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**San Diego Office Rents  
at Historic High**

PG.12

**METRO  
MOVERS  
2015**

PG.14

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## COVER STORY



### ON THE COVER:

#### San Diego Office Rents

2014 ended as the strongest commercial real estate market since 2006. In the San Diego County region, 5.7 million square feet of office, lab and industrial space came off the market on a net basis. Just to put that in perspective, that would be as if all the office space in UTC was vacant at the beginning of the year, and was fully leased by the end of the year. Page 12.



# 14

#### Metro Movers 2015

Introducing the Metro Movers for the year — men and women who have made outstanding contributions to their professions and who are poised to add to their achievements in 2015. Pictured is Mark Paul Arabo, an American businessman, San Diego community leader, and global humanitarian. He is a human rights activist for the Chaldean Catholic community.



# 18

#### Insurance Outlook

Jeff Cavnac, president and principal of Cavnac & Associates, give us some perspective on where the insurance industry is today and how the current financial situation and underwriting objectives will affect you in 2015. It is critical to understand not only how to manage costs, but also how to forecast your costs as you look into your next fiscal year.



# 20

#### 2015 New Car Review — Mercedes Sprinter Van

Nominally, the Mercedes Sprinter van is a commercial van — in the same class (and useful for the same purposes) as the Nissan NV van (and the new Ram ProMaster van). But what differentiates it from those utilitarian appliances is that it's also nice. The difference between a plain white 'fridge and a stainless steel SubZero. Not everyone needs the extra niceness, of course. But it's nice that it's available.



# 29

#### Escape to Carmel

Not everything old is new again in Carmel. Some things simply get reinvented. Vendange Carmel is a perfect case in point. It was a budget motel in a previous incarnation. Built in the 1920s, you wouldn't have given it a second thought let alone your first one. Jonathan Lee, a bright, 26-year-old UCLA graduate, his brother and parents literally ripped it apart once ownership was in their hands.

# SDMETRO

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#### Chairman | CEO

Robert Page  
BobPage@sandiegometro.com

#### Publisher

Rebeca Page  
RebecaPage@sandiegometro.com

#### Managing Editor

Manny Cruz  
Manny@sandiegometro.com

#### Graphic Designer

Christopher Baker  
cbaker@sandiegometro.com

#### Photography/Illustration

Eric Peters  
David Rottenberg

#### Contributing Writers

Jim Holtzman  
David Marino  
Eric Peters  
Martin Kruming

#### Advertising

SALES & MARKETING DIRECTOR  
Rebeca Page

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P.O. BOX 3679  
RANCHO SANTA FE, CA 92067  
858.461.4484 FAX: 858.759.5755

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ViaSat-1 earned a Guinness World Record as the highest-capacity satellite in (or out) of the world, but may have to hand off the title to ViaSat-2, the next-generation bird, which will double the capacity of its predecessor.

## ViaSat Selects Space X to Launch Next Generation Broadband Satellite

ViaSat Inc. is taking another step forward in the transformation of satellite broadband with the selection of SpaceX to launch ViaSat-2, the next generation of high-capacity broadband satellite. ViaSat-2 is scheduled for a late summer 2016 launch aboard a SpaceX Falcon Heavy from the Kennedy Space Center in Florida.

Falcon Heavy is the world's most powerful rocket, with the ability to lift more than twice the payload of the next closest launch vehicle at only one-third the cost. Falcon Heavy is an evolution of the flight-proven Falcon 9 that is used to launch commercial satellites as well as cargo missions to the International Space Station.

Beginning with ViaSat-1, ViaSat began a transformation of satellite communications into a network technology that can provide high-performance services competitive with terrestrial alternatives, rather than being merely a last resort. ViaSat-2 is designed to provide another leap ahead in broadband service quality for residential, mobile, and enterprise satellite services.

“One of the primary objectives for ViaSat-2, beyond higher speeds, is to offer more data with all of our service plans. That’s what customers want from any wireless service,” said Mark Dankberg, ViaSat chairman and CEO. “We can do that by building a network with lots more network capacity at a cost that will attract more customers, and that’s what this new class of satellite is designed to do.”

ViaSat-2 is expected to cover seven times the geographic area and offer twice the bandwidth economics advantage of ViaSat-1, which is already the highest capacity satellite in the world. Planned coverage includes North America, Central America, and the Caribbean basin. The satellite will also provide a bridge of coverage across the North Atlantic, connecting North America with high-capacity coverage in the UK and Europe for high-speed in-flight internet and other mobile services.

Now under construction by Boeing, ViaSat-2 will become the fourth satellite in the ViaSat fleet.

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## San Diego International Airport Served Record 18.7 Million Passengers in 2014

San Diego International Airport served a record 18.7 million passengers in 2014, the highest total since 2007, the San Diego County Regional Airport Authority reported today. The airport also set new records for total passenger boarding and international passengers.

Last year's total of 18,756,997 passengers exceeded the previous record of 18,326,734 set in 2007 by 2.3 percent, the agency said. For the year, passenger totals in 2014 increased by 5.9 percent over 2013.

The airport also served 672,972 international passengers in 2014, a 7.2 percent increase over 2013, and the third consecutive year the airport had a record-breaking increase in this category.

The airport also set a record for total enplanements, or departing passengers, in 2014 with 9,383,793; a 2.3 percent increase over the previous record set in 2007.

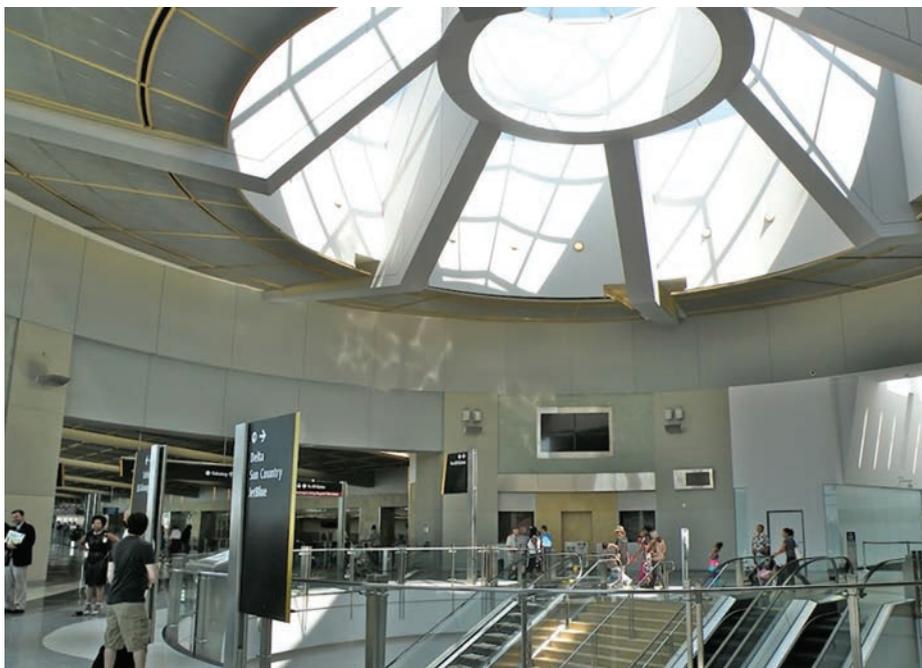
“By virtually any passenger metric, San Diego International Airport has seen exceptionally strong and steady growth in recent years,” said Thella F. Bowens, president/CEO of the Airport Authority. “Our goal has always been to offer more and better air travel options, and to make flying in and out of San Diego as convenient as possible. These numbers show that our efforts are bearing fruit.”

