



KEEPING KIDS SAFE  
SEE PAGE 6

# Santa Monica Daily Press

Since 2001: A news odyssey

THE UP ALL NIGHT ISSUE



Brandon Wise [brandonw@smdp.com](mailto:brandonw@smdp.com)

**CLEARING THE STREETS?** Backers of the Residents' Initiative to Fight Traffic believe gridlock could be mitigated if the initiative is approved.

## Traffic-fighting initiative qualifies for fall ballot

BY DAILY PRESS STAFF

**CITY HALL** The question of whether commercial growth should be severely restricted in Santa Monica will come before voters this fall.

The Residents' Initiative to Fight Traffic, often referred to as RIFT, qualified for the November election, receiving the necessary

5,800 signatures of registered Santa Monica voters.

The measure, which was authored by Santa Monica Coalition for a Livable City, seeks to combat traffic congestion in the city by placing an annual cap of 75,000 square feet on new commercial development over the next 15 years, excluding schools, hospitals and other community spaces.

The campaign behind the measure spent 10 weeks gathering more than 10,000 signatures and submitted the petition to the City Clerk in late April.

"If we had 20 weeks we would've had 20,000 signatures and that is as many signatures as we need to win," Diana Gordon, co-

SEE RIFT PAGE 7

## Treesavers to stage night rally

BY MELODY HANATANI

Daily Press Staff Writer

**CITY HALL** The image of 23 down ficus trees fresh in their minds, a group of activists are planning to stage an all-night peace rally in protest of what they are calling, "The May 16 Tree Massacre."

Just four days after the specimens were removed from Second and Fourth streets, identified by city officials as structurally unstable and a threat to public safety, the Santa Monica Treesavers say they intend to camp out on the front steps of City Hall from 5 p.m. today until 9 a.m. Wednesday, their overnight stay coinciding with the City Council's study session on the upcoming budget.

Several activists plan to speak during the council meeting, which will touch on the Community Maintenance Department's budget, requesting that more money be spent on tree planting rather than removal.

The Treesavers are protesting a tree removal plan that is part of a beautification project for Downtown Santa Monica, including the removal of 23 unstable trees and the relocation of seven others. The trees were destroyed during the early morning hours of last Friday, just two days after the California Appellate Court dismissed a petition by the Treesavers challenging the ficus removal and relocation plan, giving City Hall the green light to proceed with the project.

The streetscape improvement project includes sidewalk repairs, lighting enhancements and curb extensions. Each removed

SEE RALLY PAGE 8

## Jury selection starts in Farmers' Market civil trial

BY DAILY PRESS STAFF

**DOWNTOWN L.A.** Jury selection for the civil suit brought in connection with the Santa Monica Farmers' Market tragedy commenced on Monday, nearly five years after the fatal crash took the lives of 10 people.

Attorneys met at the Stanley Mosk Courthouse in Downtown Los Angeles where they fielded 60 prospective jurors, testing their knowledge of the case with a questionnaire, the results of which they will review on Tuesday before reconvening back in court on Wednesday.

"We questioned jurors for hardship and to see if they had preconceived (opinions) that made them unsuitable to be fair in the case," Geoffrey Wells, one of the attorney for the plaintiffs, said.

Remaining qualified jurors will then be further questioned on

Wednesday before the 12-person panel is selected. Opening statements could begin on Friday.

It was July 16, 2003 when George Russell Weller, 91, plowed through a crowded Farmers' Market in



SEE TRIAL PAGE 7 WELLER

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# Voters to decide whether to limit commercial growth

FROM RIFT PAGE 1

chair of the Santa Monica Coalition for a Livable City, said. "Residents are fed up and are willing to make the decision themselves as to how much commercial growth and traffic is reasonable for Santa Monica."

City officials have raised concerns that the initiative would negatively impact the Land Use and Circulation Element, the update of the general plan which guides development in the city for the next two decades.

The LUCE strategy framework was recently released to the public and will be discussed at a series of meetings later this week.

The Santa Monica Chamber of Commerce's Board of Directors unanimously voted to oppose the RIFT, citing concerns with possible impacts on mass transit funding and the ability to create workforce housing.

