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DECEMBER 8-9, 2012
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Santa Monica Daily Press

We have you covered
THE HAPPY HANUKKAH ISSUE

NATURE'S COFFEE MAKERS
SEE PAGE 8

AMC backs off theater development

Officials say project too costly to justify

BY ASHLEY ARCHIBALD
Daily Press Staff Writer

DOWNTOWN AMC Theatres is pulling back from negotiations with City Hall to put a state-of-the-art multiplex theater in the heart of the Downtown, saying the project no longer pencils out.

The AMC development team said that the 70,000-square-foot project would not make them enough money to justify the cost of building it, according to a city staff report.

The company has been in exclusive negotiations with City Hall since September 2009.

The negotiation period ended Nov. 26, just a month and a half after the Planning Department released the draft environmental impact report for the project, an expensive study that looks at the traffic, pollution and other impacts caused by the development.

"Last week they let us know they would not be pursuing exclusive negotiations," said Andy Agle, director of Housing and Economic Development with City Hall.

The team told city officials that the cost to build the project had increased over the past three years, Agle said.

"I don't know if there have been any changes on the income side in terms of the operations of the theater," Agle said.

City officials will go before the City Council on Tuesday to request that they put the project out into the open market to see if any other private companies want to put a theater at the 1320 Fourth St. site.

Neither representatives from AMC Theatres nor Metropolitan Pacific Capital, their partner in the project, returned calls for comment by presstime.

At the beginning of November, city staff told the Daily Press that City Hall was still in negotiations with AMC and Metropolitan Pacific Capital over a development agreement for the space.

SEE THEATER PAGE 10



WHAT A SAINT

Brandon Wise *brandonw@smdp.com*

Families stop to say hi to Santa and Mrs. Claus and pose for pictures during the annual Montana Avenue Holiday Walk on Friday night. The holiday walk is a chance for merchants to offer customers deals, along with refreshments, food and entertainment. Thousands were expected to attend.

Rules around historic properties may change

City officials eyeing property taxes from landmarked buildings

BY ASHLEY ARCHIBALD
Daily Press Staff Writer

CITY HALL City officials are contemplating restrictions on a program that offers discounts on property taxes to owners of historic homes in the face of a tight economic climate.

The deal, created under a 1972 state law called the Mills Act, offers a lower tax rate to provide an incentive to the owner to maintain the historic property rather than tear it down.

Many cities adopted the Mills Act, but put restrictions on the number of contracts that could be given out or how much property tax cities or counties could lose under the program.

Santa Monica did neither, and, with 54 active Mills Act contracts and the potential for another big one on the way, city officials are taking a second look at their relaxed approach to the historic preservation statute.

"We on staff agree that we should propose some limitations on tax relief available through a Mills Act contract in Santa Monica," said City Manager Rod Gould. "No doubt there will be lots of discussion about this with the (Santa Monica) Conservancy, Landmarks Commission and Planning Commission."

The conversation got rolling after the Nov. 27 City Council meeting at which the owner of the now-infamous "House of Rock" applied for a contract that would have taken her property taxes from $90,000 a year to about $14,000. The home was the site of several lavish fundraisers for nonprofits, a tactic the owner used to showcase the house before selling it.

Council members were concerned about the cost to the city over the course of the 10-year Mills Act contract, particularly in the

SEE TAX PAGE 12

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Donations to support this 60-year tradition may be sent to: Santa Monica Nativity Scenes Committee P.O. Box 0646, Santa Monica, CA 90406

www.santamonicanativityscenes.org

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- Women's Support Group . . . . . Mondays, 2–3:30 pm
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What's Up Westside

OUT AND ABOUT IN SANTA MONICA

Saturday, Dec. 8, 2012

The run-around
Ocean View Park
2701 Barnard Way, 6 a.m.
The Santa Monica-Venice Christmas Run is Los Angeles' largest holiday running event and a fundraiser benefiting Harvest Home. The run has a 5k and a 10k that winds through the beautiful streets of Santa Monica and Venice, including a long stretch along the famous Venice Beach boardwalk. For more information, visit christmasrun.com.

Breakfast with the man in red
Santa Monica Place
Third Street and Broadway,
9:30 a.m. — 11 a.m.
Children of all ages are invited to breakfast with Santa and Mrs. Claus. There will be a meet and greet, giveaways and activities. Cost: $5; children 2 and under free. For more information, visit downtownsm.com/winterlit.

On two wheels
Santa Monica Civic Auditorium
1855 Main St., 10 a.m. — 2 p.m.
Everyone is invited to Santa Monica's first Family Bike Fest. Bring your child's bike over for a safety check by on-site mechanics, or if it's been outgrown, give it a new home through donation to the bike swap. Helmets will be required for children, and will be available on-site for a low fee. Parents can also test-ride a wide variety of bicycles and accessories that can carry kids. Bicycle and helmet decoration stations, plus a photo booth and local food trucks — including ice cream churned by bike — will make this a fun family outing. Other activities include route planning assistance, bicycle safety information, booths from many local groups like CicLAvia and Metro, and a family fun ride. Cost: Free.

On the reel
Aero Theatre
1328 Montana Ave., 11 a.m.
The Aero Theatre is hosting the Santa Monica Film Festival. Special events include the Filmmaker Networking Nosh, Video-On-Demand Film Market and Seminar, independent film screenings and the SMFF Awards and cocktail reception. A complete list of films, descriptions, trailers and more are available on the festival website at www.smff.org.

Hop for art
Pico Boulevard
12 p.m. — 8 p.m.
Join the Pico Improvement Organization for an afternoon of creative fun, as the up-and-coming arts neighborhood throws its Fourth Annual Art Hop. Stores will be open for the event, hosting an array of art for sale and display. For more information, visit www.picopassport.com.

Santa touches down
Museum of Flying
3100 Airport Ave., 1:30 p.m.
Santa himself will land a vintage World War II bi-plane at Santa Monica Airport to spread a little holiday cheer. His estimated time of arrival is 1:30 p.m., but that could change depending on weather. Once on the ground, Santa will head to the museum for photos. For more information, visit museumofflying.com.

Hanukkah is here
Third Street Promenade
and Wilshire Boulevard
Sundown
Downtown Santa Monica will celebrate the Hanukkah season with the first lighting of a menorah at sundown. There will be a daily lighting throughout Hanukkah. For more information, visit downtownsm.com/winterlit.

The dark side
The Broad Stage, Edye Second Space
1310 11th St., 8 p.m.
The Section Quartet takes you on a journey of the mind to Pink Floyd's classic, the "Dark Side of the Moon," rounding out the evening with classic gems. Known for their original string quartet arrangements of the rock canon, the quartet will tackle three distinct rock sub genres in this residency: classic rock, alt rock and indie rock. Cost: $25. For more information, call (310) 434-3200.

Sunday, Dec. 9, 2012

Bah humbug
United Methodist Church
1008 11th St., 12 p.m.
Celebrate the season with a musical of Dickens' "A Christmas Carol," based on the 1970 Oscar-nominated film starring Albert Finney. Cost: $10 adults; $5 seniors and children. For more information, call (310) 393-8258.

They're back
Clover Park
2600 Ocean Park Blvd., 3 p.m.
The nativity scenes, once a fixture in Palisades Park, have found a new home in front of Watt Companies, adjacent to Clover Park. There will be a ceremony to officially open the displays, held in the park, complete with a recital of the Christmas story. For more information, visit santamonicanativityscenes.org.

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



Black boxes in cars raise privacy concerns

BY JOAN LOWY
Associated Press

WASHINGTON Many motorists don't know it, but it's likely that every time they get behind the wheel, there's a snitch along for the ride.

The National Highway Traffic Safety Administration on Friday proposed long-delayed regulations requiring auto manufacturers to include event data recorders — better known as "black boxes" — in all new cars and light trucks beginning Sept. 1, 2014. But the agency is behind the curve. Automakers have been quietly tucking the devices, which automatically record the actions of drivers and the responses of their vehicles in a continuous information loop, into most new cars for years.

When a car is involved in a crash or when its airbags deploy, inputs from the vehicle's sensors during the 5 to 10 seconds before impact are automatically preserved. That's usually enough to record things like how fast the car was traveling and whether the driver applied the brake, was steering erratically or had a seat belt on.

The idea is to gather information that can help investigators determine the causes of accidents and lead to safer vehicles. But privacy advocates say government regulators and automakers are spreading an intrusive technology without first putting in place policies to prevent misuse of the information collected.

Data collected by the recorders is increasingly showing up in lawsuits, criminal cases and high-profile accidents. Massachusetts Lt. Gov. Timothy Murray initially said that he wasn't speeding and that he was wearing his seat belt when he crashed a government-owned car last year. But the Ford Crown Victoria's data recorder told a different story: It showed the car was traveling more than 100 mph and Murray wasn't belted in.

In 2007, then-New Jersey Gov. Jon Corzine was seriously injured in the crash of an SUV driven by a state trooper. Corzine was a passenger. The SUV's recorder showed the vehicle was traveling 91 mph on a parkway where the speed limit was 65 mph, and Corzine didn't have his seat belt on.

There's no opt-out. It's extremely difficult for car owners to disable the recorders. Although some vehicle models have had recorders since the early 1990s, a federal requirement that automakers disclose their existence in owner's manuals didn't go into effect until three months ago. Automakers that voluntarily put recorders in vehicles are also now required to gather a minimum of 15 types of data.

Besides the upcoming proposal to put recorders in all new vehicles, the traffic safety administration is also considering expanding the data requirement to include as many as 30 additional types of data such as whether the vehicle's electronic stability control was engaged, the driver's seat position or whether the front-seat passenger was belted in. Some manufacturers already are collecting the information. Engineers have identified more than 80 data points that might be useful.

Privacy complaints have gone unheeded so far. The traffic safety administration says it doesn't have the authority to impose limits on how the information can be used and other privacy protections. About a dozen states have some law regarding data recorders, but the rest do not.