Bowens attributed the increases to a number of factors, including:

- Increase in the number of nonstop flights.
- New routes and destinations.
- Enhancements of airport and airline capacity.
- Steady improvement in the economy.



San Diego International Airport



Terminal 2 at Lindbergh Field

### \$78 Million UCSD Outpatient Pavilion Contract Goes to Rudolph and Sletten



Rendering of the Outpatient Pavilion for UC San Diego Health Services.

Rudolph and Sletten Inc. has been awarded a preliminary contract to begin work on the new Outpatient Pavilion for UC San Diego Health Services. The \$78 million construction contract is expected to be booked in the third quarter of 2015.

The 145,000-square-foot building will be built on a 3.5-acre site on UC San Diego's East Campus, between the Perlman Ambulatory Care Unit and the Moores Cancer Center east of Interstate 5, said Rick Guinn, senior project executive.

The four-story structure will have one story fully-to partially below grade with a connection to the adjacent Perlman facility.

Planned to consolidate and centralize outpatient surgical services, the pavilion will also provide support services for the nearby Jacobs Medical Center. Programs at the newest addition to the UCSD health complex will include ambulatory surgery, outpatient imaging, physical and occupational therapy, rehabilitation, pharmacy, and disease-specific centers for pain, urology, musculoskeletal, breast, apheresis and stem cell treatments.

"We are excited to expand our relationship with UCSD in helping them to transform the East Campus," Guinn said, noting Rudolph and Sletten's role as general contractor for the nearby UCSD's Altman Clinical and Translational Research Institute. That \$170 million, seven-story project, where researchers will advance scientific knowledge and translate it to medical application, is under construction southwest of the planned Outpatient Pavilion.

CO Architects of Los Angeles has designed the planned outpatient center with two wings connected by a public spine and linked by a grand interior stairway.

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f t in

## Walking on Ice Takes More Than Brains

Salk scientists discover how a 'mini-brain' in the spinal cord aids in balance

Scientists at the Salk Institute have discovered that much of the balancing act that our bodies perform when walking across an icy path happens unconsciously, thanks to a cluster of neurons in our spinal cord that function as a “mini-brain” to integrate sensory information and make adjustments to our muscles so we don’t slip and fall. The study was published in the journal *Cell*.

In a paper published Jan. 29, Salk Institute scientists map the neural circuitry of the spinal cord that processes the sense of light touch. This circuit allows the body to reflexively make small adjustments to foot position and balance using light touch sensors in the feet.

The study, conducted in mice, provides the first detailed blueprint for a spinal cir-

cuit that serves as control center for integrating motor commands from the brain with sensory information from the limbs. A better understanding of these circuits should eventually aid in developing therapies for spinal cord injury and diseases that affect motor skills and balance, as well as the means to prevent falls for the elderly.

“When we stand and walk, touch sensors on the soles of our feet detect subtle changes in pressure and movement. These sensors send signals to our spinal cord and then to the brain,” says Martyn Goulding, a Salk professor and senior author on the paper. “Our study opens what was essentially a black box, as up until now we didn’t know how these signals are encoded or processed in the spinal cord. Moreover, it

was unclear how this touch information was merged with other sensory information to control movement and posture.”

While the brain’s role in cerebral achievements such as philosophy, mathematics and art often take center stage, much of what the nervous system does is to use information gathered from our environment to guide our movements. Walking across an icy parking lot, for instance, engages a number of our senses to prevent us from falling. Our eyes tell us whether we’re on shiny black ice or damp asphalt. Balance sensors in our inner ear keep our heads level with the ground. And sensors in our muscles and joints track the changing positions of our arms and legs.



Researchers, from right: Steeve Bourane, Antoine Dalet, Stephanie Koch, Chris Padilla, Cathy Charles, Graziana Gatto, Tommie Velasquez and Martyn Goulding. Image: Courtesy of the Salk Institute for Biological Studies.

## New Charter School Viewed as Important Element in Transforming East Village

A public charter school under construction in Downtown's East Village is being viewed as a welcome addition to the city's urban core. The K-8 Urban Discovery Academy is being built on 30,000 square feet of property along the western side of 14th Street, between E and F streets.

The project will continue nearly a century of educational use of the site by incorporating and renovating an historic two-story, 20,000-square-foot San Diego Community College District building and integrating it with a new two-story, 16,000-square-foot learning space.

For the past six years, Urban Discovery Academy has been operating out of rented space on Sixth Avenue, across from Balboa Park. KCM Group was selected to oversee the relocation and construction of the project.

"Educational facilities are important assets for Downtown and East Village," said Councilman Todd Gloria. "Schools like the Urban Discovery Academy will help attract families to these neighborhoods, which contributes to the creation of vi-



Rendering of the Urban Discovery Academy

brant and diverse communities."

The new Urban Discovery Academy will consist of a school facility with outdoor parking and playground areas. It was designed by AVR Studios Architectural. The school is chartered through the San Diego Unified School District.

"We are very proud to be partnered with such a great educational institution

and to guide the construction process of this revolutionary new school," said Gordon Kovtun, founder and principal of KCM Group. "Urban Discovery Academy will be an invaluable new element for the East Village's residential and commercial evolution."

The project is scheduled to be completed by July.

**Congratulations  
Victoria Fuller!**

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## UC San Diego to be Testing Site for Qualcomm Tricorder XPRIZE

The Clinical and Translational Research Institute (CTRI) at UC San Diego has been named the official testing site for the \$10 million Qualcomm Tricorder XPRIZE, a global competition sponsored by the Qualcomm Foundation to develop a consumer-friendly, mobile device capable of diagnosing and interpreting 15 physiological conditions and capturing vital health metrics.

The XPRIZE competition is inspired by the tricorder medical device that debuted in the original 1966 Star Trek TV show and was frequently featured in subsequent series and movies.

“Of course, the tricorder in Star Trek was originally fantasy, a wonderful bit of science fiction,” said Gary S. Firestein, CTRI director. “But the idea —and this XPRIZE competition — symbolizes a very real vision of how we can shape a healthier future with creative use of cutting edge discoveries.”

CTRI will serve as the physical location of the test program, with doctors, technicians and staff providing logistical and personnel management. CTRI will be responsible for recruiting up to 480 volunteers to serve as consumer-testers, gaining their consent and instructing them in the use of the devices, overseeing device testing and conducting follow-up surveys.

Late last year, 10 teams were selected as finalists for the Qualcomm Tricorder XPRIZE. The teams come from the United States, Canada, India, Taiwan, Slovenia and the United Kingdom, representing both academic and private enterprises.

Final results will be announced in 2016 — the 50th anniversary of the original Star Trek series. First prize is \$7 million, with \$2 million for second place and \$1million for third.

