoonist is a joke that Joe King ain't just joking about.

Marshall McLuhan said a newspaper should be like a warm bath: In and out in 20 minutes. The L.A. Times is now lukewarm and I hope felt the heat when many former subscribers canceled on Nov. 22 in protest.

Henry Rosenfeld
Ocean Park

The homeless are people too

Editor:

Regarding Carole Orlin's commentary (SMDP, Nov. 21, page 5), Ms. Orlin and all the other homeless haters who refer to poor homeless people as vagrants. I would remind them that this is not how they are referred to in the Bible and any other religious texts for that matter. When you homeless haters use this demeaning slur it always seems to denote further criminalization or worse as your "solution" to the poor who must be in public because they are poor (duh).

I am sorry for you Carole and all the other selfish homeless haters who delude themselves that they are anything more than selfish and heartless. I would be interested in what you homeless haters want the City Council to do. Strip away the Bill of Rights of the poor and treat them as less than worthy of these rights? The SMDP has inferred as much in its recent editorial entitled "Make the homeless uncomfortable."

Do people really believe the homeless are having a wonderful time? The rhetoric would suggest that the city should turn up the heat of criminalization on the poor as a selfish and brutal means to "rid" this city of the poor.

Randy Walburger
Santa Monica

A teacher to remember

Editor:

Steve Kramer was a fantastic teacher. I had his class during the assassination attempt on President Ronald Reagan's life. He brought a television set to class and had us all discussing our emotions on what was happening in the world during this tumultuous time. He taught us how to do time lines in roman numeral subsets and made us all memorize the countries of the world. Also, he had us make a journal on what was important to us.

He taught us self-discovery as well as world discovery. I know that many, if not all, of his students during his teaching career are better off having had him as a teacher.

I thank you for the article in your paper explaining his history (SMDP, Nov. 21, page 1) and I am so thankful that Mr. Kramer was my teacher of history almost 25 years ago.

Sheila Quarry
Santa Monica

The untimely death of our nation's reputation



THE
WITNESS
STAND
BY CLIFF NICHOLS

On the front page of this week's Los Angeles Times' Sunday Edition was a story about the alleged suicide of 44-year-old Colonel Ted Westhusing while he was stationed in Iraq.

Col. Westhusing, a West Point professor and a leading scholar in military ethics, was involved in overseeing a private contractor the U.S. government had hired to train the new Iraqi government's police force. He apparently met with them regularly, and for reasons that are unclear, was becoming more and more frustrated with them and perhaps they with him. It was reported that the day he died he was attending one such meeting at their offices where he appeared angry. They broke for lunch and an hour later he was found dead in one of their offices with a single bullet wound to the head.

By any standard, it is a sad story. In my opinion, however, the interesting thing about the article was what seemed to me to be the none-too-subtle innuendoes appearing between-the-lines that suggested to me that the Colonel's departure from this earthly veil may have had an assist. We are told that the military's investigation that ruled it a suicide is being questioned. A colleague is quoted as saying "He's the last person who would commit suicide. He couldn't have done it. He's just too damn stubborn."

Even friends and family are continuing to struggle with the idea that this father, husband and devout Catholic could have done such a thing. And, if this were not enough, it also was reported that in the last weeks of the Colonel's life, this disciple of military ethics told members of his family via e-mail not only that he feared being alone at night, but also that he had found while in Iraq that "profits had trumped honor." His reasons? We are told by his wife that he feared disclosing them while still in Iraq.

Certainly, these suggestions rendered the possibility of intrigue abundantly rich. At least two critical elements of most homicide investigations, motive and opportunity, are strongly presented. The Colonel simply may have known too much about the nefarious underworld of defense contractors to be allowed to return to the states alive. At minimum, at the end of the article I was left pondering whether a United States Army Colonel had been murdered — a horror magnified by the fact that only three possible suspects are made available: our Iraqi allies, our defense contractors or our own military — yes, the very same military that investigated his death and ruled it a suicide.

Why does any of this matter? Because it is only but a part of the larger anti-Bush Administration paradigm currently taking shape both here and around the world. Regarding this paradigm, consider another example found in the same edition of the Times — the Doonesbury comic strip in which both the president and his administration are openly mocked for the perception that they have openly embraced and attempted to justify the concept of human torture. Such notions that are appearing with ever greater frequency both here and around the world are but

representative of the growing animus toward the current president and his policies — an animus that is adversely affecting not only the world's view of both our nation and us as a people, but our own.

Although I retain the opinion that our country is still the noblest and humane nation the world has ever known, I am increasingly convinced that our reputation for these traits is quickly waning. Last month our country debated whether to embrace human torture. Before that the question was whether we endorse the degradation and abuse of those we take captive, not to mention whether the wanton deprivation of even the most basic constitutional rights to our own citizens (e.g. Jose Padilla) is acceptable. This week the debate has become whether our nation's greed has led us to turn a blind eye toward the possibility of murder to protect our profits. In and of itself, each either is or was a tragedy. Collectively, however, these occurrences are giving momentum to the erosion of our nation's good name. Thus, to allow them to stand unchallenged is unacceptable. They must not only be stopped, but vigorously denounced now, if we are ever to retain any future hope of leading the world, by way of example, to embrace a way of life we have found to be better for mankind.

The remedy not only should, but must begin at the top. The administration should clearly demonstrate that it is at least mindful of the negative effects our nation's conduct is having upon those we claim to be desirous of helping. At the get-go, torture should be abandoned and renounced as unacceptable both as a concept and a practice. Humane treatment of all human beings must either be a principle we uphold or we should not only stop demanding it be practiced by other countries (i.e. China), but should also amend our Constitution to eliminate its apparently nominal prohibition of cruel and unusual punishment.

Then perhaps that should be followed by a congressionally appointed special prosecutor to investigate the homicide of Col. Westhusing. This would be preferable to leaving people to suspect the possible conflicts of interest that most certainly could arise when the same investigation is conducted by one of the implicitly suggested suspect organizations. At minimum, even if the finding is the same as was that of the military, the unbiased investigative atmosphere would allow the suspicions that exists today to be replaced by a degree of closure for all concerned.

If Col. Westhusing's death accomplished just these things, perhaps the integrity and honor he sought to promote would ultimately be restored not only to the military, but also to us as a nation. At least then his death will have had a noble consequence that would allow us to honor his life, and who knows, it might even be an achievement for which Col. Westhusing himself would have been willing to pay the ultimate sacrifice. At least, if I were a member of his family today, that would be my prayer.

(Cliff Nichols is an attorney practicing criminal defense/entertainment law in Santa Monica. He may be contacted at either 310-917-1083, cliff@cliffnicholslaw.com or www.cliffnicholslaw.com, and you may join his blog at www.thedailystand.com.)



SM represents pay increase for Ewell

CITY MANAGER, from page 1

spurned some inquiries among community members, curious about the process by which the new city manager was selected.

Ewell, 52, a former Compton firefighter, was named city manager of San Diego in March of 2004 after Michael Uberuaga was forced to resign amid complaints about his role in that city's pension debacle, according to news reports. Ewell was assistant city manager at the time.

Ewell — who has not been accused of any wrong doing — will be leaving San Diego as it strives to recover from a \$1.4 billion pension deficit, investigations by the U.S. Attorney's Office and Securities and Exchange Commission, criminal charges against six pension board members, as well as an inability to sell bonds until a long-awaited audit is completed, according to news reports.

A Monday, Nov. 28 letter to the editor in the Santa Monica Daily Press, written by the chair of a San Diego tax group, lambasted City Hall for hiring Ewell at a salary of \$245,000 — \$20,000 more than his San Diego position paid. The letter writer also accused Ewell of money mismanagement and a failure to correct the crisis in San Diego.

Meanwhile, the Santa Monica City Council — which unanimously approved making Ewell City Hall's top administrator after screening more than 60 applicants — has cited his integrity in helping San Diego and other municipalities overcome obstacles as a basis for their decision in choosing him.

City Councilman Bobby Shriver said that the council, having heard about Ewell's candidacy and the problems in San Diego, took steps to investigate through professional headhunter Lisa Mills what relationship, if any, he had with the troubles in San Diego.

"She did her own investigation and told us he had no relationship (with the problems)," Shriver said. "In fact, she told us he had done much to address the problems."