"Right now we're in an environment where there are no rules, there are no limits, there are no consequences and there is no transparency," said Lillie Coney, associate director of the Electronic Privacy Information Center, a privacy advocacy group. "Most people who are operating a motor vehicle have no idea this technology is integrated into their vehicle."

Part of the concern is that the increasing computerization of cars and the growing communications to and from vehicles like GPS navigation and General Motors' OnStar system could lead to unintended uses of recorder data.

"Basically your car is a computer now, so it can record all kinds of information," said Gloria Bergquist, vice president of the Alliance of Automotive Manufacturers. "It's a lot of the same issues you have about your computer or your smartphone and whether Google or someone else has access to the data."

The alliance opposes the government requiring recorders in all vehicles.

Data recorders "help our engineers understand how cars perform in the real world, and we already have put them on over 90 percent of (new) vehicles without any mandate being necessary," Bergquist said.

Safety advocates, however, say requiring data recorders in all cars is the best way to gather a large enough body of reliable information to enable vehicle designers to make safer automobiles.

"The barn door is already open. It's a question of whether we use the information that's already out there," said Henry Jasny, vice president of Advocates for Highway and Automotive Safety.

Transportation Secretary Ray LaHood said that requiring recorders in all new cars "will give us the critical insight and informa-

SEE **BOX** PAGE 11



Photo by Nick Ut/Associated Press

GROSS: **A woman walks her dog past a dead young male fin whale that washed up Monday between the Paradise Cove and Point Dume areas of Malibu. Agencies have failed to take action.**

Rotting whale becomes sad spectacle in Malibu

BY RAQUEL MARIA DILLON
Associated Press

MALIBU The decaying corpse of a huge fin whale was a sad spectacle Friday on the shore of a cove where it washed ashore nearly a week earlier.

With no government agency taking action to remove the rapidly rotting mammal from Little Dume beach, it appeared that the job would be left to decomposition and nature's scavengers.

A few people wandered down the narrow beach at the foot of a high coastal bluff to look at the remains — white bones, rolls of blubber and the tail flukes trailing along the water's edge.

The smell had largely faded away, but still attached to the shoes of those who came near. Some people took pictures, a boy poked the bones and dogs sniffed it.

"It's really sad that this is my first time seeing a whale," said Ingrid De La O, a Malibu resident. "It's mind-boggling to see this immense huge thing that lives in the water."

The 40-foot-long, 40,000-pound juvenile male washed ashore Monday near Point Dume, which marks the western end of Santa Monica Bay, about 30 miles west of downtown Los Angeles.

The homes and estates of celebrities and other wealthy line the cliffs high above the slender beach. Access is extremely limited and curious beachcombers had to hike on the sand from the few public parking lots farther up the beach.

"From the evidence that we have so far, it appears that it was hit by a ship," said Jonsie Ross, marine mammal coordinator for the California Wildlife Center.

James Respondek, a real estate agent who lives in the area, worried that the carcass would draw sharks that could pose a threat to his young daughter, who swims in the cove, and to his favorite surfing spot down the beach. He said he was frustrated that no agency would remove the carcass.

"There seems to be no readiness to take responsibility, to take action, just a lot of excuses. 'I don't have a boat, I don't have the money, I don't have the resources,' they all told me," he said.

Looking over the whale on Friday, Malibu resident Ben Dossett suggested there was now no need to try to remove it.

"You look at the difference between what it was on Tuesday to what it is today. I think they can just leave it and let nature take its course," he said.

Fin whales are endangered, and about 2,300 live along the West Coast. They're the second-largest species of whale after blue whales and can grow up to 85 feet, weigh up to 80 tons and live to be 90 years old.

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LETTERS TO THE EDITOR

Send comments to editor@smdp.com

Man bites veggie dog

Editor:

I'm glad that Hot Dog on a Stick is now approved for a larger building at its familiar location near the Santa Monica Pier ("Hot Dog on a Stick, reborn" Dec. 5).

And I was also glad to hear that when the new facility opens they will be able to add veggie dogs to their menu, as some of their locations already do.

I bet their vegetarian hot dogs will be a big seller here. Wish they could start serving them here in Santa Monica even sooner.

Jerry Rubin
Santa Monica

One can make a difference

Editor:

I wanted to say thanks and congratulations on a job well done to Ms. Bayles ("Resident's beach cleanup project nears end," Dec. 5). As a former student at Wallgrove Elementary, a surfer and beach volleyball player and now owner of Shaka Shack Burgers, I have watched firsthand the contamination of our ocean and beaches in this bay we share.

Spending more time on the beach then one would ever admit to, I realized 50 years ago that by picking up trash and putting it in the trash can I was helping to do my part and I am so happy to hear that others have jumped aboard. I hope fellow beach lovers will read about Sara's efforts and realize what a great civic act one small gesture can make.

P.S. It works on the streets as well. Thanks again and continue on.

Michael Anapol
Santa Monica

No holiday spirit

Editor:

Being a simple woman shopping for this weekend's celebration of the festival of lights, Hanukkah, I felt offended when Vons, which claims to be a neighborhood store, does not offer anything for its Jewish community to purchase in celebration of the holiday, while Christmas, which we all know falls on Dec. 25, has a lovely display.

Ralphs, also a chain of stores, is indeed a neighborhood store and has respect for all their neighbors by offering a beautiful arrangement for Hanukkah and Christmas. Shame on you Vons.

I will never shop at Vons again.

Happy Hanukkah and merry Christmas to all my neighbors.

Debra Borodinsky
Santa Monica



Your column here



Nicole Tichon — **Send comments to editor@smdp.com**

Free enterprise is not free

THERE'S BEEN A LOT OF TALK ABOUT WHAT we can't afford as a nation and who is getting what "gift" or which free ride. When President Obama recently met with CEOs and chatted with JPMorgan Chase head Jamie Dimon, we should hope he issued a stern warning that legal tax avoidance games played by banks and multinational corporations are on the chopping block. After all, free enterprise isn't free.

In the coming weeks there will be pivotal conversations about how and where to tax corporations and how to reform our corporate tax system. Don't believe the hype that these issues are too complicated. They're not. If you paid more than 1.9 percent in income tax, you paid a higher rate than Apple. Period.

Both political parties need to combat the damaging effects of the offshoring of jobs and revenues. Our current system drains our treasury and threatens basic services and national security.

Citizens get it. According to a new poll by Hart Research, "84 percent of voters approve of increasing taxes on the profits American corporations make overseas, to ensure that they pay the same taxes on those as they do on domestic profits."

These issues were put on the national stage because of a presidential candidate who uses offshore accounts, and by the reporting of tax shell games by Apple, Google, Starbucks, Microsoft and General Electric. Now, in the U.K., Amazon, Starbucks and Google are being questioned by the government for shady tax practices.

The Obama administration and Congress need to correct a flawed system that has fostered legal tax avoidance and raised the ire of progressives and conservatives alike.

Who can defend companies making record profits skipping out on their tax bills? Who can honestly keep holding up the disingenuous argument that multinational corporations in the U.S. pay the highest rate in the world when the fact is, it just ain't so? Consider: According to the Congressional Budget Office, the average tax rate corporations pay on domestic profits in the U.S. is about 12 percent.

Moving forward we'll hear lofty-sounding ideas about broadening the base, lowering the rates, closing loopholes, and more technical ideas about moving to a territorial system of taxation.

Let's start with the former: The loopholes that need to be closed are those that enable corporations to pay extraordinarily low tax rates or no tax at all by shifting profits, patents and headquarters offshore. These cost us $100 billion per year.

With respect to the latter, lawmakers are in danger of making a bad situation worse. A territorial system would be tantamount to a permanent tax holiday for corporations. Under this system, companies would not have to pay U.S. federal income taxes on foreign earnings when they bring the profits back to the United States. These "foreign" earnings include the money that companies such as Google pay themselves for their own products or patents conveniently parked offshore.

Powerful special interests and CEOs have already lined up money, lobbyists and their media machine to lull lawmakers and citizens into believing they're the grownups at the table and know what's best. They don't. Instead, they benefit from a system rigged for their interests. And now they want more, at your expense.

Decisions made about taxation will have long-term and profound effects. It's not fair to continue to ask taxpayers to sacrifice, while failing to collect existing tax revenue from corporations making record profits.

IT'S NOT FAIR TO CONTINUE TO ASK TAXPAYERS TO SACRIFICE, WHILE FAILING TO COLLECT EXISTING TAX REVENUE FROM CORPORATIONS MAKING RECORD PROFITS.

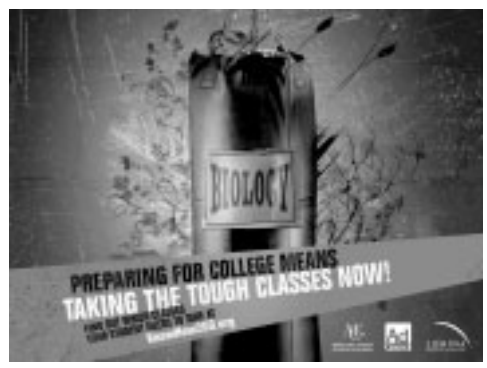
Free enterprise isn't free. The nation's budget situation may be reason enough to close these loopholes, but the ramifications go much further. American corporations that benefit from the work force, infrastructure, courts, markets and national security of the United States shouldn't be allowed to avoid their responsibilities.

Former U.S.-based corporations that have benefited from U.S. government research and development dollars and do the majority of their business in the U.S. should not be allowed to simply call a post office box in the Cayman Islands or an empty law office in Switzerland their "headquarters."

Congress needs to close offshore tax-dodging loopholes and make large corporations pay taxes in the same country that provides them with the benefits and legal protections that make it profitable to operate in the United States in the first place.

NICOLE TICHON is executive director of Tax Justice Network USA and director of the Financial Accountability and Corporate Transparency Coalition.





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The Q Line

Cutting classes

In an effort to save money, Santa Monica College officials last week decided to cancel the winter session for the Emeritus College, meaning seniors will have to go without their exercise, performing arts and other classes for several weeks. The thing is though SMC will still pay to keep buildings open and staff employed, amounting to a savings that some say is only around $160,000.