City Hall is currently conducting an economic and fiscal assessment and traffic impact study associated with the RIFT ini-

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**Diana Gordon,**  
Co-chair, Santa Monica Coalition for a Livable City

tiative, examining areas such as housing, employment, infrastructure and quality of life. The study is expected to be presented to the City Council on June 24.

"Residents are understanding that we're losing what Santa Monica is, that traffic is becoming unbearable and our streets can't handle any more cars," Gordon said.

[news@smdp.com](mailto:news@smdp.com)

# Trial nears for market civil case

FROM TRIAL PAGE 1

Downtown Santa Monica, killing 10 people and injuring 63 others.

He was convicted on 10 counts of vehicular manslaughter in October 2006 and was sentenced to five years probation. His criminal conviction is being appealed.

The victims are suing both Weller and the Bayside District Corp., a public-private company that manages the downtown area, including the strips of Arizona Avenue and Second Street where the market is held every

Wednesday. The plaintiffs in the suits are claiming that the outdoor marketplace lacked proper protection for the public.

The civil case will focus on three remaining lawsuits out of more than 40, many of which were settled out of court. The remaining cases represent about a dozen plaintiffs.

It is unclear whether Weller will testify in the civil trial. A pre-recorded deposition by Weller will be used if he is unable to appear, Wells said.

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# Home sales lag behind last year's numbers

FROM HOMES PAGE 3

April's median price of \$385,000 in the region was unchanged from March, the first time in eight months the price didn't fall from the previous month.

The median price peaked in April 2007 at \$505,000, a figure reached several times last spring and summer.

Its premature to say that April's numbers signaled a potential housing rebound in California, one of the nation's hottest markets during the boom, said DataQuick analyst Andrew LePage.

Uncertainties include whether the economy gets stuck in a recession, whether the credit crunch persists, and if foreclosures continue to rise, he said.

"I think we're a ways from seeing much of a rebound in home values," he said. "When

you put on a super sale, people show up and buy."

Sales were strongest in areas hit by steep price declines and foreclosures.

Along with Riverside County, the areas included Chula Vista in San Diego County, Lancaster in Los Angeles County, Anaheim and Lake Forest in Orange County and Victorville in San Bernardino County.

DataQuick said it was still looking for a sales rebound in midpriced and higher-end markets along the coast.

The availability of large loans have fallen sharply in the past eight months, causing prices to fall, DataQuick said.

Loans above \$417,000 financed only 15 percent of Southern California home sales in April, down from nearly 40 percent last August.



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**REQUEST FOR QUALIFICATION (RFQ) SUNDAY, MAIN STREET FARMERS' MARKET MUSICAL PERFORMANCES**

**Applications are due no later than:**  
5:00 P.M. on Wednesday, May 21, 2008

**For more information or to obtain an application, contact:**  
Jodi Low, Farmers' Market Manager  
t: (310) 458-8712 ext. 5  
f: (310) 393-1279  
<http://www.smgov.net/farmers%5Fmarket/pdf/Musician%20RFQ%202008.pdf>

**Introduction and Project Description**  
The City of Santa Monica is requesting applications from interested and qualified bands or individuals for a musical performance opportunity at the Sunday Santa Monica Farmers' Market located at 2640 Main Street., Santa Monica

**Performance Term**  
Each band or individual selected will be granted a minimum of one performance date during the fiscal year '08-'09

**Performance Rate**  
All bands are paid a performance fee of \$250.00 and solo performances are paid a performance fee of \$125.00.

**Merchandise Sales / Tips**  
Bands are allowed to use a tip container to collect tips during performances.

**Respondents must submit one (1) original and four (4) complete copies of the application by mail or by hand to:**  
Attn: Farmers' Market RFQ  
City of Santa Monica, Farmers' Market Division  
200 Santa Monica Pier, Ste F  
Santa Monica, CA 90401  
Faxed applications will not be accepted.

**Non-Discrimination/Equal Opportunity**  
Operator shall not discriminate against any individual because of race, color, religion, national origin, ancestry, gender, sexual orientation, age, disability, or condition of having AIDS, in connection with the Lease Agreement.



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