## Robert Gleason Appointed to Board of L.A. Branch Of Federal Reserve Bank of San Francisco

Robert H. Gleason, president and CEO of Evans Hotels, has been appointed to the board of directors of the Los Angeles branch of the Federal Reserve Bank of San Francisco. He was appointed to a three-year term ending Dec. 31, 2017.

Gleason was appointed president and CEO of Evans Hotels in 2014. Prior to his appointment, he spent the previous 15 years as the CFO and general counsel of Evans Hotels. He serves as the board chair of the San Diego County Regional Airport Authority, and is a trustee of the Francis Parker School.

Gleason is an executive committee member of the Princeton University Alumni Council and co-chair of the Committee on LGBT Alumni Affairs at Princeton. He holds a JD from the University of San Diego School of Law, and an A.B. in Economics from Princeton University.

The Los Angeles branch board of directors provides economic perspective on the region to the Federal Reserve Bank of San Francisco’s board of directors.



Robert Gleason

## Former Sen. Olympia Snowe to Keynote Lawyers Club's 43rd Annual Dinner

Former U.S. Senator Olympia Snowe will be the keynote speaker at the Lawyers Club of San Diego’s 43rd annual dinner on May 12 at the Manchester Grand Hyatt in Downtown San Diego. Snowe will receive the Lawyers Club Icon Award in recognition of “exceptional achievement by individuals furthering the advancement of women in the law and in society.”

A moderate Republican with a reputation for courageously crossing the aisle, Snowe served in the legislative branch at the state and federal level for 40 years. She has a track record of supporting women,

including a pro-choice voting record that spans over three decades in Congress.

Snowe was elected to the Maine House of Representatives in 1973 and, three years later, to the Maine State Senate. From 1979 to 1995, she served as representative of Maine’s 2nd Congressional District in the U.S. House of Representatives. Snowe served as a senator for nearly two decades, from 1995 to 2013. During her time in Congress, Snowe worked with the last six Presidents, from Carter to Obama.

Registration begins at 5:30 p.m., and the dinner and program are set for 6:30-8 p.m. Individual tickets go on sale on March 2 for Lawyers Club members, and on March 16 for the general public. For more information, visit [www.lawyersclubsandiego.com](http://www.lawyersclubsandiego.com).

# SDSU Research: Whales Hear Through Their Bones

Some baleen whales have acoustic properties that capture the energy of low frequencies and direct it to their ear bones

Understanding how baleen whales hear has posed a great mystery to marine mammal researchers. New research by San Diego State University biologist Ted W. Cranford and University of California, San Diego engineer Petr Krysl reveals that the skulls of at least some baleen whales, specifically fin whales in their study, have acoustic properties that capture the energy of low frequencies and direct it to their ear bones.

Baleen whales, also known as mysticetes, are the largest animals on earth, and include blue whales, minke whales, right whales, gray whales and fin whales. These whales can emit extremely low frequency vocalizations that travel extraordinary distances underwater. The wavelengths of these calls can be longer than the bodies of the whales themselves.

All of these whales are considered endangered, with the exception of the gray whale, which recently was removed from the endangered species list, Cranford said.

Over the past few years, government regulators have been attempting to enact laws placing limits on the amount of human-made noise that baleen whales can be exposed to. These human-made noises come primarily from three sources: commercial shipping, energy exploration, and military exercises.

According to Cranford, baleen whales might be particularly susceptible to negative effects from these sounds. Many of them produce vocalizations in the same frequency range as human-made noises, and too much human-made noise could limit the distance over which the whales are able to communicate about things like food and mates. Because low frequency sounds travel so far in the ocean, groups of



The fin whale skull used for this study now resides in SDSU's Museum of Biodiversity.

whales that appear to be extremely far apart might indeed be within "hollerin' distance," as Cranford puts it.

However, little information was available about how baleen whales actually hear for government regulators to base new legislation on. Most of what scientists know about how whales hear comes from inferring their frequency range from their own vocalizations, as well as anatomic studies of the ears and some sound playback experiments with whales in controlled environments. Cranford and Krysl wanted to take a different approach: build a highly complex three-dimensional

computer model of a baleen whale head—including the skin, skull, eyes, ears, tongue, brain, muscles, and jaws--and then simulate how sound would travel through it.

In 2003, they got their opportunity when a young fin whale beached on Sunset Beach in Orange County, California. Despite intensive efforts to save the whale, it died. Cranford and Krysl were able to obtain the animal's head for their research, placing it in an X-ray CT scanner originally designed for rocket motors.

Once they had their scan, the researchers employed a technique known as finite element modeling that breaks up data representing the skull and other parts of the head into millions of tiny elements and tracks their relationships with one another.

It's a bit like dividing the whale's head into a series of LEGO bricks, Cranford explained, where the properties of the bone, muscle, and other materials determine how strong the connections are between the bricks. By simulating a sound wave passing through their computerized skull, they could see how each miniscule component of bone vibrates in response.

"At that point, computationally, it's just a simple physics problem," Cranford explained. "But it's one that needs lots and lots of computational power. It can swamp most computers."

— *San Diego State NewsCenter*



# San Diego Office Rents at Historic High

## Economy fuels demand

By David Marino

2014 ended as the strongest commercial real estate market since 2006. In the San Diego County region, 5.7 million square feet of office, lab and industrial space came off the market on a net basis.

Just to put that in perspective, that would be as if all the office space in UTC was vacant at the beginning of the year, and was fully leased by the end of the year.

We are particularly seeing supply shortages around the region in large blocks of space over 50,000 square feet. Certain submarkets have become particularly tight for larger tenants including full-floor tenants in UTC, warehouse and distribution tenants above 30,000 square feet in Miramar, and Class A space around the region. For example, there is not a single space over 45,000 square feet in Del Mar Heights today.

Class A rental rates in both UTC and Del Mar Heights are back at nearly record historic highs over \$4 per square foot. One new building under construction in Del Mar Heights has a \$4.95 net of electricity asking rate, and the tightness in the market might support it.

The only time in history we have seen these high rental rates was briefly back in 2006 and 2007 during the economic bubble, and there are no signs of any bubble today. We are dealing with rapidly shifting dynamics of supply and demand, with demand accelerating and supply essentially frozen due to the lack of new construction.

It's a similar story in Downtown, with no new office tower developments on the immediate horizon. Class A office towers are over 95 percent leased across the board (with a few exceptions) — and Class B is slowly starting to creep up. Rents for a few Class A office spaces have jumped an astonishing 50 percent in the last 24 months. Fortunately, there are still a few landlords in tough occupancy shape, thereby keeping rents from skyrocketing across the board.

Of the more than 300 transactions we are actively engaged with, virtually all of them are with healthy companies, and many of them are significant expansions for clients coming to the end of their lease terms.

More telling, dozens of companies are seeking mid-term ex-

pansions on leases that were signed two or three years ago because they are already out of space. This is due to the exceptional health of the companies' top lines as well as the strength of the capital markets fueling growth and employment.

The total amount of sublease space available in the region is also at a near record low at 3.3 million square feet. Tenants that used to be able to get cheap, fully furnished space are finding it in very short supply, and are often left without any good options.