This past week, Q-line asked:
Is the savings worth cutting classes for seniors to help cover costs associated with the college at large? Should seniors have to start paying to help bring more classes online?

Here are your responses:

"BLOATED SALARIES FOR THE TOP AND middle management is the problem with Emeritus College. And the problem that they have right now is one that is a straw dog because you would not believe how many seniors die and leave a ton of money to that place. In fact, someone died last year and left millions. But they said 'No, we're not going to continue the exercise classes and we need to keep this lump of millions in our heritage account.' They are doing that same crap now, and that guy over at Santa Monica College who's the president and the one who runs Emeritus, they're both overpaid, bloated politicians pretending to be administrators. It's crazy how much money the elderly people give Emeritus college. Every single year they get loads of money donated. This is a real slap in the face. ... They're screwing us."

"I DON'T KNOW WHETHER TO LAUGH, CRY or throw up. Education is one of the biggest scams, especially a town giving in to overdevelopment. The last election was the school district spin. The election before was City Hall's. The next election will be SMC's angle to tax our city's bumpkins. Sadly politics is a divide and conquer of the gullible. SMC first frightens the seniors. Then the next group will be to scare low-income students with the defunding of child care and other freebies. The plan is to spook as many educational and progressive groups so they support the next SMC tax hike. If you run a business and keep raising the price of your product, you become bankrupt. If you are a public entity you just help raise taxes. This allows incompetence, like the SMC trustees, to flourish. There is not one person in this town in public office who is worthy of the title of leadership. SMC, like City Hall and especially the school district, will offer anything to select groups at the expense of the majority. Something for nothing is just that, nothing. This town has become less than zero."

"WE ARE SO LUCKY TO HAVE EMERITUS. This winter session only lasts a month. It would save a great deal of everyone's time and bureaucracy and paperwork if this winter session were folded into the spring session and we went back to two semesters, fall and spring, as it used to be."

"EDUCATING THE YOUNG IS MORE important than my filling my time between now and my death with enjoyable classes. Ask seniors to pay on a sliding scale based on means testing."

"IF SENIORS (OR ANYONE FOR THAT matter) want courses, let them pay for them. As usual SMC is being run for its unions and employees and not for the public."

"MORE ENTITLEMENTS! FREE EXERCISE classes, free performing arts, etc. Of course those taking advantage of these classes should pay something to defray the costs. I doubt that a small fee would be a burden for any of them. The college could make exceptions for the truly needy. There is no reason why the public should support these classes, when most of the seniors are capable of paying for them."

"WHEN I ATTENDED THERE IN THE 1960S, it was 70 percent kids from Samohi and the rest were from local high schools. There was a fantastic skill center with auto, welding, electrical, metal working and wood shops. All of this was dropped after we got a foreign school president. They closed all the shop classes and began bragging about being the number one transfer college. Now the school is 70 percent foreign students and anyone who wants to learn a skill and not go on to a university is out of luck. There are no jobs for all these college grads, but we can always use a good auto mechanic. Why should we property owners in Santa Monica be taxed and taxed again for educating a lot of foreigners? The Emeritus was the only place where older people who are mostly U.S. citizens are still going and now they want to kick us old farts out. If the college is mostly for non-Santa Monicans, then it should be made private and stop taxing local property owners."

"I AM A SENIOR CURRENTLY TAKING A couple classes with Emeritus College, one of them being a health and fitness class. Participation in that class on a regular basis has helped my mental and physical well-being. Withdrawing the winter session would certainly be a set-back. Please count me in favor of keeping the winter sessions!"

"LUNCH ISN'T FREE AND FREEDOM ISN'T free, and there's no such thing as free Emeritus classes either; someone must pay for or subsidize these classes. Donations to Emeritus no doubt qualify for a tax deduction, but all Emeritus students, except for the truly needy, should be willing to help defray the cost of their 'free' classes. The sense of entitlement evident in several letters to the editor this past week is both selfish and regrettable."

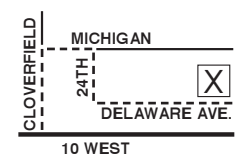
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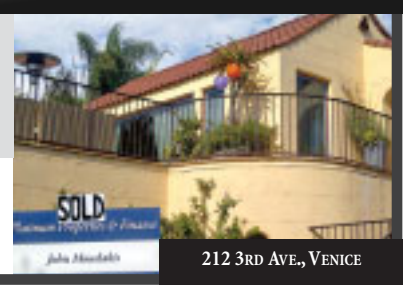

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Fiscal cliff threatens California's recovery, jobs

BY JUDY LIN
Associated Press

SACRAMENTO, Calif. California's economic recovery could come to a halt if Congress and President Barack Obama are unable to avert the "fiscal cliff," business and government officials warned Friday.

Robert Kleinhenz, chief economist at the Los Angeles County Economic Development Corp., said automatic spending cuts would represent a loss of $22.7 billion in gross state product, the annual measure of goods and services produced in the state. It would also mean the loss of 225,000 jobs statewide, he said.

Southern California would be especially hard-hit because the region is a large recipient of defense spending, particularly for early-stage military research, Kleinhenz said.

Expiring Bush-era tax cuts and the end of a payroll tax holiday will also mean smaller paychecks for workers at a time when the nation is barely recovering from the Great Recession.

"This is a timing problem. If the Congress can work out the timing, maybe space out some of these adjustments over the next couple of years, than we would not endanger this recovery," Kleinhenz said.

Another group that would feel the pinch at the start of 2013 is the unemployed.

About 400,000 jobless Californians who have been receiving unemployment benefit extensions will stop receiving checks at the end of the year unless Washington acts, according to Loree Levy, a spokeswoman for the state Employment Development Department. The federal government has paid $40 billion in federal extension benefits in California since July 2008, she said.

Levy said the state mailed out roughly 360,000 letters over Thanksgiving week telling people how they can find other forms of assistance, such as food stamps and social services. The average person receives $300 a week in unemployment assistance.

"We're making people well aware so they have time to plan accordingly," she said Thursday.

The nonpartisan Legislative Analyst's Office has already warned that the state could lose as much as $11 billion in tax revenue if the nation fell back into recession. That would wipe out the bulk of tax gains under Proposition 30, a set of temporary sales and income taxes hikes voters approved last month.

Reduced federal funding and a lagging economy would send shockwaves throughout a state that was projecting budget surpluses for the first time in a decade.

Brown's finance spokesman, H.D. Palmer, said the administration has not conducted its own estimate and suggested that state programs would not feel an immediate impact. But schools, public safety and other services would once again feel budget strains by mid-2013.

In a sign of California's vulnerability, the State Controller's Office released a monthly cash update Friday showing revenues were nearly 11 percent below the state's projections, or $807 million less than forecast. The state's unemployment rate remains in the double digits at 10.1 percent.

"Given the years of state budget constraints that have already passed, there are few simple or easy budget options to address a near term shortfall of that magnitude," said Deputy Legislative Analyst Jason Sisney.

Long-sealed Notorious B.I.G. autopsy released

BY ANTHONY MCCARTNEY
AP Entertainment Writer

LOS ANGELES An attorney for the family of Notorious B.I.G. said Friday it's ridiculous that Los Angeles police have not arrested anyone for the rapper's 1997 killing, which has returned to the spotlight after coroner's officials released a long-sealed autopsy report.

The report revealed that injuries cause by a single bullet killed the rapper, whose real name was Christopher Wallace, during a drive-by shooting in March 1997. Wallace was hit by four bullets after leaving a music industry event, but one that hit his heart, left lung and colon caused his death, the 23-page report states.

Perry Sanders Jr. said he was not given any notice that the report would be released, and he criticized police for not closing one of Los Angeles' highest-profile unsolved murders, especially since he had been told that police had identified those responsible.

"I've been advised by the homicide detective that was in charge of the investigation and is no longer with the department that the crime has been solved for several years now," Sanders told The Associated Press. "This was confirmed by at least one other person who is currently on the force, and it is ridiculous that an arrest has not been made for a crime that's allegedly been solved for several years."

A 2011 book by former Los Angeles police detective Greg Kading claimed the murder had been solved, although no arrests have been made and federal prosecutors in 2005 declined to file charges after a lengthy, bi-coastal investigation. Wallace is from the New York City borough of Brooklyn.

Police spokesman Richard French declined to comment, saying Wallace's killing remained an open investigation.

The coroner's report had been sealed for more than 15 years until police lifted a hold on it last week, Chief Coroner Investigator Craig Harvey said. The report details the trajectory of each of the shots that hit the rapper and states there were no signs of alcohol or drugs in his system when he died.

Sanders, who dropped a federal civil lawsuit against the city in 2010 in order to give investigators an opportunity to investigate further, said solving the case was more important than any lawsuit.

"In no way shape or form is this about civil litigation," he said. "This is about the criminal justice system and it functioning properly."

The lawsuit Sanders filed on behalf of Wallace's family and widow Faith Evans ended in a mistrial in 2005 after attorneys discovered the city withheld a trove of LAPD documents.

The civil case could be refiled, although that has not yet occurred.

Both Los Angeles police and the FBI investigated Wallace's killing, which came just months after another rap superstar, Tupac Shakur, was gunned down in Las Vegas. The FBI looked into whether any Los Angeles police officers were involved in Wallace's shooting.

The deaths of Wallace and Shakur have been the subject of rampant speculation about the motives. The one-time friends became rivals and instigators in an East Coast-West Coast rap rivalry during the mid-1990s.

In March 2011, the FBI electronically released files on its investigation, which were heavily redacted but shed new light on the efforts that investigators took to try to find those responsible for the rapper's death. Agents conducted surveillance and interviews in Los Angeles, San Diego and New York, the files showed.

The FBI referred all questions on the case to Los Angeles police.

Pearl Harbor dead remembered

BY AUDREY MCAVOY
Associated Press

PEARL HARBOR, Hawaii More than 2,000 people at Pearl Harbor and many more around the country marked the 71st anniversary Friday of the Japanese attack that killed thousands of people and launched the United States into World War II.