"She said she has never met a more qualified candidate for a city manager."

Shriver's confidence was shared by City Councilman Richard Bloom.

"I am completely confident I made the right decision and so did the council," Bloom said. "I did some research on the issues (prior to making a selection), and I'm 100 percent certain that not only did Mr. Ewell not contribute to the problems in San Diego, I think he has done everything in his power to help the city extricate itself under very difficult circumstances."

"It's his ability to comport himself well in the context of a crisis that resonated well with me."

MATCHING EWELL'S STRENGTHS TO SANTA MONICA'S NEEDS

Bloom said Ewell has successfully led San Diego through tough times and is leaving that city on a better note because of it. The root of the problem in San Diego was that political leaders wanted to spend more than they were taking in, according to news reports. They didn't have the revenue to offer city employees raises. So, instead, they offered increased pension benefits.

Now, San Diego's pension system is at least \$1.4 billion short and there are legal questions as to whether there were improper conflicts of interest that led to overly generous payments, according to

news reports.

To deal with a \$50 million deficit in San Diego, Ewell had to make difficult budget decisions and return the city to core services. Among the cuts were 200 positions, justified by the fact that 78 percent of San Diego's budget was payroll. There are about 11,000 people employed by the city of San Diego, which has a budget of about \$2.4 billion.

Santa Monica has 1,900 employees and a \$383 million budget.

Through City Manager Susan McCarthy's efforts, Santa Monica has maintained its triple A bond rating while supporting big ticket capital improvements that have been in the works since the 1990s. Some of those projects are expected to open this year, including the \$55 million Main Library, the \$13 million Virginia Avenue Park expansion and the new \$722,000 skatepark at 14th Street and Olympic Boulevard. She supported raising the hotel room tax in order to strengthen Santa Monica's present and future financial base.

San Diego, meanwhile, may have to hold off on some capital improvement projects for a few more years until its bond rating reaches satisfactory levels, according to news reports.

McCarthy will be leaving Ewell to complete a two-year overhaul to the city's planning and traffic plan, which will set policy for development and transportation in Santa Monica for the next 20 years. The \$120 million Civic Center complex, a \$90 million downtown parking plan and the redevelopment of Santa Monica Place Mall are further undertakings she has helped manage, which will be carried on by other leaders.

Ewell announced in November of 2004, after voters passed a strong mayor measure, that he was planning to leave his post, which he agreed to take in order to help San Diego navigate through its tough times, according to City Hall spokeswoman Judy Rambeau. Ewell's last work day in San Diego was set for Monday.

Ewell was resigning because, beginning Jan. 1, San Diego will move to a stronger mayor form of government. That change will give mayor-elect Jerry Sanders the power to veto the San Diego City Council, hire and fire department heads and prepare that city's annual budget, according to news reports.

Santa Monica City Councilman Bob Holbrook, set to become mayor in December, said he has personally checked Ewell's references and heard from numerous officials that the problems in San Diego have had nothing to do with him.

"His references were outstanding," Holbrook said. "Many wished he was still working for them. They said he's a good team builder."

Ewell's career began as a firefighter with the Compton Fire Department in 1975. After serving that department for 19 years in such capacities as deputy fire marshal, deputy fire chief and fire chief, Ewell then served Oakland, Calif., as deputy city manager, assistant city manager and acting city manager. He helped Oakland recover from a series of devastating fires that took place years ago, Bloom said. Ewell also served as city manager for Durham, N.C., before landing in San Diego. Ewell has an executive master's degree in general administration from the University of Maryland and a bachelor of science degree in business administration from the University of Phoenix.

Recruited by San Diego in 2001, he was named assistant city manager, responsible for the day-to-day operations of all city departments.

Bloom said he thinks those who may be skeptical about the council's decision to hire Ewell will be less so once he's had a

chance to prove himself in his new position.

"I think we will see Mr. Ewell doing positive things for the city within six months or a year into the future," Bloom said. "I look forward to hearing other people's impressions of him then."



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Assembly bid requires substantial funds

CANDIDATES, from page 1

Despite that the filing deadline to enter the race isn't until March of 2006, the candidates already have been fundraising for a campaign that is expected to cost hundreds of thousands of dollars to win.

In 2000, Pavley spent more than \$760,000 to win a closely contested Democratic primary race.

Levey, who announced his candidacy this year, had raised about \$230,000, with \$215,000 on hand. A lawyer by trade, most of his fundraising has been through lawyers and law firms.

"A bunch of people had warned me that starting in April was really late ... for people to say I'm getting into this late, it tells you what it's going to take," Levey said. "But unfortunately that is the state we are in."

Hayes-Raitt, who announced her candidacy in 2003, has raised \$165,000, with a majority of her supporters contributing \$100 or less. She has volunteered with the state to set her expenditure limit for the race at \$446,000. Contributions are capped at \$3,300 for individuals.

"I'm not a wealthy woman, and in these days of term limits, I have to raise a lot of money and I knew it would take a while to form a strong campaign," Hayes-Raitt said of entering the race early. "Knowing that the seat is open, I think it's important to keep progressives in this area."

Brownley, who officially threw her hat into the ring earlier this year, said she has raised roughly \$160,000, with most of that coming from people donating \$100 or less.

Groveman has put \$100,000 of his own money into his campaign as a loan to put him at the front of the pack in fundraising, with a total of \$270,000.

According to the latest financial statements filed, which was through June 30, Rishoff had raised \$52,000.

And even though the primary election seems a long way off, it seems like it's right around the corner for the candidates, some of whom have been meeting with residents and elected leaders throughout the district to learn about the issues of each community.

The 41st district encompasses Agoura Hills, Calabasas, Encino, Hidden Hills, Malibu, Pacific Palisades, Port Hueneme, Oak Park, Santa Monica, Tarzana, Topanga, Woodland Hills and portions of Oxnard and Westlake Village.

The last Santa Monica resident to hold the seat is Sheila Kuehl, who is now a state senator.

Because all of the candidates are Democrats, appear to be progressive and are campaigning on similar issues, they will be working diligently in the next several months to distinguish themselves from their opponents.

Even though none of the candidates have officially pulled papers announcing their candidacy, the field will most likely remain as is.

"Campaigns have become so expensive that anyone jumping in, it will prove difficult," Hayes-Raitt said of any last-minute candidates.

The Santa Monica candidates recently sat down with the Daily Press to talk about their campaigns, what issues are important to them and how they plan to

win. They all believe that tackling the region's issues from a state level is the most effective based on their backgrounds.

JULIA BROWNLEY

Brownley, 53, has been on the Santa Monica-Malibu School Board for 10 years. She is currently vice president and a past PTA president. She lives in the Sunset Park neighborhood and has lived in Santa Monica since 1983.

Brownley has a BA in political science from George Washington University and an MBA from American University. Prior to her election to the school board, she built a career in marketing management for several Fortune 500 companies. In 2004, she was named YWCA Woman of the Year for her leadership on the school board and in her community.

Brownley first considered running for Assembly after Sen. Kuehl approached her and encouraged her to enter the race.

One of the biggest issues in her campaign is what she calls a three-decades-long disinvestment in California public schools — a system that now ranks as one of the worst in the country.

"I'm running for state Assembly and going to Sacramento to make schools great again," she said. "I'm the only candidate who has spent the last 10 years involved in education, and I will get to Sacramento and hit the ground running."

She said she'd like to partner with other elected leaders in building a citywide transportation system, which includes light rail to Santa Monica.

"I would like to partner with the newly elected mayor of Los Angeles and join his vision in a world-class transportation system that works and is an incentive to get us out of our automobiles," she said.

Brownley supports dedicated bus lanes like the ones proposed or established on Lincoln and Wilshire boulevards.

Brownley also is a supporter of the environment and pledges to protect the air and water quality.

"I think the 41st district has come to expect extraordinary environmental leadership," she said. "At the end of the day, it's really a health issue."

If elected, she plans to partner with Sen. Kuehl in her proposal to bring universal health care to all Californians. Brownley said she's especially concerned with the conditions of children.

"One in four children in California lives in poverty, and it's the largest population with no health care," she said.

Concerned for the health and welfare of the students in Santa Monica-Malibu school district who lack health insurance, Brownley advocated creating an on-site health clinic at Santa Monica High School and helped negotiate a successful program with the Venice Family Clinic and Blue Cross.