Additionally, showing to the strength of the market and economy, the average time on the market for office space is now below 18 months in every submarket except Del Mar Heights and Downtown. UTC is under a year, which has never before been the case, and we are seeing competition for larger blocks of space in quality buildings.

The biotech lab market has significantly recovered in the last year as approximately nine life science companies went public in 2014, fueling the consumption of additional lab space.

Multiple life science companies are poised to go public again in 2015, which will continue to drive significant growth and demand for lab space in Torrey Pines, UTC and Sorrento Mesa. All of this is putting pressure on lab rents as space becomes in shorter supply. Torrey Pines rent numbers have recovered back to above \$3 per square foot, and there is a particular shortage of supply for smaller startup companies below 10,000 square feet seeking existing lab space.

Going forward, we expect to see continued upward pressure on rents as the economy fuels demand, and the supply of new space is effectively non-existent as speculative construction will not happen fast enough to support the increase in demand.

This is particularly true in industrial space where demand is strong, but land prices for the available vacant sites in San Diego County are too high to justify putting industrial buildings on them. The price of land is simply too valuable, so we don't expect significant industrial space to be built ever again except in certain markets like Otay Mesa, San Marcos and Vista.



David Marino is executive vice president of Hughes Marino, a San Diego commercial real estate company specializing in San Diego tenant representation and building purchases. Contact Marino direct at (619) 238-2111 or david@hughesmarino.com to learn more.

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# METRO MOVERS 2015

Introducing the Metro Movers for the year – men and women who have made outstanding contributions to their professions and who are poised to add to their achievements in 2015.



## Deanna Bagdasar

Deanna Bagdasar is the chief operating officer of RJS Law Firm, managing the company’s day-to-day operations. She is an integral member of the senior management team, overseeing human resource matters, implementing policies, and managing accounting standards and business procedures. Bagdasar often serves as the junior point of contact for many of RJS clients and assists their attorneys on various tax, transactional, and real estate matters. Additionally, Bagdasar handles various matters for the firm’s other business ventures and assists with the company’s marketing activities, spearheading the development, communications and implementation of effective growth strategies and processes. Prior to joining RJS Law, Bagdasar was a financial analyst for a mid-sized corporation. She was nominated for the prestigious 2015 Women of the Year award. She was the first in her family to graduate from college. As a Middle Eastern woman, she faced an uphill battle to earn respect from the community as well. Bagdasar graduated from San Diego State University in three years. She volunteers at a local Christian day care center as well as contributes regularly to local charities and fundraising events in her community, including the United Services Organization (USO) and the Challenged Athletes Foundation/PEERS Foundation. With her real estate license in hand, she was instrumental in getting RJS Law moved from a location on Ninth Avenue to a 32,000-square-foot building which it owns at 303 A S. in Downtown San Diego.



## Victoria Fuller

When it comes to San Diego professionals, Victoria Fuller, a partner at Higgs Fletcher and Mack, has without a doubt made numerous outstanding contributions to the legal profession and is poised to add to her many achievements in 2015. At Higgs, Fuller handles appeals and writes in a wide range of practice areas such as business disputes, employment litigation, personal injury cases and family law matters. She represents individuals and businesses who wish to take an appeal, and also those defending a favorable result in the trial court. She has successfully litigated appeals in several different California appellate courts, and also in the Ninth Circuit Court of Appeals. She represents clients in appeals from administrative decisions taken to the Superior Court. She also handles briefing for trial attorneys, including pursuing or defending against motions for summary judgment and class certification, and briefing in ERISA cases. Fuller is also very involved in the legal community. She provided pro bono services to Casa Cornelia Law Center, a public interest law firm providing quality pro bono legal services to victims of human and civil rights violations. She also represents applicants for political asylum in appeals before the Board of Immigration Appeals and the Ninth Circuit. In October, 2014, she was the recipient of Casa Cornelia’s Inn of Court Pro Bono Publico Award. In addition, she received the Wiley M. Manuel Pro Bono Services Certificate in July 2014 for her voluntary provision of legal services to the poor or disadvantaged, improving the law and the legal system and increasing access to justice. Fuller is a member of the Black’s Beach Foundation, a group of surfers dedicated to protecting the environment at Black’s Beach.



## Brad Termini

In 2008, Brad Termini and his partner, Dane Chapin, founded Zephyr Partners. Since then, the real estate development and investment company has hit the ground running, now with an estimated \$700 million in projects under construction. In his role as founding partner of Zephyr, Termini is closely involved in the acquisition of properties, and is keenly focused on making opportunistic investments in choice locales. Under Termini’s direction, the company has invested millions in San Diego’s urban core, scooping up one of the last remaining full blocks of available property Downtown — a 60,000-square-foot site on Broadway between Seventh and Eighth avenues — as well as a choice parcel in Bankers Hill directly across from Balboa Park. Capitalizing on the current boom in urban living, Zephyr plans to develop multifamily and mixed-use communities on both sides. He attributes his company’s resounding success to a razor-sharp focus for identifying choice locations, as well as its clean slate. He has nearly 25 years of experience in the residential real estate industry under his belt. Growing up in western New York, Termini was immersed in the day-to-day activities of his family’s real estate development and management company and got his first real estate-related job at age 11 as a construction laborer. He moved to San Diego in 2003 and joined The Corky McMillin Company. He was a key member of the McMillin team that masterminded and implemented the redevelopment of Liberty Station. He is a supporter of Junior Achievement and has taught business to second graders in southeast San Diego schools. Termini has volunteered with Youth and Leaders Living Actively (YALLA) using soccer, tutoring and eco-therapy to help refugee children from war-torn countries rebuild their lives.



### **Todd Philips**

Todd Philips joined Southwest Strategies in 2011, having served as the director of economic development and policy for the North San Diego Business Chamber. Prior to joining the chamber, he served as director of government relations and legislative affairs at the San Diego Workforce Partnership. Joining Workforce in 2009, Philips was responsible for the oversight of the agency's comprehensive governmental relations strategy and labor market research. He was also director of policy and public affairs for the San Diego Housing Commission, playing a critical role in helping shape affordable housing policy in San Diego. He also successfully directed the political campaigns for current Assembly Speaker Toni Atkins's re-election to the San Diego City Council in 2004, as well as current Congressman Scott Peters' election to the City Council in 2000. He holds a J.D. degree from the University of San Diego School of Law, a master's degree in public administration from the University of Houston, and a dual bachelor of arts degree in political science and religious studies from Southern Methodist University. He received a fellowship with the Center for Social Innovation at the Stanford Graduate School of Business. Philips is involved and has held leadership roles with the Scripps Ranch Planning Group, the board of directors for the Wakeland Housing and Development Corp., the San Diego United Way's Home Again board of directors and was a 2007 SD METRO Magazine 40 Under 40 award honoree. He is also a graduate of LEAD San Diego.



### **Bob McElroy**

Bob McElroy is the founder and president of the Alpha Project, an organization with more than a quarter century of service to people in need in San Diego County. From its humble beginnings as an agency with a small office, a used truck and the novel idea of employing the homeless, Alpha Project has remained true to McElroy's original mission of empowering individuals, families, and communities by providing work, recovery and support services to people who are motivated to change their lives and achieve self-sufficiency. Over his long tenure, McElroy has grown Alpha Project into an organization with over two dozen programs and more than 100 employees who serve thousands of men, women and children daily. Alpha Project has created and sustained roughly 700 units of affordable housing in facilities ranging across San Diego County. He has been responsible for creating over 400 new beds for homeless and very low income populations in Downtown San Diego.