The USS Michael Murphy, a recently christened ship named after a Pearl Harbor-based Navy SEAL killed in Afghanistan, sounded its ship's whistle Friday to start a moment of silence at 7:55 a.m., marking the exact time the bombing began in 1941.

Crew members lined the edge of the Navy guided-missile destroyer in the harbor where the USS Arizona and USS Utah, battleships that sank in the attack, still lie. Hawaii Air National Guard F-22 fighter jets flew overhead in a special "missing man" formation to break the silence.

"Let us remember that this is where it all began. Let us remember that the arc of history was bent at this place 71 years ago today and a generation of young men and women reached deep and rose up to lead our nation to victory," Rhea Suh, Interior Department assistant secretary, told the crowd. "Let us remember and be forever grateful for all of their sacrifices."

About 30 survivors, many using walkers and canes, attended the commemoration.

Edwin Schuler, of San Jose, Calif., said he remembered going up to the bridge of his ship, the USS Phoenix, to read a book on a bright, sunny Sunday morning in 1941 when he saw planes dropping bombs.

"I thought: 'Whoa, they're using big practice bombs.' I didn't know," said Schuler, 91.

Schuler said he's returned for the annual ceremony about 30 times because it's important to spread the message of remembering Pearl Harbor.

Ewalt Shatz, 89, said returning to Pearl Harbor "keeps the spirit going, the remembering of what can happen."

Shatz, who now lives in Riverside, Calif., was on board the USS Patterson that morning when the alarm sounded. His more experienced shipmates were down below putting a boiler back together so Shatz found himself manning a 50-caliber machine gun for the first time. The Navy credited him with shooting a Japanese plane.

"That was some good shooting," said U.S. Pacific Fleet commander Adm. Cecil Haney who recounted Shatz' experience in the keynote address. "Thank you for your courage and tenacity — our nation is truly grateful."

Online, Pearl Harbor became a popular topic on Facebook and other social networks, trending worldwide on Twitter and Google Plus as people marked the anniversary with status updates, personal stories of family and photos.

The Navy and National Park Service, which is part of the Interior Department, hosted the ceremonies held in remembrance of the 2,390 service members and 49 civilians killed in the attack.

Friday's event gave special recognition to members of the Women Airforce Service Pilots, who flew noncombat missions during World War II, and to Ray Emory, a 91-year-old Pearl Harbor survivor who has pushed to identify the remains of unknown servicemen.

The ceremony also includes a Hawaiian blessing, songs played by the U.S. Pacific Fleet band and a rifle salute from the U.S. Marine Corps.

President Barack Obama marked the day on Thursday by issuing a presidential proclamation, calling for flags to fly at half-staff on Friday and asking all Americans to observe the day of remembrance and honor military service members and veterans.

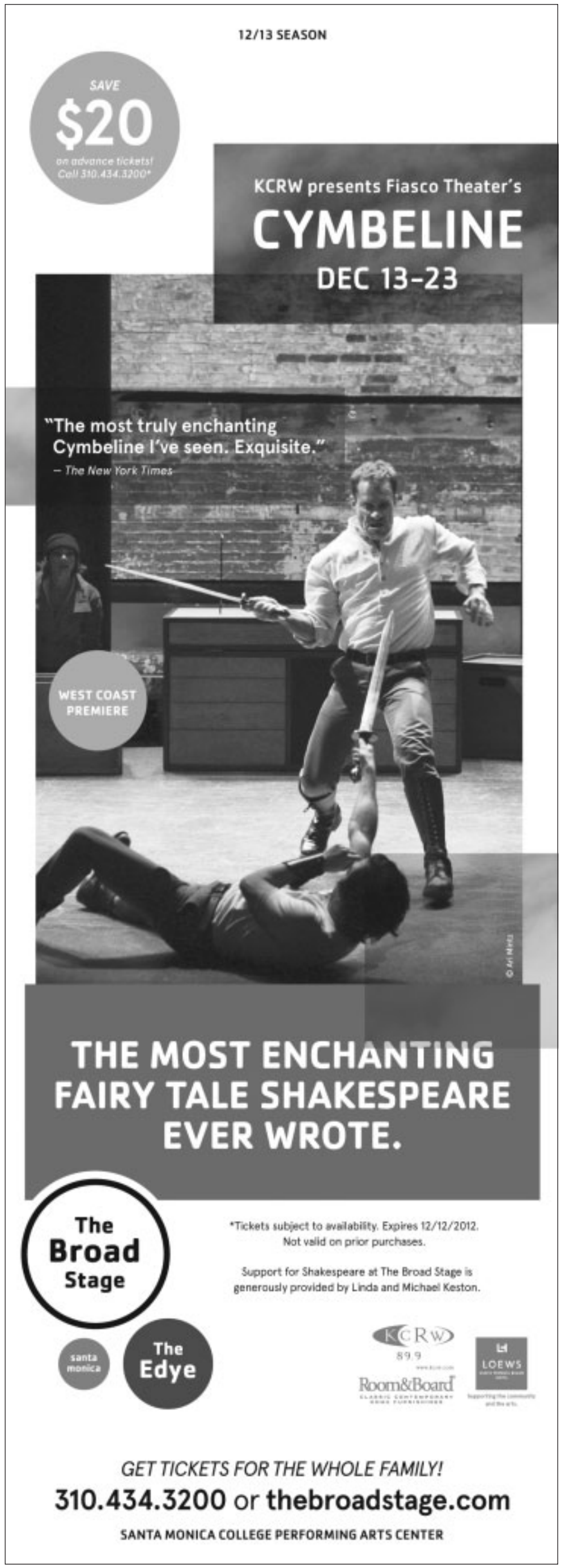
"Today, we pay solemn tribute to America's sons and daughters who made the ultimate sacrifice at Oahu," Obama said in a statement. "As we do, let us also reaffirm that their legacy will always burn bright — whether in the memory of those who knew them, the spirit of service that guides our men and women in uniform today, or the heart of the country they kept strong and free."

Daniel Inouye, Hawaii's senior U.S. senator and a member of an Army unit of Japanese-Americans who volunteered to fight in World War II, said the Pearl Harbor attack evoked anger, fierce patriotism and racism.

"Our way of life has always, and will always be, protected and preserved by volunteers willing to give their lives for what we believe in," the Democrat said.

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Coffee from an elephant's gut fills a $50 cup

BY JOCELYN GECKER
Associated Press

GOLDEN TRIANGLE, Thailand In the lush hills of northern Thailand, a herd of 20 elephants is excreting some of the world's most expensive coffee.

Trumpeted as earthy in flavor and smooth on the palate, the exotic new brew is made from beans eaten by Thai elephants and plucked a day later from their dung. A gut reaction inside the elephant creates what its founder calls the coffee's unique taste.

Stomach turning or oddly alluring, this is not just one of the world's most unusual specialty coffees. At $1,100 per kilogram ($500 per pound), it's also among the world's priciest.

For now, only the wealthy or well-traveled have access to the cuppa, which is called Black Ivory Coffee. It was launched last month at a few luxury hotels in remote corners of the world — first in northern Thailand, then the Maldives and now Abu Dhabi — with the price tag of about $50 a serving.

The Associated Press traveled to the coffee's production site in the Golden Triangle, an area historically known for producing drugs more potent than coffee, to see the jumbo baristas at work. And to sip the finished product from a dainty demitasse.

In the misty mountains where Thailand meets Laos and Myanmar, the coffee's creator cites biology and scientific research to answer the basic question: Why elephants?

"When an elephant eats coffee, its stomach acid breaks down the protein found in coffee, which is a key factor in bitterness," said Blake Dinkin, who has spent $300,000 developing the coffee. "You end up with a cup that's very smooth without the bitterness of regular coffee."

The result is similar in civet coffee, or kopi luwak, another exorbitantly expensive variety extracted from the excrement of the weasel-like civet. But the elephants' massive stomach provides a bonus.

Think of the elephant as the animal kingdom's equivalent of a slow cooker. It takes between 15-30 hours to digest the beans, which stew together with bananas, sugar cane and other ingredients in the elephant's vegetarian diet to infuse unique earthy and fruity flavors, said the 42-year-old Canadian, who has a background in civet coffee.

"My theory is that a natural fermentation process takes place in the elephant's gut," said Dinkin. "That fermentation imparts flavors you wouldn't get from other coffees."

At the jungle retreat that is home to the herd, conservationists were initially skeptical about the idea.

"My initial thought was about caffeine — won't the elephants get wired on it or addicted to coffee?" said John Roberts, director of elephants at the Golden Triangle Asian Elephant Foundation, a refuge for rescued elephants. It now earns 8 percent of the coffee's total sales, which go toward the herd's health care. "As far as we can tell there is definitely no harm to the elephants."

Before presenting his proposal to the foundation, Dinkin said he worked with a Canadian-based veterinarian that ran blood tests on zoo elephants showing they don't absorb any caffeine from eating raw coffee cherries.

"I thought it was well worth a try because we're looking for anything that can help elephants to make a living," said Roberts, who estimates the cost of keeping each elephant is about $1,000 a month.

As for the coffee's inflated price, Dinkin half-joked that elephants are highly inefficient workers. It takes 33 kilograms (72 pounds) of raw coffee cherries to produce 1 kilogram of (2 pounds) Black Ivory coffee. The majority of beans get chewed up, broken or lost in tall grass after being excreted.

And, his artisanal process is labor-intensive. He uses pure Arabica beans hand-picked by hill-tribe women from a small mountain estate. Once the elephants do their business, the wives of elephant mahouts collect the dung, break it open and pick out the coffee. After a thorough washing, the coffee cherries are processed to extract the beans, which are then brought to a gourmet roaster in Bangkok.

Inevitably, the elephant coffee has become the butt of jokes. Dinkin shared his favorites: Crap-accino. Good to the last dropping. Elephant poop coffee.

As far away as Hollywood, even Jay Leno has taken cracks.

"Here's my question," Leno quipped recently. "Who is the first person that saw a bunch of coffee beans and a pile of elephant dung and said, 'You know, if I ground those up and drank it, I'll bet that would be delicious.'"