She has spent the past year traveling around the district, learning the issues in different communities and meeting with elected leaders.

Brownley has been endorsed by Sens. Kuehl and Jackie Speier; former State Superintendent of Public Instruction Delaine Eastin; and Paula Daniels, immediate past president of Heal the Bay. The local grassroots group Community for

Excellent Public Schools also has endorsed Brownley, as well as dozens of elected and appointed officials.

"I'm hitting it pretty hard," she said. "I think I have a really good shot."

KELLY HAYES-RAITT

Hayes-Raitt, 44, owns a consulting firm specializing in public relations and community organizing. She has lived in the Ocean Park neighborhood since 1982.

She has worked on two dozen statewide campaigns and initiatives that range from the environment to health care. Hayes-Raitt also has served on the Santa Monica Commission on the Status of Women for seven years.

As executive director of the Coalition for Clean Air and as Lt. Gov. Leo McCarthy's environmental representative, Hayes-Raitt fought to protect the California coast from offshore oil drilling. She helped found Heal the Bay, and helped pass bills to set health standards for toxic mold and to phase out dirty diesel school buses, she said.

Hayes-Raitt considers herself a national spokesperson to protect civil rights and a champion for women's rights. She started the Women's Health Campaign to hold pharmaceutical corporations accountable for the deadly products they market to women. The LA County Women's Commission named her a 2004 Woman of the Year.

As a peace activist, she traveled to Iraq before and after the war, returning each time with a new perspective. She has met with more than 200 different groups throughout Los Angeles and beyond to discuss the effects of the war both at home and abroad.

As one of the first candidates to announce, Hayes-Raitt has been aggressively campaigning this year, holding about 20 "meet and greets" with citizens in communities throughout the district.

Beyond speaking out against the war and the Bush Administration's foreign policy, Hayes-Raitt is campaigning on the environment, regional solutions to traffic, creating leadership opportunities for women, health care, education, protecting senior citizens' rights and helping working families.

But as she has learned in talking with citizens and officials in recent months, traffic is people's No. 1 concern.

While she admits there is no magic answer, Hayes-Raitt believes traffic congestion can be combated by regulating individual cities' master plans so development doesn't end up piecemealed.

"From a statewide legislative perspective, we can uphold those standards in our local communities," she said, adding that giving incentives for more locally owned businesses rather than big box stores also will reduce traffic.

"I favor proposals that are geared toward small business in California," she said.

She also believes state funding is inadequate for many of the plans local communities are asked to implement by the state government, including transportation, recycling and education programs.

"I talk about education a lot," Hayes-Raitt said. "My desire is that community colleges expand vocational programs, especially to promote small business own-

ers ... our schools can't be one size fits all."

Hayes-Raitt has been endorsed by hundreds of people, including celebrities such as actor Martin Sheen and singer/songwriter Jackson Browne. She recently got the backing of the Clean Water Action Vote Environment, one of the first environmental organizations that has endorsed a candidate in the race. Hayes-Raitt also has the backing of several unions, elected leaders and community activists.

JONATHAN LEVEY

Levey, 35, is an attorney and a teacher at California State University Channel Islands. A former business executive, Levey has a background in public policy, law and land use issues throughout California, he said.

Through March 2005, Levey was vice president at Catellus, a real estate investment trust. Projects included the conversion of hundreds of thousands of desert acres into a wildlife preserve and Union Station in downtown Los Angeles.

Levey, who lives on San Vicente Boulevard, has worked as a trial attorney at the law firm of Munger, Tolles & Olson, where he created a foundation through which attorneys at the firm contribute a percentage of their salaries for charitable donations.

Levey served as counsel to an Assembly Commission on the California Initiative Process and recently joined an advisory committee for Trust of Public Land's Park for People program.

As a graduate from Princeton University in public policy and Harvard Law School, Levey has worked in the United States Court of Appeals as a law clerk and as a White House intern.

He feels his work on the initiative process and other state issues gives him enough experience to serve on the Assembly.

"You've earned the right to criticize and get involved," Levey said. "It's as much public service as it is as an opportunity to give back."

Among the issues Levey considers the most critical in the district is the environment — the preservation of the Santa Monica Mountains and cleaning up the Santa Monica Bay.

He also is a supporter of mass transportation and promoting urban infill development along transit corridors.

"The No. 1 issue on everyone's mind is traffic, traffic and traffic," he said. "We need to preserve the quality of life here."

Levey, who said he majored in education policy in college, believes education will be important in his campaign as well.

He's been endorsed by former Assemblyman and Congressman Mel Levine, State Sen. Jack Scott and Georgia Mercer, a state community college board member.

"I'm starting to put together endorsements and the team now," Levey said.

Born and raised in St. Louis, Levey moved to Santa Monica in 1996. Although Levey said he hasn't done much campaigning yet, he plans to start after the holidays are over.

"People are not thinking about this right now," he said. "Next spring, for sure it will heat up."

STATE



Less is more in search for better wine bottle

BY MICHELLE LOCKE
Associated Press Writer

YOUNTVILLE, Calif. — The next big thing for the wine industry could be small, screw-capped and shatterproof.

Single-serve plastic bottles are starting to show up on supermarket shelves in a bid to win over new customers by moving wine beyond posh white-tablecloth diners to the informal ease of a picnic.

If one of these green bottles should accidentally fall, no problem.

"There's a more active lifestyle people are living, they'd like wine to be a part of it and it just was not convenient in the 750 milliliter typical wine glass bottle where you have to bring corkscrews, glasses, etc.," says Tom Slone, brand manager for Stone Cellars by Beringer, which has been selling four-packs of unbreakable, single-serve bottles since this summer.

The new, 187 milliliter (about six fluid ounces) bottles are part of a larger trend in the industry that includes boxed wine, cans and carton-type packages.

"People, I think, are now into casual enjoyment of fine products," says Wilfred Wong, cellar master for Beverages & More, who sees the move toward unconventional containers starting with the success of premium boxed products such as Black Box Wines.

There isn't much sales data available yet on the plastic bottles, but the category in general, which includes glass bottles already being offered on planes and in delis and supermarkets, has been doing well. Sales of wine in 187 milliliter containers — mostly glass — totaled nearly \$68 million for the 52 weeks ending Oct. 22, up about 22 percent from the year before, according to supermarket, drug and liquor store sales data from ACNielsen.

Overall, domestic wine sales were up about 9 percent to \$3.9 billion, good news for the industry which has battled a grape glut in recent years.

The Stone Cellars mini bottles are made of a durable plastic designed to be

tasteless and odorless. They look like regular bottles in miniature, right down to the little indentation on the bottom known as a "punt," and are filled with the same fruit-forward, award-winning varietals — chardonnay, pinot grigio, merlot and cabernet sauvignon — that Stone Cellars puts in its full-sized glass bottles. Four-packs cost about \$8.

"The consumer research that we did indicated that even though people were looking at a smaller size, they wanted a package that looked sophisticated," says Slone. "We didn't do anything trendy or quirky."

That won over people like David Joachim, grill master for the American Tailgaters Association, who likes not having to worry about broken glass but isn't ready to give up tradition entirely.

"The wine bottle itself is so iconic that when you put wine in something else it ruins the experience for some reason," he says.

Another entrant in the unbreakable bottles market is Louisville, Ky.-based Brown-Forman Corp., which is selling Fetzer Vineyards Valley Oaks merlot, chardonnay and white zinfandel in the mini bottles as well as Virgin Vines, a joint venture with British tycoon Richard Branson.

The Virgin Vines singles will also be served on Branson's Virgin Atlantic Airways, where the much-lighter plastic bottles carry a freight bonus.

Robert Smiley, a University of California, Davis, professor, who follows the wine industry sees the general lightening up as an interesting direction for a business that "has a lot to learn from the beer industry in terms of convenience."

But can small, plastic bottles that open with a twist coexist with the glass act of \$100-plus vintage wines?

No reason why not, says Smiley. "You've got different people and they've got different preferences," he says. "Convenience vs. tradition and high expectations vs. opening up a 187 milliliter when you're out on a picnic."