### **Melanie Palm**

Melanie Palm is the founding director and owner of Art of Skim MD. An accomplished author, Dr. Palm has published over 25 articles in the dermatological literature and co-authored four book chapters on various topics including liposuction, photo protection/sunscreen use, cosmetic injectables, vein therapy, and laser technology. She serves multiple leadership roles locally and nationally for organizations such as the San Diego Dermatologic Surgery Society and Women's Dermatologic Society. She is an assistant clinical professor at UC San Diego and a staff physician at Scripps Encinitas Memorial Hospital. She is the youngest educational consultant and physician trainer for Sculptra Aesthetic, is active in the philanthropic community in San Diego and is a volunteer treating physician for Angel Faces Foundation of San Diego.



### **Eugene Izhikevich**

Eugene Izhikevich is the CEO and co-founder of Brain Corporation, a San Diego company that is revolutionizing the robotics industry by creating a training-based operating system for robots – Brain OS. Brain Corporation's biologically-inspired technology platform enables robots to sense their environment, make decisions and perform service-oriented actions – through learning, significantly reducing complex programming, thus reducing development costs and time to market. Brain Corporation is helping to establish San Diego as a hub for robotics. Dr. Izhikevich is a noted neuroscientist, a senior fellow at Theoretical Neurobiology at the Neurosciences Institute of San Diego. He is deeply invested in the success of the robotics and academic communities in San Diego. He teaches courses at UCSD on computational neuroscience.

## METRO MOVERS



### Ryan Hill

Ryan Hill is owner of Hill Construction, a company started by his father. He has grown the company from a small organization to the most robust custom builder in San Diego. Hill has grown its construction project management staff to 20 employees, has won numerous local and national awards, and is consistently recognized for flawless execution of design and historical rehabilitation on special projects. In 2014, Hill Construction finished its first out-of-state project in Spring, Texas, and plans to continue building some of the best designed projects throughout the nation. Hill is a premier financial sponsor for the reopening of the La Jolla Wisteria Cottage historical landmark and is active in the La Jolla Historical Society. Hill Construction won the 2014 Gold Nugget Award for best regional design and a Gold Orchid Award for Wisteria Cottage.

Wisteria Cottage historical landmark and is active in the La Jolla Historical Society. Hill Construction won the 2014 Gold Nugget Award for best regional design and a Gold Orchid Award for Wisteria Cottage.



### Mark Arabo

Mark Arabo has become one of California's most respected and distinguished figures in the Chaldean American community. His family immigrated to the United States from Iraq in 1979. His first career was in the retail grocery business and his family ultimately owned a chain of three grocery stores. He holds a degree in Integrated Marketing Communications from San Diego State University. He is the chief executive of the Neighborhood Market Association (NMA), one of the youngest CEOs to ever serve in the position. NMA is

the largest nonprofit grocers association on the West Coast. Arabo is currently working with U.S. Rep. Juan Vargas (D-San Diego), in pushing for House Resolution 663, which would lift the regional immigration ceiling for the Middle Eastern region, in order to expedite the Visa process for immigrants affected by violence in their countries. He has met with President Obama to discuss issues confronting Christian minorities in Iraq.



### Jay Alexander

Jay Alexander is the managing director of JLL. He was recruited five years ago to lead JLL's landlord representation team, which has developed a reputation for marketing some of San Diego's most iconic office buildings and providing their clients with the knowledge, research and resources of a global real estate services company. His transaction value for sales and leases exceeds \$3 billion. The company's landlord representation team has marketed over 10 million square feet of space in five years. He has raised money and helped construct a new house for a deserving Tijuana family each year since 2000. He and his wife, Mary Ann, also organize donations for Casa de los Pobres in Tijuana, a free clinic that offers medical care and social services for the very poor in Mexico. He was selected as a San Diego County Commercial Association of Realtors (SDCCAR) Deal Maker of the Year five times.

### Faraje Kharsa

Faraje Kharsa is founder and CEO of iTAN Franchising Inc. He opened his first iTAN location in Encinitas on April 11, 2001. With the vision of creating long-lasting and successful salons, Kharsa invested in spreading the message of smart tanning. His mission at iTAN is "to make the world a better place one tan at a time, for the benefit of our stakeholders, our customers, our employees, our vendors, our investors and our communities." iTAN has grown to over 30 locations. Kharsa is also co-founder and managing partner of FIT Bodywrap, a company that provides proven, effective and reliable infrared heat systems in the spa, salon and wellness markets. Kharsa holds an accounting degree from Northern Illinois University.



**2015 SD**  
*Metro Movers!*

*Cara & Garland, APLC Congratulates  
Adriana Cara & Meagan E. Garland  
named 2015 SD Metro Movers to Watch!*

**CARA & GARLAND** APLC



### Gabriel Bristol

Gabriel Bristol is CEO and president of Intelicare Direct, a San Diego-based customer service solutions company. He is widely recognized as one of today's most talented customer service CEOs because of his track record in developing turnkey solutions, effective customer care and sales programs for small and medium-sized businesses across various industries. A child of the foster system — abused, bullied in high school and ultimately dropped out, living for a time on the streets of Michigan and later in Los Angeles — he survived and today, in his 40s, he oversees over 300 employees in two locations, while continuing to ensure the happiness of each employee. Intelicare is a pet friendly workplace where employees are encouraged to bring their dogs to work. The company is also child friendly with a playroom outfitted with a PlayStation 3, iPads, a Netflix account and a quiet spaces to do homework.



**Adriana Cara**

Adriana Cara is the founder of Cara and Garland APLC. Cara has practiced labor and employment law for 13 years, and is a recognized expert in her area of the law. As a female attorney of color, Cara is sensitive to the challenges facing minority women who are considering a legal career. She and her partner, Meagan E. Garland, have established one of the few minority and female law firms in San Diego County. She and Garland give back to the community through a nonprofit organization that is intended to assist women of color in the law. This includes subsidizing some of the startup costs required to start their own law firms. She is a UC San Diego graduate who volunteers as a guest speaker at her alma mater to address students in pre-law educational programs that are considering a legal career.



**Meagan E. Garland**

Meagan Garland is an experienced business defense and employment law attorney who is licensed in both California and New York. She spent the majority of her career as a litigator in both the New York and San Diego offices of Baker & McKenzie. Additionally, she served as a United Nations intern in the office of the prosecutor at the International Criminal Tribunal at The Hague. She is founder and past co-chair of the Diverse Women's Committee within the Lawyers Club of San Diego that is dedicated to identifying and addressing particular challenges to women of color, as double-minorities. She is a graduate of Spelman College in Atlanta and the Boston College Law School.