Photo by Apichart Weerawong/Associated Press
THIRSTY? **A coffee bean picked from elephant dung inn Thailand.**

Jokes aside, people are drinking it. Black Ivory's maiden batch of 70 kilograms (150 pounds) has sold out. Dinkin hopes to crank out six times that amount in 2013, catering to customers he sees as relatively affluent, open-minded and adventurous with a desire to tell a good story.

For now, the only places to get it are a few Anantara luxury resorts, including one at the Golden Triangle beside the elephant foundation.

At sunset one recent evening in the hotel's hilltop bar, an American couple sampled the brew. They said it surpassed their expectations.

"I thought it would be repulsive," said Ryan Nelson, 31, of Tampa, Florida. "But I loved it. It was something different. There's definitely something wild about it that I can't put a name on."

His wife Asleigh, a biologist and coffee lover, called it a "fantastic product for an eco-conscious consumer," since the coffee helps fund elephant conservation.

But how does it taste?

"Very interesting," she said, choosing her words carefully. "Very novel."

"I don't think I could afford it every day on my zookeeper's salary," she said. "But I'm certainly enjoying it sitting here overlooking the elephants, on vacation."

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Hollywood


A double-whipped eggnog to set the holiday mood

BY ELIZABETH KARMEL
Associated Press

For me, eggnog season can't come soon enough. As soon as Halloween is packed away, I buy a quart of my favorite eggnog at the grocery store. I drink it little by little, spiked and not. I make eggnog cappuccinos in the morning and eggnog milkshakes at night. On the weekends, there is nothing like French toast made with eggnog.

But the best eggnog of the season is the frothy cloud-like homemade eggnog I make for Christmas cocktails.

My first attempt at making eggnog was very simple — whipped eggs, cold milk and sugar with fresh grated nutmeg. If you are an eggnog lover, you know that the nutmeg is key! Soon, I graduated to Level 2 eggnog, which involves folding in whipped egg whites. You can make it without separating the eggs and whipping them individually, but it is nothing like the ethereal eggnog with the whipped egg whites.

Because there are so few ingredients, it is essential that the eggs and milk be as fresh and as high quality as you can find.

As an adult, I have graduated to a Level 3 eggnog, which includes whipped egg whites and whipped cream folded into the sweetened egg and milk base. I sweeten all three components with superfine sugar — the yolks, the egg whites and the cream — for a more balanced and silkier eggnog.

I like making the eggnog without alcohol, then spiking individual servings with bourbon. That way, you can serve everyone from the same bowl!

Double-whipped eggnog

Start to finish: 2 hours 15 minutes (15 minutes active)
Servings: 6
4 large eggs, yolks and whites separated
1/4 cup, plus 2 tablespoons superfine sugar
Pinch sea salt
2 cups whole milk
1 teaspoon freshly grated nutmeg, divided
1 cup heavy cream
1 teaspoon vanilla extract
Bourbon, to serve (optional)

In a large bowl, whisk the egg yolks until they are a light golden color, about 1 to 2 minutes. Gradually add the 1/4 cup of sugar and the salt, beating until the sugar is completely dissolved. Add the milk and half of the nutmeg, then beat until slightly frothy.

In a large bowl, use an electric mixer to beat the egg whites until they hold soft peaks. With the mixer running, sprinkle in 1 tablespoon of the remaining sugar and whip until the egg whites form stiff peaks. Folk the egg whites into the yolk mixture until light and airy with no lumps. Cover and refrigerate for at least 2 hours.

Just before serving, place the cold cream in a large chilled bowl. Use an electric mixer to beat until the cream forms soft peaks. With the mixer still running, gradually add the remaining 1 tablespoon of sugar and the vanilla. Beat until firm peaks form and there is no liquid left. Fold the whipped cream into the eggnog, sprinkle with the remaining nutmeg, and serve.

If you are spiking the eggnog, pour or spoon into glasses and add bourbon to taste to the individual glasses.

Nutrition information per serving: 270 calories; 180 calories from fat (67 percent of total calories); 20 g fat (12 g saturated; 0.5 g trans fats); 185 mg cholesterol; 15 g carbohydrate; 0 g fiber; 14 g sugar; 8 g protein; 120 mg sodium.

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THEATER
FROM PAGE 1

Development agreements are contracts between City Hall and developers that allow projects to go above and beyond the dictates of the zoning code in return for benefits like investments in transportation systems or public art.

At the time, those negotiations were expected to wrap up by the end of November.

Part of the problem was the sheer length of those talks, said Rob York, a real estate consultant for Downtown Santa Monica Inc., the public-private company that manages the Downtown for City Hall.

"The issue with the current negotiations is that they dragged on and the exclusive negotiating period is lapsing," York said.

Officials still want a theater in the space, which will be left empty when Parking Structure 3 is demolished.

Santa Monicans go to the movies, Agle said, and it would be preferable to have a good theater in the Downtown for them to attend rather than driving out of the city to catch a flick.

"The second reason really relates to how Downtown Santa Monica works," Agle said. "It's a district that has a variety of things going on. It's not just a shopping district, or a restaurant district. It's part of an entertainment district."

A modern theater would also be a draw for the city, which will be linked to the rest of Los Angeles even further by the incoming Exposition Light Rail Line, set to arrive in 2015.

Although AMC is backing down, the company has put a lot of resources into the project over the last three years, York said.

That includes building design and a hefty environmental report that was almost complete when they backed down.

"I wouldn't rule them out," he said.

The final fly in the ointment is the fate of the Criterion 6, one of three theaters that AMC owns in Santa Monica.

The City Council picked AMC to develop the city-owned property on Fourth Street because the council did not want to approve a 2,167-seat theater without reducing the number of theater seats available elsewhere. AMC, which owned the majority of the theaters in the city, was the only company that could promise the 1,600 seat reduction the City Council requested.

That may no longer be the case.

The property owner of the Criterion 6 received permission in November to convert the theater into general retail, and that remains in play despite the fact that AMC backed out.

"Ultimately, it's the property owner that makes those decisions," Agle said.

ashley@smdp.com

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BOX
FROM PAGE 3

tion we need to save more lives."

"By understanding how drivers respond in a crash and whether key safety systems operate properly, (government safety officials) and automakers can make our vehicles and our roadways even safer," LaHood said.

The National Transportation Safety Board has been pushing for recorders in all passenger vehicles since the board's investigation of a 2003 accident in which an elderly driver plowed through an open-air market in Santa Monica. Ten people were killed and 63 were injured. The driver refused to be interviewed and his 1992 Buick LeSabre didn't have a recorder. After ruling out other possibilities, investigators ultimately guessed that he had either mistakenly stepped on the gas pedal or had stepped on the gas and the brake pedals at the same time.

When reports of sudden acceleration problems in Toyota vehicles cascaded in 2009 and 2010, recorder data from some of the vehicles contributed to the traffic safety administration's conclusion that the problem was probably sticky gas pedals and floor mats that could jam them, not defects in electronic throttle control systems.

"Black box," a term for a device whose workings are obscure, is most widely used to refer to flight data recorders, which continually gather information about an aircraft's operation during flight. Aircraft recorders, by law, are actually bright orange.

Some automakers began installing the recorders at a time when there were complaints that air bags might be causing deaths and injuries, partly to protect themselves against liability and partly to improve air bag technology. Most recorders are black boxes about the size of a deck of cards with circuit boards inside. After an accident, information is downloaded to a laptop computer using a tool unique to the vehicle's manufacturer. As electronics in cars have increased, the kinds of data that can be recorded have grown as well. Some more recent recorders are part of the vehicle's computers rather than a separate device.

Rep. Michael Capuano, D-Mass., has repeatedly introduced legislation to require that automakers design recorders so that they can be disabled by motorists but has been unsuccessful in his efforts.

A transportation bill passed by the Senate earlier this year would have required that all new cars and light trucks have recorders and designated a vehicle's owner as the owner of the data. The provision was removed during House-Senate negotiations on the measure at the behest of House Republican lawmakers who said they were concerned about privacy.

"Many of us would see it as a slippery slope toward big government and Big Brother knowing what we're doing and where we are," Rep. Bill Shuster, R-Pa., who is slated to take over the chairmanship of the House Transportation and Infrastructure Committee in January, said at the time. "Privacy is a big concern for many across America."

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SURF REPORT



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Surf Forecasts

Water Temp: **61.9°**

SATURDAY – **POOR** – SURF: **1-2 ft** knee to thigh high
Small short to mid period WNW-NW swell mix; Minimal SSW swell; Light AM wind

SUNDAY – **POOR** – SURF: **1-2 ft** knee to thigh high
Minimal WNW-NW swell mix; Very small SW-SSW swell; Light AM wind

MONDAY – **POOR TO FAIR** – SURF: **1-2 ft** ankle to knee high occ. 3 ft
Primary/small SW-SSW swell; Minimal WNW-NW swell

TUESDAY – **POOR TO FAIR** – SURF: **1-2 ft** ankle to knee high occ. 3 ft
Small SW-SSW swell holds; Possible new WNW swell building in

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 **December 5, 2012**

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

QUICK STATS (for the last 30 days)
- Number of sewage spills -- 0
- Number of beach closures due to a sewage spill -- 0
- Number of wet days -- 11
- Number of A grades for dry/wet weather -- 38 / 14
- Number of (C,D,F) grades for dry/wet weather -- 0 / 0

The Beach Report Card is made possible by: simplehuman, LAcarGUY, SIMA, and Orsubeck Family Foundation

Heal the Bay reminds you not to swim or surf within 100 yards of any flowing storm drain or for 3 days after a rainstorm. After a rain, indicator bacteria counts at beaches throughout California usually far exceed health criteria in the state's Beach Closure and Health Warning Protocol.