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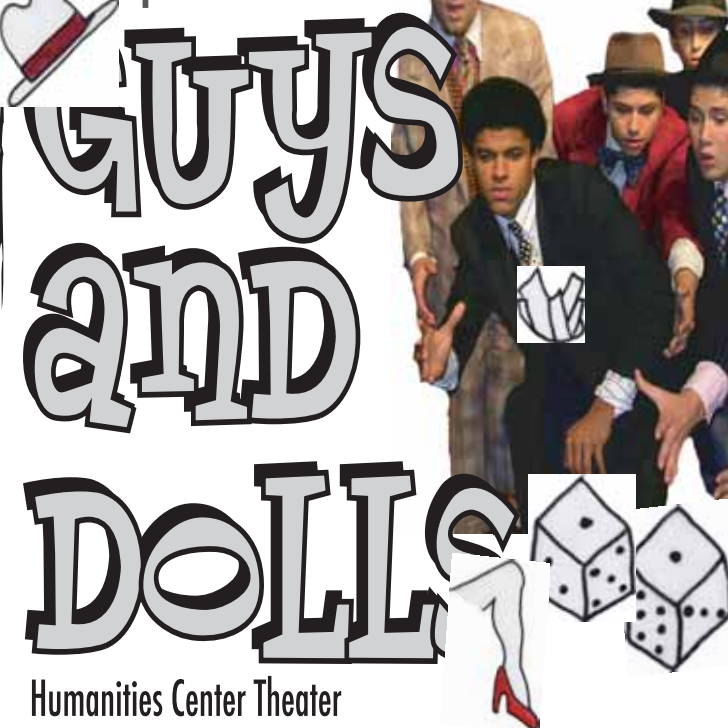


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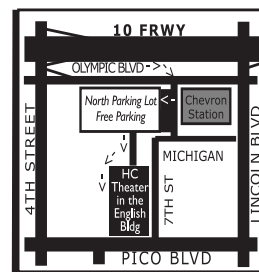
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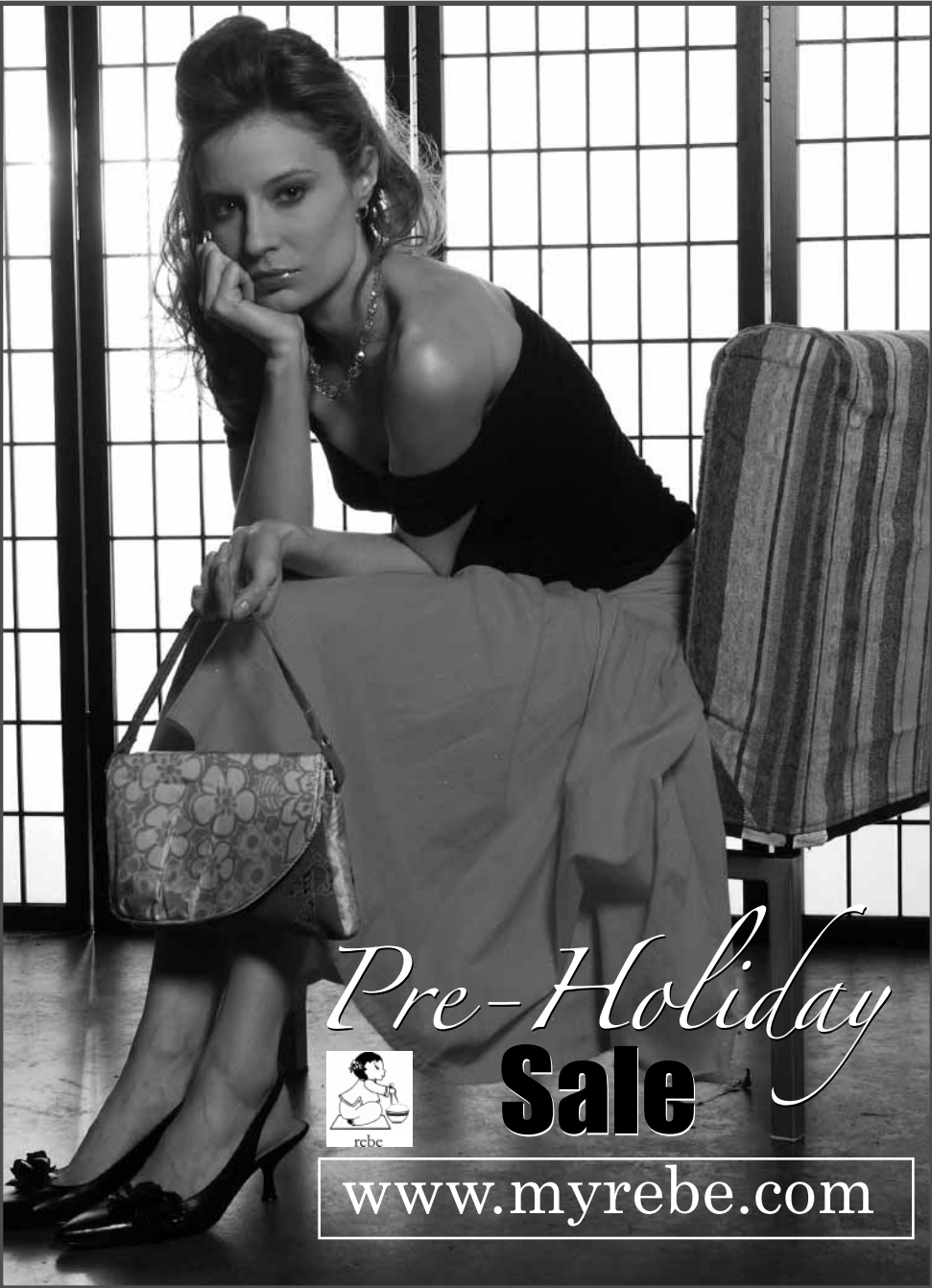


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STATE

STATE BRIEFS

Air Force One drives library traffic

By The Associated Press

SIMI VALLEY — Air Force One’s new roost at the Ronald Reagan Presidential Library has visitors flocking to the hilltop museum.

Since the Air Force One pavilion opened last month, visitors have doubled from 600 to 1,200 on weekdays and risen from 1,200 to 2,000 on weekends.

More than 8,600 people showed up over the Thanksgiving holiday period to see the gleaming Boeing 707, which ferried seven U.S. presidents over a million miles.

“This weekend is always the busiest of the year,” library spokeswoman Melissa Giller said.

On Friday, vehicles lined Presidential Drive and shuttles brought visitors up the hill from a remote parking lot off Madera Road. By 3 p.m. Friday and Saturday, the library had reached capacity and ticket sales ceased.

Snow ‘farmers’ kick off their season

By The Associated Press

BIG BEAR CITY — A fall chill allowed Southern California ski resorts to fire up snow machines and dust the slopes with man-made powder to kick off the snow-board and ski season.

And forecasters said real snow is on the way later this week.

Snow Summit in the San Bernardino Mountains opened Tuesday with two lifts in operation and Mountain High in Wrightwood opened on Monday, luring about 2,500 snowboarders and skiers to the slopes. Four trails and three chair lifts were open at Wrightwood.

“We’ll be making snow at every single opportunity,” Mountain High spokesman John McColly said.

Last year, the local ski areas opened in October due to earlier storms.

“It’s been a disappointing start because it’s been warmer than normal. But we’re like farmers here. We farm snow,” Snow Summit spokesman Chris Riddle said.

There’s a 20 percent chance of snow or rain Thursday.

“It’s very dry, but it looks like a pretty good front coming down, though we’ll have to wait and see,” said Bill Hoffer of the National Weather Service.

Metro Orange Line riding strong

By The Associated Press

LOS ANGELES — The month-old Metro Orange Line busway across the San Fernando Valley is still drawing large numbers of commuters.

Transportation officials said Monday that ridership remains strong at between 10,000 and 12,000 commuters per weekday, with 16,000 riders per weekend.

“So far, so good. Ridership is steady. People love it. It’s improving their com-mutes — the response has been very positive,” Metropolitan Transportation Authority spokesman Dave Sotero said.

Additionally, motorists aren’t crashing into buses. In the first 10 days after the Orange Line began service on Oct. 29, there were three collisions between vehicles and buses, all involving drivers who ran red lights.

