

FREE

Santa Monica Daily Press

A newspaper with issues

LOTTO

FANTASY 5

24, 18, 39, 37, 2

DAILY 3

Afternoon picks: 5, 2, 2

Evening picks: 0, 5, 3

DAILY DERBY

1st Place: 10, Sold Gold

2nd Place: 6, Whirl Win

3rd Place: 11, Money Bags

Race Time: 1:43.60



NEWS OF THE WEIRD

by Chuck Shepard

■ A 20-year-old woman died in a one-car collision in Bridgewater, Mass., in November; according to police, she lost control of her car while talking on a cell phone and crashed into the Cingular Wireless store on Route 106.

■ A 16-year-old student in Indianapolis was killed in November on his morning school bus ride when he stuck his head out of a window to see a dead raccoon in the road and was clipped by a tree.

QUOTE OF THE DAY

“Cockroaches and socialites are the only things that can stay up all night and eat anything.”

— Herb Caen

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Del Pastrana/Daily Press

Borders 'baristas' Angela Ocampo (foreground) and Camden Webb serve up hot coffee drinks to Promenade customers on a recent evening.

Jury: Landlord off the hook for armed break-in

Tenants sought more than \$1.5M

BY JOHN WOOD
Daily Press Staff Writer

SM COURTHOUSE — A local landlord isn't responsible for preventing four armed gunmen from storming into a luxury apartment, tying up its tenants, beating and robbing them, and demanding \$30,000 in cash, a jury here ruled Thursday.

After less than a day of deliberations, jurors ruled 9-3 against Oliver Starr, 36, and his former live-in companion Julien Serrano, 32. The pair had sued landlord Marvin Engineering Co. Inc. for more than \$1.5 million in lost wages, plus an unspecified amount for emotional stress caused by the August, 2001 incident.

“We felt badly for what may or may not have happened to them in that event,” said jury foreman Kevin Neustadt, 38, a West LA investment banker. “But we couldn't quite connect the dots to get that back to Marvin Engineering.”

What proved even more difficult, Neustadt said, was determining how much money Marvin Engineering was

See LANDLORD, page 7

School activists have educated a community

BY CAROLYN SACKARIASON
Daily Press Staff Writer

As the school district continues to grapple with multi-million dollar shortfalls, a powerful and influential group is working behind the scenes to ensure that education in Santa Monica remains at the top of its class.

What started as a few school supporters who gathered occasionally has graduated into a political action committee with several hundred members. And its clout — the group's membership crosses nearly every political line in the city — can't be underestimated, most agree. “Community for Excellent Public Schools,” also known as “CEPS,” is a group that seems to get more focused about its commitment as economic conditions get more dire for the local school district.

CEPS has brought forward a controversial charter amendment that would force City Hall to give the Santa Monica-Malibu Unified School District a minimum of \$6 million each year. It's a unique proposal never tried here before and would require voter approval in November.

The amendment would pump a dedicated portion of City Hall's general fund into the district indefinitely, which proponents contend would create a stable and predictable funding source to ensure excellent education in Santa Monica and Malibu — CEPS' primary mission.

CEPS' steering committee met this week to strategize about how to get 15 percent of Santa Monica voters — about 9,000 people — to sign a petition by May in order to get the measure on the November ballot.

The group, comprised mostly of parents who have or had kids in the district, has been difficult to ignore over the past two years. They've thrown themselves behind school funding campaigns and rallied the community to march in front of City Hall.

City Council members and even John Deasy, the superintendent of schools, agree they've never seen anything quite like the movement CEPS has created.

“I like this group,” said Deasy, who has been in education for 19 years. “You meet special interest groups, but for the sole purpose of making schools excellent, I've never met a group like this.”

What makes CEPS unique is that the key people involved, some of whom participate heavily in local politics, tend to put their differences aside in order to try and achieve the common goal of support-



File photo

School-funding activists from SEPS attracted hundreds of supporters last year for a demonstration in front of City Hall in efforts to raise additional money for the district.

ing excellent education in the community.