LOCATION	DRY	WET
Leo Carrillo Beach, at Arroyo Sequit Creek mouth.	A+	A+
Nicholas Beach at San Nicholas Canyon Creek mouth.	A	A+
El Pescador State Beach, between Lechusa and Las Alisos creeks.	ns	ns
Encinal Canyon at El Matador State Beach.	A+	C
Broad Beach at Trancas Creek mouth.	A+	A+
Zuma Beach at Zuma Creek mouth.	A+	A+
Walnut Creek, projection of Wildlife Rd. (private).	A+	C
Paradise Cove Pier at Ramirez Canyon Creek mouth.	A+	C
Escondido Creek, just east of Escondido State Beach.	A+	A+
Latigo Canyon Creek mouth.	A	D
Solstice Canyon at Don Blocker County Beach.	A	A+
Puerco State Beach at creek mouth.	A+	A+
Marie Canyon storm drain at Puerco Beach, at 24572 Malibu Rd.	A+	D
Surfrider Beach at Malibu Colony fence.	A+	A+
Surfrider Beach (beach location) - daily.	A	F
Malibu Pier - 50 yards east.	A+	B
Carbon Beach at Sweetwater Canyon.	A+	A
Las Flores State Beach at Las Flores Creek (point zero).	A+	A+
Big Rock Beach at 19548 PCH stairs.	A+	A+
Pena Creek at Los Tunas County Beach.	A+	A+
Tuna Canyon.	ns	ns
Topanga State Beach at creek mouth.	A	F
Castlerock Storm Drain at Castle Rock Beach.	A+	A+
Santa Ynez Storm Drain at Castle Rock Beach.	B	ns
Will Rogers State Beach at 17308 PCH (1/4 mile east of Sunset drain).	A+	F
Will Rogers State Beach at Bel Air Bay Club drain near fence.	A+	F
Will Rogers State Beach at Pulga Canyon storm drain.	A+	F
Will Rogers State Beach at Temescal Canyon drain.	A+	F
Will Rogers State Beach at Santa Monica Canyon drain (Chautauqua).	A	F
Santa Monica Beach at Montana Ave. drain.	A+	F
Santa Monica Beach at Wilshire Blvd. drain.	A+	F
Santa Monica Municipal Pier.	A	F
Santa Monica Beach at Pico/Kenter storm drain.	A	F
Santa Monica Beach at Strand St. (in front of the restrooms).	A+	F
Ocean Park Beach at Ashland Ave. drain.	A	F
Venice City Beach, at the Rose Ave. storm drain.	A+	A+
Venice Beach at Brooks Ave. drain.	A+	F
Venice Beach at Windward Ave. drain.	A+	B
Venice Fishing Pier - 50 yards south.	A+	F
Venice Beach- projection of Topsail St.	A+	F
Marina del Rey, Mothers' Beach- lifeguard tower.	F	F
Dockweiler State Beach at Ballona Creek mouth.	B	F
Dockweiler State Beach at Culver Blvd. drain.	A	D
North Westchester Storm Drain at Dockweiler State Beach.	A+	A+
Dockweiler State Beach at World Way (south of CBW jetty).	A	A
Dockweiler State Beach at Imperial Hwy drain.	F	B
Dockweiler Beach- opposite Hyperion Treatment Plant.	A	D
Dockweiler State Beach at Grand Ave. drain.	A+	F

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

Heal the Bay is a non-profit environmental organization dedicated to making Santa Monica Bay and Southern California coastal waters safe and healthy for people and marine life.

Heal the Bay

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.

TAX

FROM PAGE 1

context of the other 54 agreements, the oldest one of which has been active since 1998.

Individually, the contracts don't add up to much.

According to a list compiled by city staff, the difference in the first year between what municipal coffers would have received without the contract and what came was between $1 and $10,749, depending on the property.

However, if you take that amount for each of the properties in their first year of the agreement, it totals $121,214, and the Mills Act contracts last 10 years and go with the property when sold.

That fact loomed large before the City Council, and now the Landmarks Commission will begin the discussion of what to do about the Mills Act at its meeting on Monday, said Scott Albright, a planner with City Hall and liaison to the Landmarks Commission.

Not all believe changes to the program are warranted.

Although Landmarks commissioners also winced when it came to the "House of Rock," that was one bad actor out of dozens, and had nothing to do with the owner's ability to afford or not afford the taxes, said Landmarks Commissioner Nina Fresco.

"I get scared when I hear council members and members of the public saying that the Mills Act is losing us money," Fresco said.

The Landmarks Commission had recommended against awarding the contract because the members did not feel that the owner had turned in a complete application or offered any plan to maintain the house.

Other contract holders had detailed plans to check caulking, brickwork or otherwise keep the building intact, Fresco said.

"That's why we have the Mills Act," she said. "It costs more to keep an old house going."

That's an important point to make to the wealthy, who can afford to build their dream house, Fresco said.

"They need incentive as much as people who don't have the deep pockets to keep the building and move forward," she said.

Those incentives may become harder to come by, if the City Council chooses to change the rules on the Mills Act.

At present, anyone that owns a designated landmark, contributor to an historic district or a "structure of merit" can apply for a Mills Act contract, and there are no restrictions on the number that can be given out.

That's different than in the adjacent city of Los Angeles, which caps the total amount of Mills Act "losses" at $1 million per year, Albright said.

"Once they've exceeded that million, only in extreme cases will they allow a Mills Act contract," Albright said.

Other municipalities and jurisdictions require that the property be free and clear of code compliance violations, or, like Pasadena, put restrictions on the value of the home that can get a contract.

What route Santa Monica will take is very much in the air.

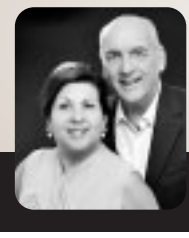
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MOVIE TIMES

Aero Theatre
1328 Montana Ave.
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Saturday, Dec. 8
Santa Monica Film Festival
Call theatre for details or visit www.smff.org

Sunday, Dec. 9
Vertigo (PG) 2hrs 8min
7:30pm

AMC Loews Broadway 4
1441 Third Street Promenade
(888) 262-4386

Twilight Saga: Breaking Dawn - Part 2 (PG-13) 1hr 56min
1:00pm, 4:00pm, 7:00pm, 10:00pm

Life of Pi (PG) 2hrs 06min
11:55am, 3:00pm, 6:15pm, 9:30pm

End of Watch (R) 1hr 49min
11:50am, 2:30pm, 5:10pm, 7:55pm, 10:30pm

Anna Karenina (R) 2hrs 10min
12:45pm, 4:05pm, 7:15pm, 10:30pm

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

Life of Pi 3D (PG) 2hrs 06min
11:00am, 2:00pm, 5:05pm, 8:15pm, 11:15pm

Twilight Saga: Breaking Dawn - Part 2 (PG-13) 1hr 56min
11:00am, 1:55pm, 4:55pm, 7:55pm, 10:45pm

Skyfall (PG-13) 2hrs 23min
12:30pm, 4:05pm, 7:30pm, 10:55pm

Flight (R) 2hrs 19min
12:15pm, 3:45pm, 7:15pm, 10:30pm

Argo (R) 2hrs 00min
11:15am, 2:15pm, 5:10pm, 8:05pm, 11:00pm

Rise of the Guardians 3D (PG) 1hr 37min
11:45am, 2:30pm, 5:15pm, 8:00pm, 10:40pm

Lincoln (PG-13) 2hrs 30min
11:20am, 3:00pm, 6:30pm, 10:00pm

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

Grey (R) 1hr 57min
1:20pm, 4:10pm, 7:00pm, 9:50pm

Waiting For Lightning (PG-13) 1hr 36min
1:00pm, 3:15pm, 5:30pm, 7:45pm, 10:15pm

Hitchcock (PG-13) 1hr 38min
1:00pm, 3:20pm, 5:40pm, 8:00pm, 10:15pm

Flying Lessons (R) 1hr 43min
1:55pm, 4:30pm, 7:20pm, 9:55pm

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

Skyfall (PG-13) 2hrs 23min
11:15am, 2:45pm, 6:15pm, 9:45pm

Rise of the Guardians (PG) 1hr 37min
11:45am, 2:30pm, 5:20pm, 7:55pm, 10:30pm

Playing for Keeps (PG-13) 1hr 35min
11:10am, 1:40pm, 4:30pm, 7:15pm, 10:00pm

Wreck-It Ralph (PG) 1hr 48min
11:20am, 2:15pm, 5:15pm, 8:10pm, 10:45pm

Silver Linings Playbook (R) 2hrs 00min
11:10am, 2:00pm, 5:00pm, 8:00pm, 11:00pm

Killing Them Softly (R) 1hr 40min
11:30am, 1:55pm, 4:30pm, 7:30pm, 10:15pm

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

Be spontaneous tonight, Aquarius

ARIES (March 21-April 19)
★★★★ You will do everything you can to get together with a friend you might not have seen for a while. Frustration could translate to anger, if you are not careful. Be patient, and you will achieve your desired goal. Tonight: Out with a favorite group of friends.

TAURUS (April 20-May 20)
★★★ Listen to others. You might have decided to complete a certain amount of chores or must-do holiday errands. You will be spending a lot of money, but you also choose gifts that have an emotional investment. Tonight: Choose a local spot for dinner.

GEMINI (May 21-June 20)
★★★★ Tension could be high. Someone you care about might be demanding in a way that is important to him or her but irrelevant to you. Still, put yourself in this person's shoes, and try to understand where he or she is coming from. Tonight: Enjoy every moment.

CANCER (June 21-July 22)
★★★ You might opt for a lazy Saturday at home, but be aware that a partner or dear friend simply wants to spend time with you. This person's idea of "doing something" could be very different from yours. Tonight: You value this person; act like you do!

LEO (July 23-Aug. 22)
★★★★ Zero in on what is important to you. You have a tendency to minimize your needs in order to satisfy others. Once in a while, you will need to indulge yourself. Tonight: Out, but not too far from home.

VIRGO (Aug. 23-Sept. 22)
★★★★ Be reasonable. Get your shopping done on a reasonable schedule in order to enjoy yourself more. A child or new friend could be very difficult. Do not let someone who is unhappy trigger a reaction from you. Detach yourself from the situation. Tonight: Your treat.