With no collisions in more than two weeks, drivers have learned to stay clear of the silver Orange Line coaches, said Sgt. Dave Willard, head of Orange Line secu-rity operations for the Sheriff’s Department.

“My motor officers say it’s getting more difficult to catch violators because the public is aware and abiding by the law,” Willard said.

OC pouring \$1.4B into transportation

By The Associated Press

SANTA ANA — The Orange County Transportation Authority approved a \$1.46 billion package that will expand Metrolink rail service, add car pool lanes and widen freeways to ease congestion.

Main features of the plan include Metrolink weekend service and uncorking two freeway bottlenecks — the interchange of the 22 and 405 freeways and the junction of the 405 and 605 freeways. The interchange work is expected to be completed in about 10 years.

But the expansion of Metrolink service in Orange County may be the most sig-nificant investment. Monday’s decision calls for \$434 million to expand Metrolink service.

By 2009, Metrolink is expected to run every 30 minutes, from 5 a.m. to midnight on weekdays, between Fullerton and the station serving Laguna Niguel and Mission Viejo. Metrolink stations will have more parking, and the system will have seven more locomotives and 59 more passenger cars. Plans also call for starting limited weekend service.

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STATE



State voting machines might face hacker test

BY TOM CHORNEAU
Associated Press Writer

SACRAMENTO — Companies wanting to sell electronic voting machines in California may be forced to prove their systems can withstand an attack from a computer hacker, the state's top elections official said Monday.

Secretary of State Bruce McPherson said his office is planning a hacker test on a machine built by Diebold Election Systems, one of the nation's largest manufacturers of electronic voting systems. McPherson said he might seek to expand such testing to all systems seeking certification for use in California's 58 counties.

"It's all about giving the voters trust in the system," McPherson told reporters after giving opening remarks at a conference focused on testing and certification of electronic voting machines.

Several media outlets had reported that the Diebold hacker test was scheduled for Wednesday, but McPherson said the details of the arrangement are still being worked out. He said he expected the Diebold test to be performed sometime before the end of the year.

Diebold has been criticized by some activist groups as being vulnerable to outside hackers seeking to manipulate election results.

The secretary of state's office has asked Finnish security expert Harri Hursti to come to California and conduct the Diebold hacker test, said Nghia Nguyen Demovic, a spokeswoman for McPherson.

"He's been invited and we're in talks with him," Demovic said.

She said the contact was made by David Jefferson, a scientist at Lawrence Livermore Laboratory who chairs a committee for McPherson that is investigating the electronic voting machines.

The tests will use a randomly selected voting machine from one of the 17 counties that currently use a Diebold system.

Diebold spokesman David Bear said company officials are confident their

machines are not vulnerable to hackers.

"These are unfounded allegations that are just false," he said. "We will absolutely pass the test."

Bev Harris, a spokeswoman for the advocacy group Black Box Voting, said her nonprofit, nonpartisan watchdog group has been pushing California officials since June to hire Hursti for just this kind of test. Black Box wants him to recreate a test he performed in Florida in May.

"The exploits we were able to demonstrate in Florida call into question the testing that has gone on at the federal testing lab," Harris said.

If the Diebold machine could be manipulated from the outside, there's a good chance others will be, too, she said.

"We're very interested to see what else has been missed," she said.

State and local officials face a Jan. 1 federal deadline for upgrading voting machine systems to comply with new federal guidelines aimed at making systems safer and more accessible.

Meeting that deadline might be difficult for California, McPherson said.

"But the Department of Justice and others have said that you are moving in the right direction and making an earnest effort, and we're seeing good results from this already," he said. "We think we are going to be right on target."

Earlier this fall, McPherson issued 10 requirements that voting machines must meet to be used in California elections starting next year.

Those requirements include gaining approval by an independent testing unit certified by the U.S. Election Assistance Commission and providing state officials with information about how the machines operate. It also requires companies to test their machines under Election Day conditions.

California law also requires electronic voting machines to provide paper receipts to assure voters that their votes were recorded accurately.

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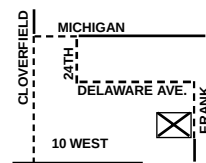
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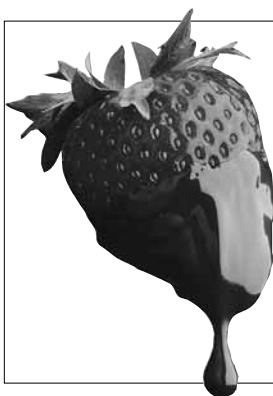
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Homes make the easiest real estate investments



DAYS ON THE MARKET
BY JODI SUMMERS

Experienced real estate investors agree that if you're speculating in residential properties, single-family rental houses make an extremely efficient real estate investment. Houses are easiest to buy, finance, manage and profitably resell.

The skill is knowing what to buy and where. When thinking about investing in homes, think location, location, location. Is the house on a quiet, desirable street? Is it walking distance to a school? How are the schools in the neighborhood? Is the street relatively level, allowing for children to ride bicycles and making it easier for residents to enter and exit their driveway? Is there street parking?

Once you've established that the location works, then look at the home. What's the floor plan like? Are there enough bedrooms and bathrooms for a family of four and a house guest or housekeeper?

Dian Hymer, author of "House Hunting, The Take-Along Workbook for Home Buyers," notes that attributes that add to resale value are "good storage space, a garage, a bathroom on each level and a convenient location. Good views tend to add value, and so does easy access in and out of the house."

Next, consider whom you'd like as your tenant. One-level homes are in higher demand with the Baby Boomer set. Two-story homes are preferred by Gen X-ers. Homes on three or more levels are less desirable than a similar-sized home with fewer levels.

Now that we've got the basics out of the way, take heart that there are "profitable homes" to be purchased if you know how and where to look. To do this, you may need to leave the coast and go a little further east — areas like Eagle Rock and Mt. Washington, the Inland Empire and San Bernardino are less expensive and charting steady growth.

Beyond location, nationally renowned real estate columnist Bob Bruss sites five key factors to figure when buying investment homes.

1. Buy fixer properties, the type that have the "right things wrong."

Find homes with profit opportunities — known as "fixers" in real estate terms. Buy them, upgrade them, collect them, trade them with your friends or hold them for long-term appreciation or resell the property for a profit.

When shopping for fixers, look for run-down houses needing "cosmetic improvements" — properties that haven't been remodeled in a while. The ideal fixer will require repairs to make it prettier — interior and exterior paint, fresh landscaping, new light fixtures, kitchen and bathroom upgrades and new flooring. The wise suggest staying away from properties with structural issues such as foundation repairs, upgraded plumbing and wiring, and new roofing — costly repairs that home buyers expect, but don't see.

2. Find out previous sale information.

Your real estate agent can find out when the home last sold and for how much. This knowledge gives you leverage and it enlightens you to how much room the seller has to negotiate. If they've owned the property for five years or more, chances are the property — if it's local — could easily have doubled in price. If they bought it last year, chances are there's marginal room for negotiation.

3. Deduct from market value to compensate for repairs.

Many properties are sold "as is." An "as is" home means the home obviously has some issues — such as foundation problems, plumbing and wiring, or a leaky roof — but the seller will not pay for repairs. Buyers of profitable homes that need fix-up work should consider the cost of bringing the home up to neighborhood standards, and then deduct that amount from their offer price. Feel free to throw in a spreadsheet with your offer. Now that the market is slowing, sellers might be more open to rebating a buyer for repairs as part of "non-reoccurring closing costs."

4. Buy from a motivated home seller.

The best deals can be had when you're dealing with a motivated seller. A motivated seller is someone who has a reason to sell. Look for people who are in the midst of a job transfer, divorce, retirement, illness, children moving away, financial default, death in the family or other reasons. Stay away from sellers who are "testing the market" to see if they can get their price.

5. Ask about seller financing.

Savvy property buyers always ask, "What financing exists on the property today?" If the seller has a steep mortgage — or zero interest or adjustable rate financing — you want to think twice about requesting seller carryback financing. If the seller owns the home, or is close to being paid off, ask the seller's listing agent about what the seller will do with the sales proceeds. If the response is, "Put the money in the bank," make a purchase offer with seller financing. In today's market, interest rates are in the 4 percent vicinity. Offer a comfortable cash down payment of 10 to 20 percent and request the seller carryback a mortgage for the balance of the purchase price at 5 or 6 percent interest. This might be tempting for a seller who doesn't need immediate cash. It also has tax benefits. Sellers should talk to their accountant about the details.