**Shaina Gross**

Shaina Gross is senior vice president and chief impact officer of the United Way of San Diego County. She has positively impacted multiple aspects of social services, played an integral role in launching various impact projects and continues to amaze her current colleagues with her motivation, passion and commitment within her field of work. Gross has brought a national program "Ways To Work" to San Diego, providing transportation solutions for working families. She is leading the Earned Income Tax Credit Coalition, manages a grant portfolio of \$2 million and has become an expert community resource in funding topic areas. She has volunteered with the San Diego HIV/AIDS Funding Coalition, Ocean Beach Town Council, Cocktails for a Cause and the Orange County Rape Crisis Center.



**Taylor Schulte**

Taylor Schulte is founder and CEO of Define Financial, which he founded in 2014. He holds a bachelor of arts degree in business management from the University of Arizona and an Executive Financial Planner Advanced Certificate from San Diego State University. He is chairman of the University Club golf committee, the Financial Planning Association (FPA), a volunteer at Pro Kids-The First Tee of San Diego and an annual speaker at Cathedral Catholic Career Day. He is the recipient of the 2015 Five Star Wealth Manager Award, an honor awarded to less than five percent of financial planners in San Diego.



**Lisa Martens**

Lisa Martens is a principal at Fish & Richardson. She founded the firm's California trademark practice and has grown it to be a successful force in the legal community representing such clients as Microsoft, Jack In the Box, Cricket Communications, Callaway Golf and Provide Commerce (ProFlowers). She provides trademark and copyright counsel to clients on enforcement and litigation strategy, the development of U.S. and foreign trademark portfolios, global branding and domain name strategy as well as licensing. She is the new chair of Athena, a highly-influential organization that fosters and promotes personal and professional growth for women.

# 2015 Insurance Market Outlook

## Putting it into perspective

By Jeff Cavnac

For many companies, insurance is one of their largest costs. When you add up premiums for property and casualty, workers' compensation, employee benefits, life insurance and other lines of coverage, it can often total 5 percent of revenues or more.

It is critical to understand not only how to manage these costs, but also how to forecast your costs as you look into your next fiscal year.

The purpose of this article is to give you some perspective on where the insurance industry is today and how the current financial situation and underwriting objectives will affect you in 2015.

### Insurance Company Economics

Insurance companies are in business to accept risk in exchange for premiums. Like any other business, they want to make money and earn a fair return for their shareholders. Absent a decent return, they will not be able to attract additional capital and the insurance industry thrives on capital or surplus.

Insurance companies make money in two ways: 1) Underwriting; and 2) investments.

An underwriting profit is earned when losses plus expenses divided by premiums is less than 100 percent. This factor is called a combined ratio. If an insurance company has a combined ratio of 98 percent, it means they are making a 2 percent underwriting profit. If the ratio is 105 percent, it means they are losing 5 percent.

Insurance companies also earn money investing the policyholders' surplus and

**Insurance Cycle Table**

**\$ in Billions**

Description	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Net Written Premium	\$421.10	\$425.90	\$443.80	\$440.60	\$434.90	\$418.40	\$423.80	\$438.0	\$456.90	\$477.7
Combined Ratio	98.1	100.9	92.4	95.5	105	101	102.4	108.1	103.2	96.1
Investment Income	\$39.6	\$49.7	\$52.3	\$55.1	\$51.5	\$47.1	\$47.6	\$49.1	\$48.0	\$47.4
Operating Income	\$44.1	\$45.1	\$84.6	\$73.4	\$30.6	\$45.0	\$38.2	\$15.4	\$33.3	\$64.3
Policyholder Surplus	\$391.4	\$425.8	\$447.1	\$517.90	\$457.30	\$511.50	\$556.90	\$553.70	\$586.8	\$653.3
Return on Avg. Net Worth	9.4%	9.6%	12.7%	10.9%	0.1%	5.0%	5.6%	3.0%	5.1%	10.3%

Source: Insurance Information Institute (iii.org)

Table 1 Insurance Cycle

cash reserves they have set aside to pay future claims. It is not uncommon for an insurance company to have an underwriting loss, but to make up for it with their investment income (especially when interest rates are high).

If you look at Table 1, you will note that from 2008 to 2012, the industry's "Return on Average Net Worth" was poor. This was attributable to a lousy combined ratio and a low level of investment return. (The majority of an insurance company's portfolio is invested in debt obligations; they can only invest about 20 percent in equities).

The industry needs to attract capital (surplus) to continue to grow. Ideally, in order to do that, they need to earn 10 percent or more. When returns deteriorate like they did from 2008 to 2012, underwriters try to get more rate (increase premiums). This is reflected in the rate increases illustrated in Table 2.

2013 was a different story. Unlike 2012, which was a bad "cat" year (losses from catastrophes... remember Hurricane Sandy?), 2013 was a light "cat" year and the combined ratio reflects that.

Underwriters realize that 2013 was somewhat of an aberration. They still feel they need about 5 prtvrny rate increases

on preferred accounts; however, they are not pushing the price increases as hard as they were at this time last year.

So what should you expect to see in 2015?

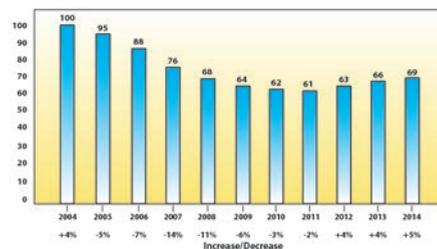


Table 2 Increases Decreases

### Allied Lines

This includes property, general liability, auto and umbrella. If you look at Table 2, you will note that property and casualty rates have increased nearly 15 percent since 2011; however, they are still over 30 percent lower from where they were in 2004. While most underwriters we talk to want an additional five points of rate or more, the positive results of 2013 are moderating those rate increases. On average, preferred accounts should be able to negotiate close to flat rate renewals and possibly even minor rate decreases.

**Professional Liability - Also Known As Errors & Omissions Insurance**

The market for architects, engineers, lawyers, CPAs and other professionals remain competitive with a large number of companies competing for preferred accounts. Recognize that coverage, risk management, and claims handling differ greatly between insurance companies. While you may be able to save money by going with a “bare bones” insurer, it is not recommended.

Like the Allied lines, preferred professional liability risks should be able to negotiate renewal terms plus or minus 5 percent from expiring rates. If you operate in what is considered a higher risk profession, such as geotechnical engineering, or attorneys specializing in class action cases, or if you have adverse loss experience, the market is much narrower. It is suggested that your terms be negotiated early and your program marketed if necessary.

**Executive Risk**

Executive Risk includes directors and officers (D&O) liability, employment practices (EPLI) and fiduciary liability. The last economic downturn saw many companies going out of business or generating poor results, which resulted in downsizing and layoffs. As you can guess, this increased the number of claims covered by D&O and EPLI policies and the results suffered accordingly. Underwriting tends to be reactive as opposed to proactive and the adverse loss experience is driving rates for these lines higher. On average, we are expecting D&O to increase 5-10 percent and EPLI 10-25 percent or more. Fiduciary liability should be flat to +5 percent.

**Workers' Compensation**

The good news is that workers' compensation results in California have improved significantly since 2011. This is due in major part to average rate increases of about 35 percent since 2009 (see Table 3).