LIBRA (Sept. 23-Oct. 22)
★★★★★ Your smile attracts many people. Clearly, you are irresistible. A family member could be on the warpath; step back and just let this person be. Understand what is happening with him or her, but focus on enjoying yourself. Make the most out of the moment. Tonight: Happy at home.

SCORPIO (Oct. 23-Nov. 21)
★★★ If you need to get away from all the stress someone brings into your life, do just that. Those in your immediate circle will appreciate you taking time for yourself. Don't internalize your frustration; instead, consider other ways to express it. Tonight: Let others wonder.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ Put your best foot forward. When you do this, you'll discover how supportive a key person is of you. Do not minimize this person's role in your life. Enjoy the easy exchange, but know that a serious conversation might be necessary to clear the air. Tonight: You don't have to go far.

CAPRICORN (Dec. 22-Jan. 19)
★★★ Follow through on a commitment involving a co-worker or a family member. This person appreciates your efforts, and you'll feel much better afterward, too. Curb a tendency to be grumpy and difficult. Tonight: Out and about.

AQUARIUS (Jan. 20-Feb. 18)
★★★★ Consider those at a distance. You can't always stay on top of everything, but certain people really do count on you. Listen to a child or a fun loved one. Together, you can create a lot of fun. Tonight: Be spontaneous.

PISCES (Feb. 19-March 20)
★★★★ Try to be more sensitive to others. A special person needs your time and attention. A friend chimes in with a similar request. You have to make a judgment call. Tonight: Add some romance.

Happy birthday

This year your priorities are your friends and expanding your immediate world. From summer on, you will be favored in the area of love, whether you're single or attached. You have a fiery temper, and you often diffuse your anger through spending or by indulging in some other type of activity. If you are single, you have an opportunity to change your status. A potential sweetie is right around the corner. If you are attached, you could be unusually romantic. Many of you might choose to take a second honeymoon. You will see your significant other become more upbeat. LIBRA can tell you off, but you rarely realize it until hours later!

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

Speed Bump
By Dave Coverly



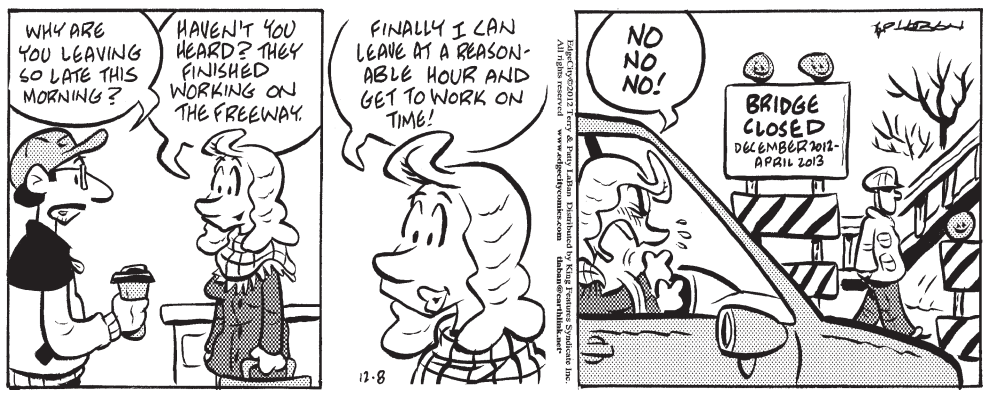
Strange Brew
By John Deering



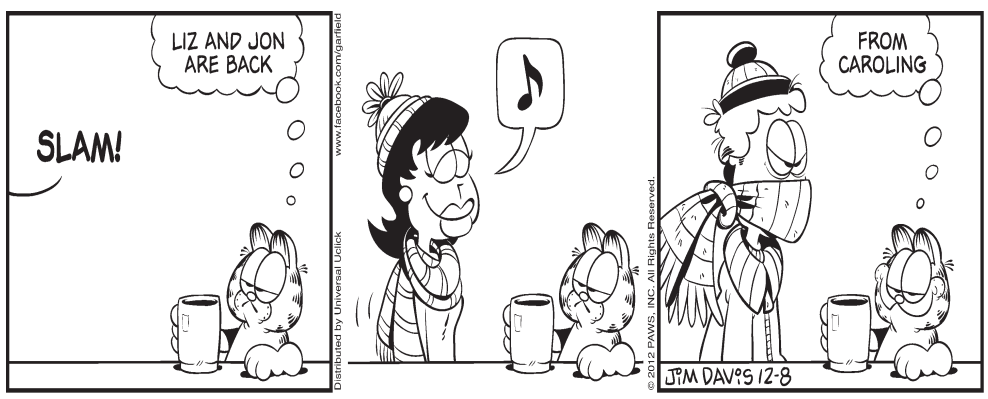
Dogs of C-Kennel
By Mick and Mason Mastroianni



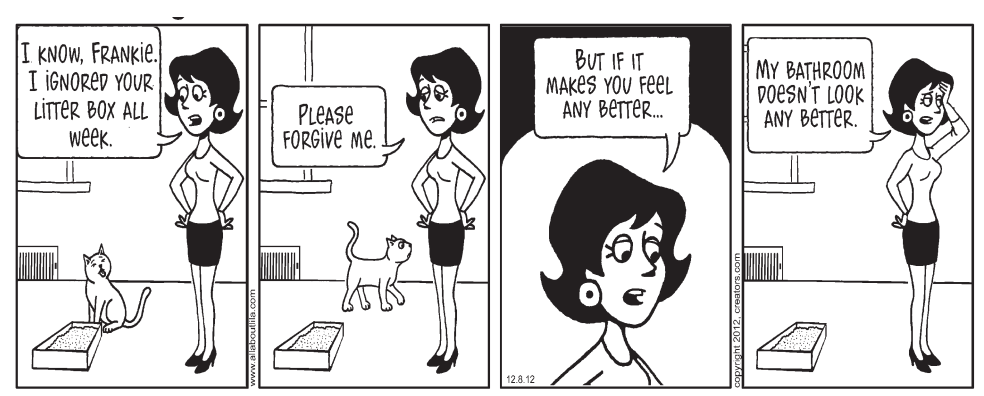
Edge City
By Terry & Patty LaBan



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 ★★★★

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

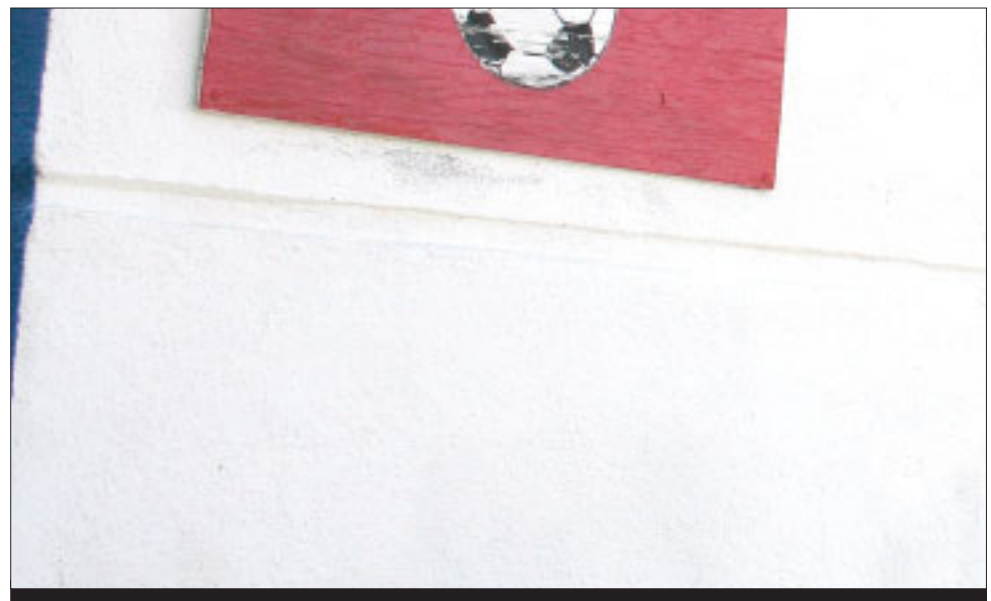
SOLUTIONS TO YESTERDAY'S PUZZLE

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

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Daniel Archuleta *daniela@smdp.com*

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

CROSSWORD

By THOMAS JOSEPH

ACROSS

1 They may be connected
5 Longing
9 Pink shade
10 Bulls and bucks
12 Honshu port
13 Glorify
14 Lynn Redgrave's sister
16 Hamm of soccer
17 Nest item
18 Freebie
20 Staggered
22 Prepares for war
23 School paper
25 Look over
28 Soak up
32 Snuff stuff
34 Social page word
35 Ring setting
36 Island strings
38 Even a little
40 Away from the office
41 Olympics award
42 Took the wheel
43 Ball girls
44 Trig function

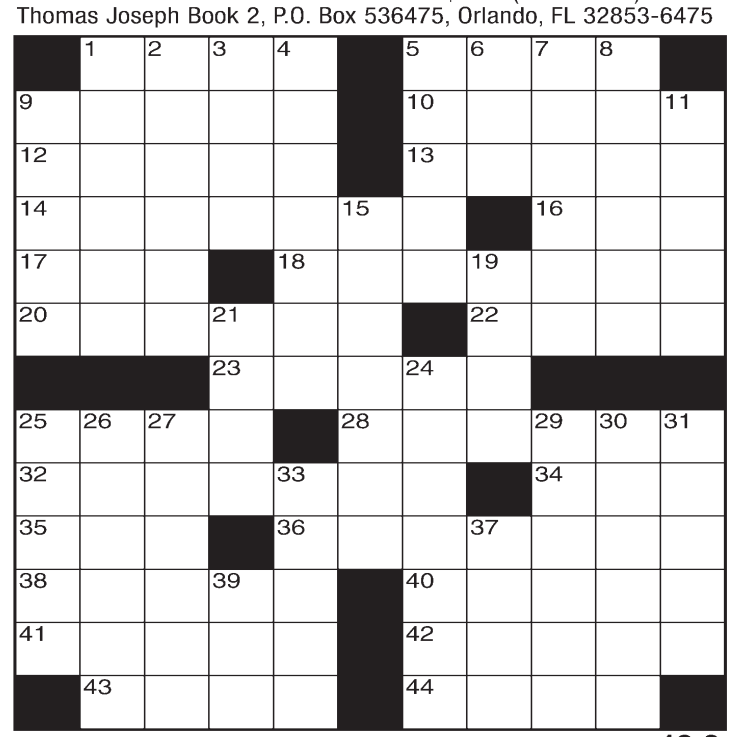
DOWN

1 Rx amount
2 Grove fruit
3 Appropriate
4 Cuts drastically
5 Clarifying words
6 Receipt line
7 Outcry
8 Balloon fill
9 Book part
11 Sports figures
15 Bumbling loser
19 Calendar boxes
21 Dunham of "Girls"
24 Is teeming
25 Calliope need
26 Like some aspirin
27 Wear down
29 2,000 pounds
30 Experience anew
31 Designer Geoffrey
33 Selects carefully
37 Singer of "Footloose"
39 Research spot