When people like Denny Zane, who has been fundamental in the formation of Santa Monicans for Renters' Rights — a liberal party that currently holds the majority on the City Council — and Chris

See ACTIVISTS, page 6

Campaign for permanent school funding mounting

BY CAROLYN SACKARIASON
Daily Press Staff Writer

A broad-based initiative to change the city's charter that would force City Hall to give millions to local schools is gearing up for what could be a contentious election this fall.

Members of “Community for Excellent Public Schools,” also known as “CEPS,” has begun strategizing about how to win the November election, that is, if they can gather enough signatures to place the measure onto the ballot.

Earlier this month, CEPS co-chairs Louise Jaffee and Shari Davis, along with CEPS member Ralph Mechur, filed a proposal in City Hall to amend the Santa Monica charter.

“Community for Excellent Public Schools is dedicated to high quality education for every child,” Davis said. “To that end, CEPS is pursuing a means to establish and maintain long-term, stable, local funding for our public schools.”

But CEPS members would rather see the City Council come up with a long-term plan that will provide the school district with an ongoing source of funding every year. It's an ultimatum of sorts

See CAMPAIGN, page 7

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LOCAL

Message: Schools need a stable, predictable revenue stream

ACTIVISTS, from page 1

Harding, a land use attorney who often is battling on behalf of the business community against SMRR, can put other differences aside and work together on the same campaign, then CEPS' goal has already been achieved.

"It's bipartisan. There is a sprinkling of everybody and, frankly, I'm not surprised," Zane said. "I think most people participate because they all share the value of kids in this community and their education."

Nat Trives, former mayor and chamber of commerce chairman, now sits on CEPS' steering committee.

"Education is the core value of the organization and it's part of our community as a whole," he said. "The quality of education is key as much as the sales tax is to keep the engine running."

Deasy, who not surprisingly thinks that CEPS' momentum and influence is key right now — the district is facing multi-million dollar shortfalls in the coming years — said the district's success in balancing its budget last year is largely because of the group's dedication.

"It's extremely gratifying that people are concerned enough to keep the effort going," he said, adding he is only advised by a few members on what the group is doing. "I didn't see the completed (charter amendment) language until it was filed (in City Hall)."

A 'NO-BRAINER'

Linda Gross, one of the handful of founders of CEPS, never dreamed the group would reach the level it has. At the time, the group was just trying to help the district overcome a small shortfall. But that shortfall grew over the ensuing years — the district was forced to find \$13 million to close its deficit last year.

"The deficit (remained at) a huge million and a half (dollars)," said Shari Davis, CEPS co-chair, who got involved in the organization in 1999. "We were frantic over what now seems like such a small amount. Everybody got mobilized at the perceived crisis at that time."

Gross thought that because the City Council indicated its commitment to education was strong, the group would be able to lobby local politicians into giving some extra cash to the district and the problem would be solved.

"We were always begging for money and the problem never went away," Gross said. "I didn't think we would be here six years later or certainly think we would be considering a charter amendment."

As the district's costs continued to increase and the state and federal government's financial commitment to education has decreased, CEPS found itself going to the City Council every year for more and more money — and each year they've gotten it. For the past several years, the City Council has given millions to the district, and more recently, even more than what was budgeted.

"The City Council has been very generous, but we don't want to come in front of them every year because it makes us feel like we are begging, and that doesn't feel very good," Gross said. "A group of us decided that what we needed was a reliable, steady source of funding."

And while the charter amendment would do that, it was thought early on that all that would be needed was a parcel tax and the City Council's contributions.

In 1999, the district's solution to closing its \$2 million deficit was to take in students from outside the district. But when the district's enrollment reached its maximum a few years later, the financial problems were still there.

"There were empty seats and permitted students bring in state money," said Ralph Mechur, one of the first CEPS members. "But when the number (of students) hit 12,000, enrollment was capped and we had increasing costs. We had to cut programs to meet the budget. That's when we went to the city, but it was met with skepticism, like 'what are you doing wrong that you need more money?'"

That's when Gross and others recruited people in the community who knew elected officials or had backgrounds in municipal finance and political campaigns, in an effort to find more money for local schools.