For more information on carryback loans, lease options and other creative financing methods, check out the book is "Building Wealth One House at a Time" by John Schaub. You might want to explore the Schaub-Miller formula of investing in single-family houses, "Making It Big on Little Deals."

(Jodi Summers is director of the investment division at Boardwalk Realty Santa Monica. Contact her at jodis@boardwalkrealty.com, or call 310-309-4219. Visit her community history Web site at www.santamonicalandmarks.com.)

WANT TO TICKLE YOUR FUNNY BONE?
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Research Status	Unpublished	County	Los Angeles	Comps No	LWC-09455
Property Type	Office	Year Built	1980	Property Name	
Sale Date	10/20/2005	Sale Price	\$4,000,000	Property Desc	Office Property
Square Footage	19,238	Price/SF	\$207.92	Address	1438 9th St
Units		Price/Unit		City, State, Zip	Santa Monica, CA 90401-2707
GIM		Cap Rate		Map Code	671 -E /2

Research Status	Unpublished	County	Los Angeles	Comps No	LWA-09532
Property Type	Apartment	Year Built	1940	Property Name	
Sale Date	11/15/2005	Sale Price	\$1,475,000	Property Desc	Apartment Property
Square Footage	5,360	Price/SF	\$275.19	Address	1227 18th St
Units	6	Price/Unit	\$245,833	City, State, Zip	Santa Monica, CA 90404-1252
GIM		Cap Rate		Map Code	631 -F /7

Research Status	In Progress	County	Los Angeles	Comps No	LWA-08507
Property Type	Apartment	Year Built	1961	Property Name	
Sale Date	11/16/2005	Sale Price	\$875,000	Property Desc	Apartment Property
Square Footage	4,293	Price/SF	\$203.82	Address	2126 Stewart St
Units	5	Price/Unit		City, State, Zip	Santa Monica, CA 90404-5250
GIM		Cap Rate		Map Code	671 -J /1

Address	Type	City	Date	Floor	Suite	SF Rm/v'd	Rental Rate	Space Use	Occupancy	Term	% Leased
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1620 26th St Office Santa Monica 11/21/2005 2nd	-					3,396	\$3.65/sf	VacantOffice / Direct	5-10 yrs 93.0%		
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1101-1113 Montana Ave Retail Santa Monica 11/22/2005 1st	-					867	\$6.75/mn	VacantRetail / Direct	Negotiable 100%		
2701 Ocean Park Blvd Office Santa Monica 11/21/2005 2nd	-					4,554	\$2.35/sf	VacantOffice / Direct	3-5 yrs 100%		
2425 Olympic Blvd Office Santa Monica 11/21/2005 5th	-					1,848	\$3.65/sf	VacantOffice / Direct	5-10 yrs 81.7%		
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Reckoning looms after Gardena's insurance adventure lost millions

BY MICHAEL R. BLOOD

Associated Press Writer

GARDENA, Calif. — At the edge of insolvency, this Los Angeles suburb has a surplus of just one thing: frustration.

Banks could slap Gardena this week with hefty penalties for failing to pay \$25.6 million in debt. Most of the long-overdue bill, equal to more than three-fourths of the annual municipal budget, dates to a decision a dozen years ago that many see as reckless: Despite repeated warnings of the financial risk, local officials pushed their city into the insurance business.

The unprecedented for-profit company they founded, Municipal Mutual Insurance Co., is now under state supervision. To stay afloat, city officials have considered declaring bankruptcy, raising taxes or even closing a city department.

Block by block, Gardena is suffering. Gift-shop owner Carol Luna sees a city in decline and is thinking of moving away. City officials "spend their money foolishly," she said. "You can only beat your head on the wall for so long."

The Associated Press, seeking to account for how things went so wrong in Gardena, found a trail of no-bid contracts and other special deals, government dou-

blespeak, and warnings unheeded that show how vulnerable Anytown can be to unchecked officials who gamble with the public's money and trust.

A few people did well as the insurance venture bled cash, according to the AP investigation, which was based in part on documents obtained through open-records requests. There were the consultants and financial specialists who earned millions and the former city manager who spent lavishly on four-star hotels and travel.

How could this happen in Gardena, whose name evokes its simpler past as a center for berry growing? Home to 60,000, it's ethnically diverse, blue collar and six square miles small — a place where lunch lines get long at Giuliano's deli, kids splash in the municipal pool and homeowners expect potholes to be fixed.

Now, however, there is scant money to repair streets and sewer lines. The municipal pool is part of the public property backing bonds that bankrolled the insurance venture. Some officials doubt that the pool — or parkland, or the police station — will be handed over to creditors.

The financial outlook is bleak. In a city with a tight budget, the possible higher interest payments to banks are "not likely

See GARDENA, page 13

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Real Estate

Scant money left in Gardena for repairs to streets, sewers

GARDENA, from page 12

to be sustainable," according to Standard & Poor's, the Wall Street rating service. And a recent survey of the credit strength of California cities already placed Gardena alone at the bottom.

It's unclear whether the banks — Japanese-owned Sumitomo Trust & Banking Co., which holds most of the debt, and Union Bank of California — will go to court to attempt to extract the higher payments, which a city official said could cost an extra \$1 million a year.

Sumitomo holds the debt connected with the insurance company, \$19.6 million. Union Bank is owed nearly \$6 million for the failed home-loan program. Officials at both banks declined comment; negotiations with the city are continuing.

Across the nation, municipal entities have defaulted in recent years on bonds issued to support other atypical ventures, such as golf courses and marinas, according to a study by Fitch Ratings. And neighboring Orange County suffered default following losses in a high-risk investment pool.

But Gardena officials became convinced that a home-grown insurance company could provide coverage for Gardena while earning millions of dollars through policies sold to other cities.

The business the city founded in 1993 was supposed to turn government investments into profit — but people connected with Municipal Mutual describe it as the little company that couldn't.

Weeks before Gardena was scheduled to borrow \$15 million on the bond market, a financing team led by Prudential Securities walked out on the deal.

The problem: The city didn't have any commitments — beyond Gardena itself — to buy the insurance it wanted to sell. If it didn't sell policies, the company couldn't repay the bonds.

It was "clearly a risky program and it caused (Prudential) not to want to proceed," said David N. Lund, a former Prudential director who worked on the financing.

Yet Prudential's findings were not detailed in City Council minutes, which described Prudential's sudden exit simply as a "business decision."

A second underwriter, Sutro & Co., and a San Francisco law firm also dropped the deal.

The city then rewrote its own rules to pay another underwriter \$500,000 — nearly 70 percent higher than the previously estimated fee, according to records obtained by the AP. Without the change in city law, the size of the payment would have been impermissible.

The new underwriter, John C. Fitzgerald, would enjoy a profitable relationship with Gardena. He not only handled the financing for the insurance company, he was hired with a second, no-bid contract for the bond sale for a home-loan program that failed and left the city with \$6 million in debt.

Over a five-year stretch, city records show, Fitzgerald's firm earned more than \$2 million in fees from Gardena, including \$1.1 million tied to the insurance company.

State records show Municipal Mutual lost \$900,000 in 1994, its first full year, and \$688,000 in 1995. But records show Fitzgerald counseled that refinancing the company's initial \$15 million debt, this time for \$20.8 million, would increase long-term borrowing costs but give the company "more time to get on its feet" and give Gardena "breathing room."

Current City Manager Mitchell Lansdell, who was an assistant city manager at the time, described Fitzgerald's proposal this way: "I can save the day. (It will) just cost you money." He and other city officials compared the refinancing plan to using one credit card to pay off another.

Fitzgerald's fee for the 1995 refinancing: \$618,000.

In a telephone interview, Fitzgerald said his fees reflected "normal market conditions" at the time. If there is fault, he said, it rests with those who managed the insurance company and home-loan program, not the company that provided the financing.

"It's unfortunate, but I just don't know anything about the management of the programs," Fitzgerald said. As for the insurance company, "We just acted as the financing conduit. We didn't come up with the idea."