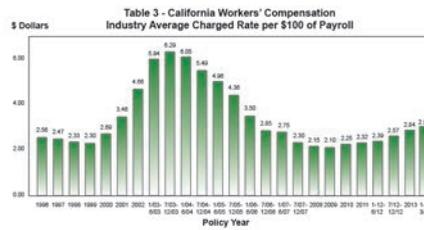


Table 3 WC Industry Average Chg Rate

It should also be pointed out that average charged rates are still over 50 percent less than they were in 2003. The combined ratio has improved from the mid-140s experienced in 2009-2011 to a projected 113 for 2013 (see Table 4).

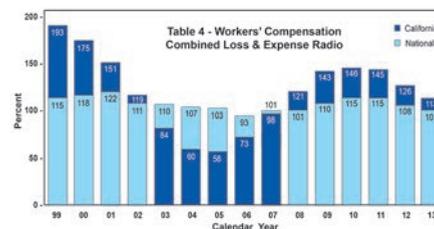


Table 4 2014 overlay-nat'l and CA WC Combined Loss

Of course, the bad news is that the combined ratio is 113, which means the industry still needs some additional rate to return to profitability.

While the Workers' Compensation Insurance Rating Bureau has yet to publish its recommended loss costs, it is estimated it will be in the 7-8 percent range. Most of the insurance companies we work with have filed for or announced similar rate increases.

While every insurer will publish their own rates, on average rates in California should increase 5-10 percent. National results have been marginally better, but each state will vary.

**Conclusion**

The insurance industry is in a better financial position today than it was a year ago mainly due to the positive results in

2013 and the early positive predictions for 2014.

The industry, however, has not forgotten the mediocre returns experienced from 2008-2012. Most underwriters still want more rate; however, preferred risks should be able to negotiate flat renewal pricing or possibly modest rate decreases. The exceptions are with workers' compensation and executive risk.

While the health of the insurance market will directly affect what you pay for insurance, a much more important element is your Risk Profile. When an underwriter considers your account, they will evaluate your overall operations, your HR practices, safety culture and overall safety practices as well as your loss history.

A positive Risk Profile will result in substantially better pricing than a lousy Risk Profile. This underscores the importance of proactively managing your cost of risk. While you can't control the insurance marketplace, you directly control your Risk Profile.

Jeff Cavnac is president and principal of Cavnac & Associates, a San Diego-based commercial insurance brokerage firm. More information about the company can be found at [www.cavnac.com](http://www.cavnac.com).





## NEW CAR REVIEW: 2015 Mercedes Sprinter Van By Eric Peters

I live just two miles away from one of the most popular recreational roads in America — the Blue Ridge Parkway. So I see a lot of recreational vehicles. And lately, I've been seeing a lot of Benz Sprinters.

Nominally, it's a commercial van — in the same class (and useful for the same purposes) as the Nissan NV van (and the new Ram ProMaster van). But what differentiates it from those utilitarian appliances is that it's also nice. The difference between a plain white 'fridge and a stainless steel SubZero. Not everyone needs the extra niceness, of course. But it's nice that it's available.

And because it starts out nicer, even in the basest of trims it's still a Mercedes, after all, it is a much sounder basis for an RV conversion. Big, but not too big. A step down from a Winnebago, footprint-wise. But potentially a lot ritzier (and more manageable) as a home on wheels. The almost cab forward layout, for instance. And then there's the other side of the coin, the utilitarian side. The Sprinter is taller inside than the competition so you can fit more things more easily inside than in the competition.

It also comes standard with a diesel engine (unavailable at all in the Nissan NV, which comes only with thirsty and thirstier gas engines). And it's heavy duty, built on a rear-wheel-drive layout (unlike the FWD Dodge Ram ProMaster, which is based on the European Fiat Ducato).

The Sprinter's base price is about \$8-\$10k higher than the base prices of its plebian-badged rivals and loaded, it can easily knock on \$50k. After all, it is a Mercedes. result in a TKO. In favor of the M2.

### What It Is

The Sprinter is a very large (up to 12 pas-

senger) commercial/utility van, available in two lengths (144 and 170 inch wheelbases) and tall — or taller — roof heights. Base price for the 144-inch standard wheelbase Cargo Van equipped with 2.1 liter turbo-diesel four cylinder engine and seven-speed automatic is \$35,920. A top-of-the-range 2500 "High Roof" Sprinter riding on the 170-inch wheelbase and with a more powerful turbo-diesel 3 liter V-6 under the hood lists for \$45,000.

The other two vehicles in this class are the Nissan NV, which starts at \$26,000 and tops out at \$31,470 for a "High Roof" 2500 with V-8 (gas) engine and the new Dodge Ram ProMaster van, which arrives in the U.S. courtesy of the Chrysler-Fiat partnership. It starts at \$28,630 and tops out at \$36,150 for an "extended length" model. It should be available by early spring 2015.

### What's New

The Sprinter's standard-equipment turbo-diesel engine is now a more fuel-efficient four; the turbo-diesel V-6 remains available as an optional upgrade.

Exterior and interior styling has been tweaked slightly and there are new electronic features, including Load Adaptive stability control (standard on all trims) and Crosswind Assist (also standard) which automatically stabilizes the vehicle if it's struck by a (you guessed it) crosswind that might otherwise push it out of its lane. There is also an upgraded 5.8 inch flat screen display (standard equipment) and a Becker MAP PILOT navigation system (optional) that can be moved from one Sprinter van to another, a cost-saving feature for fleet users.

### What's Good

By a wide margin, the nicest "commercial"

van of the three. Easiest to drive non-commercially of the three. Standard diesel engine gives decent economy and stout pulling/hauling power. RWD layout is inherently rugged and better for serious work (Sprinter can pull 7,500 lbs. vs. 5,100 lbs. for the ProMaster). A great starting point for a custom RV or high-line mini-bus.

### What's Not So Good

By a wide margin, the most expensive of the three. High sticker price relative to rivals negates much of the diesel's efficiency advantages (though doesn't think its strong down-low pulling power and probably superior longevity). The cupholders are precarious; a center console storage area in between the driver and front passenger seat is desperately needed.

Like all these vehicles, the thing is still a bus. It's a lot to deal with. And will not fit in a standard house-type garage.

### Under The Hood

The Sprinter's the only vehicle in this class that comes standard with a diesel engine (which is nice, given the price) with another diesel optional. Nissan doesn't offer one at all in the NV van (it's available with either a gas 4 liter V-6 or a gas 5.6 liter V-8) and it's extra-cost in the ProMaster, which comes standard with Chrysler's 3.6 liter gas V-6.

For 2015, the standard Sprinter diesel is a fairly small 2.1 liter unit, but courtesy of "two-staged" turbocharging, it produces 265 ft.-lbs. of torque at 1,400 RPM. This is a bit more torque than the ProMaster's standard 3.6 liter gas V-6 (260 ft.-lbs.) and a bit less than the Nissan NV's 4.0 liter gas V-6 (281 ft.-lbs.) however, the torque peaks much sooner — which is what you want in a big, heavy vehi-

cle meant to haul and pull stuff. The NV's gas V-6 doesn't make its peak torque until 4,000 RPM; the Dodge's V-6 has to rev up even higher, to 4,175 RPM. Benz pairs the new turbo-diesel four with a seven-speed automatic — an upgrade over the Nissan's five-speed and the Dodge's six-speed transmission.