"We thought it was the most direct and effective way to address the yearly deficit. We didn't think we had a difficult task ahead of us," Gross said. "I really thought it was a no-brainer because the City Council said education was a top priority."

A THINK TANK

Most agree that the people behind CEPS are some of the brightest and committed community members in Santa Monica.



File photo

Top: SEPS co-chairs (l to r) Shari Davis and Louise Jaffe, and SEPS member Ralph Mechur hand the city charter amendment proposal to city clerk Maria Stewart earlier this month at City Hall.

Bottom: Legendary singer-songwriter Jackson Browne, who has a child in the Santa Monica-Malibu Unified School District, joined a SEPS rally in front of City Hall in June. The grass-roots organization was looking to procure more money for schools from City Council.

"(Linda Gross) was determined to bring people together that were on opposite sides of the political spectrum," Davis said. "There is a lot of brain power sitting around the table."

"Our well is very deep with people with expertise."

As CEPS was rallying the troops, Measure Y, a \$100-per property parcel tax was passed in 2000, according to Davis. Shortly after, a new superintendent of schools — John Deasy — was hired and a new strategic plan for the district was created, providing a map of where the district should go.

And it's going in the right direction, school supporters say. The district is closer to closing the achievement gap and test scores are up, Davis said.

"This district can improve and that's what keeps me going," said Davis, who has three children, two of whom are enrolled in the district. "Providing a stable source of municipal resources to the public school system will help all children achieve success in public schools."

Measure EE, another parcel tax, failed at the polls in the fall of 2002, despite enormous campaigning by CEPS members, who also work closely with other school groups like the PTA and the teacher's union.

"That was not a fun time. It was a time of stress," Davis said. "That's when we decided to become a political action committee."

After the disappointing election results, CEPS really started gaining momentum. Its members and PTA supporters gathered the community and rallied in front of

City Hall in January when the City Council first began considering its budget, which had to be passed in July. Then, in April, close to 1,000 people marched through Palisades Park, rallying to save teachers' jobs as they were in jeopardy of being laid off. Two months later, about the same time as the parcel tax election, the group showed up again in front of City Hall, this time with legendary musician Jackson Browne, in an attempt to get extra money from the City Council. The group was successful both in terms of getting an extra \$2.25 million on top of the annual \$3 million contribution, and it also won the June election. CEPS had backed the school board's decision to go for a special election and try to get voters to pass a revised parcel tax.

"The momentum we had as an educational-based organization and the political power allowed us to organize the community and achieve our mission to find strategic ways to increase financial resources for the district," Davis said.

While Measure S was successful, CEPS members knew the \$39 million it will bring in over the next six years still wouldn't be enough.

Almost immediately after the June election, CEPS started strategizing other funding mechanisms for the district — the result being the charter amendment.

"We always knew parcel taxes are partial solutions because the need is so much greater than that," Zane said. "The issue is to create a reliable and predictable source of funding."

LOCAL



City charter proposal met with skepticism by officials

CAMPAIGN, from page 1

— either establish a permanent funding source for the school district, or let voters decide how their tax dollars should be spent.

That's how City Council members see it, anyway. When the proposal was filed, some elected officials felt the move was a threat, even though CEPS members have discussed the idea with them in the past.

Santa Monica City Council members have been looking for ways to provide ongoing, stable funding to education. School supporters hope the charter amendment will expedite what could otherwise be a long, drawn-out decision-making process.

"They've heard it and want to consider it," said CEPS member Linda Gross, who helped form the group six years ago. "They could, in fact, talk forever."

So far, there has been no discussion since the proposal was filed. It's expected to be a topic of conversation at the City Council's Jan. 27 meeting. Meanwhile, CEPS isn't waiting around for officials to make a decision.

"We are very eager to see what happens," Davis said, adding the group met this week to strategize over how to collect signatures for the ballot petition. "We'll be gearing up soon."

The measure would require the city to provide a minimum of \$6 million in annual revenues to the school district, or about 4 percent of designated general funds, whichever is greater. Also, funding to the district would

be modestly increased each year — but only when the city's revenues grow by at least 3.5 percent.