When Municipal Mutual was licensed for business in the fall of 1993, City Councilman and local political power Mas Fukai declared it was "cause for celebration." But financial documents prepared for the bond sale provided a chilling appraisal — an assessment of "a high degree of investment risk" conspicuously omitted from public proclamations.

"There is no assurance that insurance policies offered by the company will be salable," the documents stated presciently. "No assurance can be given ... that the company will be able to make payments for the benefit of the city."

Crucial business calculations the city used to justify its investment turned out to be flat wrong. Instead of fulfilling projections of \$50 million in business within a few years, with profits climbing above \$1 million, the company lost money from day one.

Gardena relied mostly on data compiled with the help of outside advisers, some of whose employees would later work at Municipal Mutual. In time, a company designed to run without full-time employees had a \$500,000 payroll along with 401(k) retirement benefits for workers.

Randall Doerschel was one of those who tried to warn the city. With a group of alarmed businessmen, the soft-spoken insurance salesman confronted then-City Manager Kenneth Landau.

"You really are opening a can a worms that could harm the city. It's just not all that easy to dabble in insurance," Doerschel recalled cautioning Landau. "We tried to tell him, 'You are going down the wrong path.'"

But the city manager pressed forward. Eventually, Landau would spend tens of thousands of Municipal Mutual's money — including after he was effectively separated from the company — some for overseas travel, four-star dinners and \$725-a-night hotel rooms in Manhattan.

Former Mayor Donald Dear, a schoolteacher, said if he had been "more sophisticated in the ways of business" he might have seen red flags along the way to creating Municipal Mutual, "the biggest mistake I ever made politically."

Dear mostly blames Landau, who piloted the idea through the City Council and later was sentenced to three years in prison for embezzling city money not related to the insurance company.

No one has been charged in connection with Municipal Mutual's failure.

Landau, paroled in 2002, could not be located. A woman who answered a phone listing in suburban Los Angeles hung up.

Fukai, the influential councilman who pushed to create the company and later served as its chairman, had a stroke years ago and declined through his wife to be interviewed.

Gwen Duffy, a former City Council member who also served on the company's board, said she felt taken advantage of by consultants who earned large fees helping set up the company, then later worked there.

Management and consulting fees in 1993-94 reached nearly \$1.5 million, records show. Advisers earned tens of thousands more setting up the company.

"There were the ... projections. Of course they made them rosy," said Duffy. "That's what people do when they want to sell you something."

Dennis Evans — who advised the city in the early 1990s, later worked for Municipal Mutual and is now the sole caretaker of the shell it left behind — disputed that projections were polished to sell the idea to Gardena, or that management fees were excessive.

"It was their concept and their idea," Evans said, faulting the city for taking too long to get into the marketplace. "It's sad, because it could have been great. It's just too bad."

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Bush trying to help GOP congressional candidates

BY LIZ SIDOTI
Associated Press Writer

PHOENIX — Despite his low standing in the polls, President Bush is working to help Republican House and Senate candidates build their campaign war chests while he is promoting his own troubled agenda.

The president is expected to assume the campaign role more often in the coming months as the 2006 congressional election year begins.

"I fortunately, have had my fill of campaigns, but there's nothing like walking into a room full of enthusiastic supporters to give you that spirit, to kind of put that wind behind your back," the second-term president told about 1,300 people at a dinner fundraiser for GOP Sen. Jon Kyl in Phoenix on Monday.

The president's appearance was expected to bring in at least \$1.4 million for the Republican incumbent.

On Tuesday, Bush was slated to appear at a fundraising luncheon for Republican Rep. Marilyn Musgrave in Denver at the end of a two-day swing to pitch his immigration reform proposal.

Democrats, seeking to regain power in the GOP-controlled House and Senate, are trying to make Bush's woes a liability for GOP candidates who have supported the president and his policies.

The president's approval rating in polls has fallen to some of the lowest levels of his presidency. It has been dragged down by the unpopular war in Iraq and the administration's fumbling of Hurricane Katrina relief.

At the same time, Congress has not acted on some of Bush's key agenda items, including immigration reform.

For the past year, Bush has been unable to get the House and Senate to sign off on a main part of his immigration proposal.

Senate Majority Leader Bill Frist says the Senate won't take up immigration proposals until February. The House still hopes to take up some border security mea-

sures before adjourning this year but the chances of that happening are slim.

The contentious guest worker plan is likely to be the last immigration issue ironed out.

Conservatives who take the hard line on illegal immigration have balked at the plan and Bush sought to mollify their concerns Monday by talking tough on border security.

"We're going to secure the border by catching those who enter illegally and hardening the border to prevent illegal crossings. We're going to strengthen enforcement of our immigration laws within our country," Bush said.

On Tuesday, the president checked out border security operations in El Paso, Texas. He drove on a road along the Rio Grande river and was accompanied by border patrol agents, including some on horseback. Later, he was heading to Colorado for the Musgrave fundraiser.

Absent from the president's entourage was chief political adviser Karl Rove, who typically is on hand during campaign events. He has maintained a low profile in recent weeks as the investigation into the leak of CIA operative Valerie Plame's identity heated up and ensnared a fellow White House aide. The prosecutor is still exploring Rove's involvement in the case.

Already this year, the president has campaigned for Republican Sens. Rick Santorum of Pennsylvania and Jim Talent of Missouri who are up for re-election next fall.

Brian Nick, a spokesman for the National Republican Senatorial Committee, said the president plans to appear at events soon for Maryland Lt. Gov. Michael Steele who is vying for that state's open Senate seat, and Rep. Mark Kennedy who is in the race for the open seat in Minnesota. Both seats are currently held by Democrats choosing not to run for re-election.

"The president looks forward to campaigning on behalf of those who support his agenda to make America stronger and safer," White House spokesman Scott McClellan said Monday.

Mexican president hopes U.S. will approve immigration reforms

BY JULIE WATSON
Associated Press Writer

MEXICO CITY — President Vicente Fox expressed renewed hope Tuesday that Mexico will secure an immigration accord with the United States before he leaves office next year.

"There are initiatives in (the U.S.) Congress that provide solutions to the problem of migration, so we'll keep on having an optimistic, positive ... attitude," said Fox, who met with foreign correspondents in Mexico City.

Fox's comments came despite a tough speech by President Bush on the issue Monday in which the U.S. president promised more border enforcement and no amnesty for undocumented migrants.

Bush's speech stressed his support for a temporary guest worker program, but that plan envisions having most workers return home after up to six years working in the United States.

Mexico is pushing for more permanent, legal residence.

Fox said the two neighboring nations need to work out the details of how many Mexicans would be allowed to

work legally in the United States and in what sectors of the U.S. economy.

"The best thing that can happen to both our countries is to have an orderly flow, a controlled flow, of migration to the United States," Fox said, adding that Mexicans "contribute enormously to the U.S. economy, to U.S. competitiveness."

Fox said his government will continue to insist on the protection of the rights of Mexicans working abroad, but he backed off Mexico's traditional opposition to U.S. plans to build a wall along the entire border.

"It's their territory," he said. "They can do what they want."

Sen. John McCain, R-Ariz., and Sen. Edward Kennedy, D-Mass., have proposed giving illegal immigrants already in the United States visas for up to six years. After that, they must either leave the United States or apply for lawful permanent residency.

Fox said the McCain-Kennedy proposal is moving in the right direction.

When Fox took office in 2000, he touted a U.S.-Mexico immigration accord as a top priority of his government, but the idea was sidelined after the Sept. 11 attacks focused U.S. attention on border security.

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INTERNATIONAL



No-confidence vote topples the Canadian government

BY ROB GILLIES

Associated Press Writer

TORONTO — Canadian politicians will hit the campaign trail this holiday season after opposition parties seized upon a corruption scandal to bring down the minority government of Prime Minister Paul Martin in a vote of no confidence.

Monday's loss means an election for all 308 seats in the lower House of Commons, likely on Jan. 23. Martin and his Cabinet will continue to govern until then.

The Conservative Party teamed up with the New Democratic and Bloc Quebecois parties to bring down the government, claiming the ruling Liberal Party had lost its moral authority. Recent polls have given the Liberals a slight lead over the Conservatives, with the New Democrats in third place.

The same surveys suggest the Bloc Quebecois would sweep the French-speaking province of Quebec, making a majority government unlikely no matter which party wins the most seats.