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

Yesterday's answer

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



12-8



NEWS OF THE WEIRD
BY CHUCK SHEPARD

■ As a service to taxpayers, the IRS's longtime policy is to pay tax refund claims promptly and only later to refer the refund files for possible audits and collection, in the event of overpayments or fraud. This policy, though, means that ordinary taxpayers are treated better than the nation's wounded warriors who file disability claims with the Department of Veterans Affairs. The VA's assumption seems to be that wounded veterans are cheating -- and thus most veterans receive at least five evaluations, and each one reviewed over a several-year period, before full benefits can be awarded. (Even though some temporary financial relief is available before final determination, veterans complain that the amount is almost never enough for complicated rehabilitation programs and other support.)

■ Election Follies: (1) Robert McDonald tied Olivia Ballou for the final seat on the city council of Walton, Ky., with 669 votes, but only later found out that his wife (exhausted from a hospital's night shift) had not made it to the polls. (The following week, as per voting rules, McDonald and Ballou held a coin flip. Ballou won but relinquished the seat to McDonald for an unrelated reason.) (2) Holly Solomon, 28, was arrested in Gilbert, Ariz., a few days after the election when, police said, she chased her husband with her Jeep and rammed him during a drunken rant blaming him for President Obama's victory (though Arizona's electoral votes went solidly for Mitt Romney). Daniel Solomon was hospitalized in critical condition.

TODAY IN HISTORY

2010 - With the second launch of the SpaceX Falcon 9 and the first launch of the SpaceX Dragon, SpaceX becomes the first privately held company to successfully launch, orbit and recover a spacecraft.

WORD UP!

howdah \ HOU-duh \ , noun;
1. (In the East Indies) a seat or platform for one or more persons, commonly with a railing and a canopy, placed on the back of an elephant.

Santa Monica Daily Press

Classifieds

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Wanted

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1417 11th St. #G. freshly renovated top floor unit with hardwood floors. One parking space. $1595 per month.

3420 Federal Avenue #3. Lower unit in pet friendly building. Walk to the park. Hardwood floors, parking, laundry. $1345 per month.

11937 Foxboro Dr. 3Bd + 3Bth house in Brentwood. $4590 per month. No pets. Double garage. Hdwd floors. 2 fireplaces.

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CALL TODAY **(310) 458-7737**

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MEALS ON WHEELS WEST(Santa Monica, Pac.Pal, Malibu, Marina del Rey, Topanga)Urgently needed volunteers/drivers/assistants to deliver meals to the homebound in our community M-F from 10:30am to 1pm. Please help us feed the hungry.

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CALL US TODAY AT
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Services

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The Handy Hatts
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Notices

SUMMONS FOR DISSOLUTION OF MARRIAGE AND TEMPORARY INJUNCTION
Case# 12DR996
Division: 7
District Court, Douglas, Colorado, 4000 Justice Way #2009, Castle Rock, CO 80104
In Re: the Marriage of:
Petitioner: MARIA ESTHER FERGUSON
Respondent: ALLAN NOLAN FERGUSON
Attorney for Petitioner: SARAH ELIZABETH BANDY, Atty. Reg. No. 41711
Address: Flinders, Bandy Attorney's at Law, 6595 S. Dayton St. Suite 1000, Greenwood Village, CO 80111

To the Respondent named above, this Summons serves as a notice to aapear in this case.
If you were served in the State of Colorado, you must file your Response with the clerk of this Court within 21 days after this Summons is served on you to participate in this action.
If you were served outstid the State of Colorado or you were served by publication, you must file your Response with the clerk of this Court within 35 days after this Summons is served on you to participate in this action.
Your response must be accompanied with the $95 filing fee.
After 90 days from the date of service or publication, the Court may enter a Decree affecting your marital status, distribution of property and debts, issues involving children such a child support, allocation of parental responsibilities (decision-making and parenting time), maintenance, attorney fees, and costs to the extent the Court has jurisdiction.
If you fail to file a Response in this case, any or all of the matters above, or any related matters which come before this Court, may be decided without further notice to you.
This is an action to obtain a Decree of: Dissolution of Marriage or Legal Separation as more fully described in the attached Petition, and if you have children, for orders regarding the children of the marriage.Notice: §14-10-107, C.R.S. provides that upon the filing of a Petition for Dissolution of Marriage or Legal Separation by the Petitioner and Co-Petitioner, or upon personal service of the Petition and Summons on the Respondent, or upon waiver and acceptance of service by the Respondent, an automatic temporary injunction shall be in effect against both parties until the Final Decree is entered, or the Petition is dismissed, or until further Order of the Court. Either party may apply to the Court for further temporary orders, an expanded temporary

injunction, or modification or revocation under §14-10-108, C.R.S.

A request for genetic tests shall not prejudice the requesting party in matters concerning allocation of parental

Notices

responsibilities pursuant to §14-10-124(1.5), C.R.S. If genetic tests are not obtained prior to a legal establishment

of paternity and submitted into evidence prior to the entry of the final decree of dissolution or legal separation, the

genetic tests may not be allowed into evidence at a later date. Automatic Temporary Injunction - By Order of Colorado Law, You and Your Spouse are:
1. Restrained from transferring, encumbering, concealing or in any way disposing of, without the consent of the other party or an Order of the Court, any marital property, except in the usual course of business or for the necessities of life. Each party is required to notify the other party of any proposed extraordinary expenditures and to account to the Court for all extraordinary expenditures made after the injunction is in effect;2. Enjoined from molesting or disturbing the peace of the other party;3. Restrained from removing the minor children of the parties, if any, from the State without the consent of the other party or an Order of the Court; and4. Restrained without at least 14 days advance notification and the written consent of the other party or an Order of the Court, from canceling, modifying, terminating, or allowing to lapse for nonpayment of premiums, any policy of health insurance, homeowner's or renter's insurance, or automobile insurance that provides coverage to either of the parties or the minor children or any policy of life insurance that names either of the parties or the minor children as a beneficiary.
SIGNED: FRANK MOSCHETTI, DISTRICT COURT MAGISTRATE

DBAS

FICTITIOUS BUSINESS NAME STATEMENT FILE NUMBER: 2012219131 ORIGINAL FILING This statement was filed with the County Clerk of LOS ANGELES on 11/02/2012 The following person(s) is (are) doing business as THE BULLSEYE COMPANY. The full name of registrant(s) is/are: SHARON BISCAYA 1900 BELMONT LANE REDONDO BEACH CA 90278. This Business is being conducted by: Husband and Wife. The registrant has not yet commenced to transact business under the fictitious business name or names listed above. /s/:SHARON BISCAYA. This statement was filed with the County Clerk of LOS ANGELES County on 11/02/2012. 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 12/01/2012, 12/08/2012, 12/15/2012, 12/22/2012.

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CLASSIFIED ADVERTISING CONDITIONS: REGULAR RATE: $7.50 a day. Ads over 15 words add 30¢ per word per day. Ad must run a minimum of twelve consecutive days. PREMIUMS: First two words caps no charge. Bold words, italics, centered lines, etc. cost extra. Please call for rates. TYPOS: Check your ad the first day of publication. Sorry, we do not issue credit after an ad has run more than once. DEADLINES: 3:00 p.m. prior the day of publication except for Monday's paper when the deadline is Friday at 2:30 p.m. PAYMENT: All private party ads must be pre-paid. We accept checks, credit cards, and of course cash. CORRESPONDENCE: To place your ad call our offices 9 a.m. to 5 p.m., Monday through Friday, (310) 458-7737; send a check or money order with ad copy to The Santa Monica Daily Press, P.O. Box 1380, Santa Monica, CA 90406. OTHER RATES: For information about the professional services directory or classified display ads, please call our office at (310) 458-7737.



December

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Society of Excellence
Previews Properties Specialist
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$2,199,999

* 2 Bedrooms
* 2.5 Baths
* Hardwood Floors
* Vintage Charm
* Gillette's Regent Square



1211 Pearl Street

$1,285,000

New Listing

* 3 Bedrooms
* 2 Baths
* Living Rm w/ Fireplace
* Outdoor Entertaining w/ Koi Pond



954 14th Street #5

$1,249,000

* Wonderful Townhome
* Great Location
* 2 Bedroom
* 2.5 Baths
* Private Sun Deck
* Huge Loft



603 16th Street

For Lease

$6,250 per month

* 3 Bedrooms
* 1 Bath w Vintage Tiles
* Hardwood Floors
* Freshly Painted
* Kitchen Appliances Incld
* Great Neighborhood



Average Price of **ALL** Santa Monica Single Family Homes From **ALL** agents in **ALL** companies Listed for Sale As of early December 2012		
Santa Monica Canyon	=	$1,425,000
North of Montana	=	$4,230,929
Between Wilshire & Montana	=	$2,436,625
South of Wilshire	=	$ 944,000
Sunset Park	=	$1,301,544
Ocean Park	=	$2,072,000
Statistics updated every Friday		

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