Last year's contribution to the district from City Hall was \$5.25 million — its regular \$3 million annual contribution, plus \$2.25 million in one-time funds. City Hall also doled out one-time funds above and beyond its annual contribution in previous years, despite its own budget problems.

The Santa Monica-Malibu Unified School District faced a \$13 million budget shortfall last year, but was able to close the gap through personnel cuts, and new revenue sources such as the parcel tax, which will bring in \$6.5 million annually over the next six years.

But it won't be enough to keep the schools "excellent," which is CEPS' ultimate goal.

And with more than a \$350 million annual budget, school supporters believe City Hall can afford to continue its financial commitment to the district. But they don't want to have to ask every year, particularly because the school district has to provide a balanced budget to the county in March and the City Council doesn't pass the city's budget until July.

"The timing is off," Gross said, adding that many people have told her that CEPS should have pushed through a charter amendment long ago.

"They said we waited too long and were too patient," she said.

Davis said CEPS is putting a lot of energy into its

strategy for what could be a long campaign. It has conducted extensive research, including public opinion polls via phone to gauge whether the community would support such a measure.

Schools Superintendent John Deasy said he hopes the City Council comes up with a plan to provide steady, predictable funding without the need for the charter amendment.

"The end is exactly what we need — sustained funding," he added. "It would great, in my opinion, if we didn't have to go to a ballot, but I don't know how we are going to solve funding in education in California ... I don't particularly like going to the City Council every year."

Tenants must pay for breaking lease

LANDLORD, from page 1

owed by the former couple, who broke their lease and moved to a house in Venice shortly after the incident. The landlord had asked for more than \$40,000 for missed rent, late fees, and the cost of cleaning and hiring a broker.

In the end, jurors awarded the landlord \$18,000, while also allowing the firm to keep a \$9,000 security deposit that was never refunded to the former couple.

As the court clerk read the verdict, Starr closed his eyes and Serrano held both of her hands up to her mouth. In the hallway outside afterwards, Starr said, "We're very surprised. We think if the jury had known everything, they would have found very differently."

During the trial, Starr and Serrano contended that Marvin Engineering officials knew security at their luxury seaside building was inadequate, but failed to make necessary improvements. They argued the safety locks on both their elevator and on the emergency fire doors were broken, noting that several other break-ins occurred there in the months preceding theirs.

But officials from Marvin Engineering, an aerospace and defense manufacturer that also owns several properties on the westside, said they had no way of foreseeing the accident. Defense attorney Gilbert Garcia argued in the trial that the four armed gunmen were intent on getting in to the apartment by any means necessary.

Starr, who is considering an appeal, accused the defense attorney of hiding information about previous break-ins and faulted Santa Monica Superior Court Judge Valerie Baker for not allowing jurors to hear about a man who that summer was shot in front of the building, at Sunset Boulevard near Pacific Coast Highway.

The break-in occurred in broad daylight while Starr and Serrano were entertaining two guests for lunch on a Friday afternoon. Though the burglars stole some jewelry and cash, they seemed more concerned with the \$30,000, which they thought Starr had. But the gunmen, who were never caught, apparently had the wrong apartment. They were looking for a reported drug dealer named "Matt" who had moved out of his apartment in the middle of the night a month earlier and hasn't been located.

But it wasn't just defense attorneys that were successful in lobbying Judge Baker to keep information away from the jurors. According to documents filed with the court, Serrano and her two guests were all born men. Each of the three now live as women.

"It's completely irrelevant and potentially prejudicial," said plaintiff attorney Blaine Greenberg. "Some folks are prejudiced against people different than they are."

Greenberg, who has practiced law in California for 22 years, said this was only the second case he's taken on contingency — and probably the last.

Jurors, who said they picked up on and felt uneasy concerning some of the issues relating to sexuality, said the bottom line was that the accident was not foreseeable.

One such juror, a Santa Monica artist who declined to give his name, said, "Having lived and worked at the beach for 20 years, I know — the beach is a place people come to get unglued."

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