Martin is expected to dissolve the House of Commons on Tuesday and set a firm date for the elections. Canadian law sharply restricts the duration of the campaign.

"The vote in the House of Commons did not go our way," Martin said. "But the decision of the future of our government will be made by Canadians. They will judge us."

Martin has had frosty relations with the White House, standing by the Liberal Party decision not to support the U.S. invasion of Iraq. He also declined to join in Washington's continental ballistic missile shield, infuriating the Bush administration, has been called weak on terrorism, and was vocal in his opposition of high U.S. tariffs on Canadian lumber.

His push to legalize gay marriage throughout Canada also raised the hackles of Republicans south of the 49th parallel, but Martin is widely respected worldwide for Canada's neutrality and open arms toward immigrants and minorities.

Canada's Conservatives, by contrast, are seen as much more receptive to improving relations with Washington, though a majority of Canadians opposed the war in Iraq and the policies of President Bush.

Conservative Party leader Stephen Harper favors tax cuts and opposed Martin's successful bill to legalize same-sex marriage throughout Canada. He would become prime minister if the Conservatives receive the most seats in Parliament.

"This is not just the end of a tired, directionless, scandal-plagued government," Harper said after Monday's vote. "It's the start of a bright new future for this country."

The opposition is banking on the public's disgust with a corruption scandal involving the misuse of funds targeted for a national unity program in Quebec.

An initial investigation absolved Martin of wrongdoing, but accused senior Liberal members of taking kickbacks and mispending tens of millions of dollars in public funds.

The government ran into peril this month when it lost the support of the New Democratic Party, whose backing earlier this year helped Martin escape a previous no-confidence motion by a single vote. New Democrat leader Jack Layton said he had not received enough assurances the Liberal Party would fight the increased use of private health care in Canada.

Martin appears prepared to take his chances with a holiday campaign and blamed his opponents for any inconvenience to the predominantly Christian electorate.

The prime minister had promised to call an election within 30 days of the release of a follow-up report on the corruption scandal. The document is expected Feb. 1, which would have meant elections in the first week of April, a time that suits Canadians better than the bitterly cold and busy holiday season.

Although no formal agreement is in place, all the parties are likely to agree to a pause in the campaign around the Christmas and New Year holidays. The campaign is expected to start Tuesday, after Parliament is dissolved.

Unemployment in Canada is at a 30-year low and Canada runs a budget surplus.

Andrew Stark, a political science professor at the University of Toronto, maintained that the campaign would not be decided until the final days. Stark, however, believes the Conservatives will win a minority government if Canadians view another Liberal and New Democrat coalition as being unaccountable with tax money.

The last time a Canadian political campaign coincided with the holiday season was in 1979, when Joe Clark's minority Conservative government was toppled just weeks before Christmas. That vote was delayed until February, however, when Pierre Trudeau and the Liberals took back Parliament.

The latest collapse comes 17 months after an election that turned a Liberal majority into a fragile minority on June 28, 2004.

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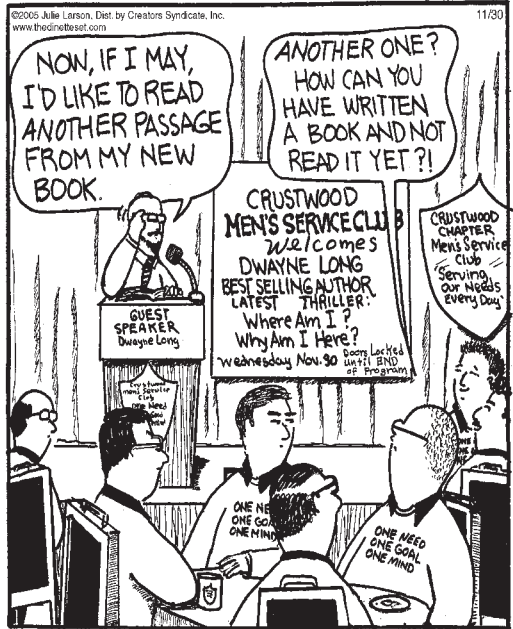
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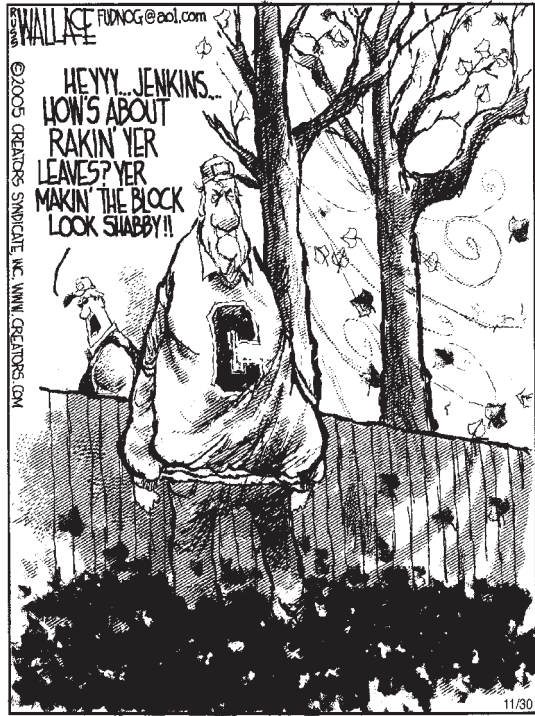


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17 Trunk
19 In shape
22 Out of shape
24 Mace, e.g.
26 Test without pencils
27 Geometry calculation
28 Airport areas
30 Shopping aids
31 Corrida cheer
32 Dizzying designs
34 Homecoming guest, for short
35 Hamm of soccer
38 American lynx
41 Earth neighbor
42 Scientist Fermi

DOWN

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44 Numb
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1 Choir singer
2 Bashful
3 It may not include a kiss
4 "Oh, wow!"
5 Pigpens
6 Some homes
7 Weary word
8 Game caller
9 Foofaraw
10 Swamp
16 Make schnitzel
20 Rapper-turned-actor
21 Afternoon socials
22 Comics possum
23 River of Russia
25 Twosome
29 Comfort

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TO: JOSE CABRERA and MERCEDES CABRERA

Pursuant to a March 23, 2004 Order Setting Status Conference, Mediation and Settlement Conference, and Allowing Service by Publication, YOU ARE HEREBY NOTIFIED THAT Defendant JLH PACIFIC TRUST has filed a First Amended Counterclaim, Crossclaim and Third-Party Complaint in Civil Case No. CV 03-0013 for determination of your right, title and interest to certain interplead funds together with such other relief as the Court deems just.

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YOU ARE HEREBY SUMMONED and required to serve upon JLH PACIFIC TRUST'S Attorney:

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an answer to the First Amended Counterclaim, Crossclaim and Third-Party Complaint within twenty (20) days after the date of this published notice. If you fail to do so, judgment by default will be taken against you for the relief demanded in the First Amended Counterclaim, Crossclaim and Third-Party Complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service. Publication of Summons ordered by Judge Alex R. Munson pursuant to Order Setting Status Conference, Mediation and Settlement Conference, and Allowing Service by Publication date March 23, 2004.

Santa Monica Daily Press to publish 11/30/2005, 12/07/2005, 12/14/2005

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FICTITIOUS BUSINESS NAMES STATEMENT FILE NO. 05 2567884 FIRST FILING. The following person(s) is (are) doing business as Bodily Comforts, Island Elegance, 3745 Watseka Ave, #3, Los Angeles, CA 90034. The full name of registrant(s) is/are : Kelly Anne Peacock, 1719 Nuuanu Ave, 5F, Honolulu, HI, 96817 This Business is being conducted by, an individual. Signed: The registrant commenced to transact business under the fictitious business name or names listed on (Date)10/22/2005. /s/ Kelly Anne Peacock This statement was filed with the County Clerk of LOS ANGELES County on 10/25/2005. NOTICE: THIS FICTITIOUS BUSINESS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name statement in violation of the rights of another under federal, state, or common law (see Section 14411et seq.,Business and Professions Code). SANTA MONICA DAILY PRESS to publish 11/23/2005, 11/30/2005, 12/7/2005, 12/14/2005

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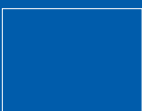
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