The next-up Sprinter engine is an also-turbo'd 3 liter diesel V-6. It ups the hp ante to 188 (from the 2.1's 161) and the torque to 325 ft-lbs. — more torque than all the competition's available engines except the Nissan's NV's optional 5.6 liter (gas) V-8.

The 3.0 V-6 is paired with a five-speed automatic. All Sprinters are rear-wheel-drive.

Mileage figures are not published — officially, by the EPA — for vehicles in this gargantuan class, but the Sprinter with 2.1 liter engine runs in the ballpark of 25 MPG on average, in mixed use (city/highway) driving according to my informal test-drive calculations. After a week of daily use, I still had just under half the 26.4 gallon tank of fuel I started with. This is very, very good for a vehicle this large, which has the aerodynamics of a double-wide combined with the curb weight of a full-size SUV plus a compact car. The Sprinter's mileage is actually better than my '02 Nissan Frontier pick-up (a compact pick-up with a four cylinder gas engine and manual transmission) delivers.

**On The Road**

The Sprinter is easier to drive than you'd expect it to be, given its size. This is perhaps its chief draw or at least, one of them. It's a vehicle you can drive almost anywhere, unlike say a Winnebago. It will fit in a standard-size outside parking spot, although just barely. The "cab forward" layout — the front clip is very short relative to the length of the vehicle; the driver

sits only slightly setback from the front axle centerline — makes it seem less huge from the driver's point of view and fairly precise maneuvering in close quarters is easier relative to the NV — which has a truck-like snout that extends much farther forward.

The height also affects the ride. Especially when it is windy.

What you're dealing with here is something with the side profile of a super-sized UPS truck. Which is probably why Mercedes added that Crosswind Assist feature as standard equipment. It's needed. That, and both hands firmly gripping the wheel. A sudden gust of wind can push the slab-sided Sprinter halfway across the double yellow or halfway onto the shoulder

What sucks, then? The cupholders. The two located in a flimsy fold-out tray below the audio and climate controls on the center stack are shallow. Round a curve or hit a pothole and your Starbucks grande may topple. Mine did. Fortunately, there are also cupholders built into the top of the dash for both the driver and front seat passenger. Use these. Please.

**At The Curb**

The Sprinter in standard wheelbase form is actually the least-long of the three vehicles in this class. At 233.3 inches overall, it is 2.7 inches shorter than the Dodge ProMaster (236 inches ) and seven inches shorter than the Brobdingnagian Nissan NV (240.6 inches). But the measurement that really stands out is the height, especially relative to width.

The Sprinter is the skinniest through the hips — 78.4 inches wide vs. 82.7 for the Dodge ProMaster and 79.9 for the Nissan NV. But its standing height — "Tall Roof" versions — is 76.4 inches. Tall enough for a 6 ft. 3 inch man to stand upright inside. Neither the NV nor the

Dodge have as much walking around room as the Benz. And the because the Sprinter's not as thick, it doesn't seem quite as oversized, despite its 12-passenger capacity.

But the biggest difference is the obvious one. The Sprinter is a Mercedes-Benz and as such, is a step above, both literally and figuratively

**The Rest**

The base Sprinter is priced nearly \$10k higher to start (\$35,920) than the base Nissan NV (\$26,000) and \$7,270 more than the base trim ProMaster. If you're looking for a purely work-minded large van, the NV's low entry price point is hard to overlook, especially given that, like the Sprinter, it is built on a heavy-duty RWD chassis and can safely pull (and carry) a lot of weight. The major functional variable is the diesel vs. gas engine thing. Not so much the mileage disparity, but the potential/likely longevity disparity. The Sprinter is made by Mercedes and Mercedes diesels are renowned for their biblical patriarch longevity. This one ought to be solid for 300k-plus. Will the gas-engined Nissan survive as long?

The Dodge also offers diesel power. But the source is Fiat, which is iffier. But what's inarguable is the lighter-duty (front-wheel-drive) layout of the ProMaster. It cannot carry or pull nearly as much. And the FWD layout is inherently less sturdy than the RWD layout of the Sprinter.

**The Bottom Line**

What you need — vs. what you want — filtered through what you're willing to pay for — will determine whether the Sprinter or one of its two rivals is the right choice for you.

Eric Peters is the author of "Automotive Atrocities" and "Road Hogs" and a former editorial writer/columnist for The Washington Times

**2015 Mercedes Sprinter van Specifications:**

- Base price:** \$35,920; as tested \$40,780 (w/Active Safety and Premium Appearance packages).
- Engine:** 2.1 liter turbo-diesel four, 161 hp (standard).
- Transmission:** Seven speed automatic
- Length:** 233.3 inches
- Width:** 69.8 inches
- Wheelbase:** 144 inches (170 optional)
- Curb weight:** 5,017 lbs.
- Luggage capacity:** 318 cubic feet
- EPA fuel economy:** Estimate 23 MPG avg.
- Where assembled:** Dusseldorf, Germany



# Why the Mayor's Stadium Task Force Should Have Been Public

By Scott Lewis | Voice of San Diego

Right after Councilmen David Alvarez and Todd Gloria sent a memo Monday insisting to the mayor that his Citizens Stadium Advisory Group actually offer some kind of a way for citizens to provide input, Jan Goldsmith, the city attorney, sent out a press release of his own.

Goldsmith explained that it was perfectly fine for the group to meet in secret and not be required to disclose any of its financial interests. It was just offering advice to the mayor and had no actual city role. Just some of the mayor's buds.

Let the man talk to his buds, am I right?

But then Goldsmith inadvertently offered another reason the mayor should have made his citizens group open to the citizens.

"Because this group is not a City entity," Goldsmith wrote, "our office is not authorized under the City Charter section 40 to provide legal advice ... to the group or any of its members."

Got that? This group is supposed to figure out the best proposal for a \$1 bil-

lion public-private partnership between the Chargers and the city and it is not allowed to get advice from the city's lawyers.

I guess that might give it a better chance of actually getting a good deal done, am I right?

I kid.

This is the problem with the Citizens Stadium Advisory Group not actually being official. It means it technically cannot have any more access to city resources or information than you and I have.

And that's too bad. In 2004, I sat through many hours of testimony and discussion at the city of San Diego's Pension Reform Committee.

The experience was invaluable, if boring at times.

One by one, experts testified — methodically explaining what caused the city to give employees such great pension benefits and what had led it to not set aside the funds to pay for them.

The question the committee had was simple: Why is the city going to have to pay so much to a pension fund that used

to be so much easier to maintain and what should we do about it?

Some of their answers turned into city laws.

It was productive. I referred to its documents, to its testimony and its reports hundreds of times. The city had a shared, accepted set of facts.

Later, another group, the Mayor's Citizen Task Force on the San Diego Convention Center Project, hashed out the need for a new Convention Center expansion. It, too, met in public. The experts it brought in, the documents it produced were also beneficial. Crucially, records from both those groups are still available. Advocates for the Convention Center expansion still refer to them.

I didn't agree with the panel's conclusion necessarily. But it was a valuable experience.

It was when they took that issue to the back room and hashed out a potential financing scheme that it went off the rails. A small group, working in private, put together a plan to pay for it. The City



Mayor Kevin Faulconer at the Jan. 14 State of the City address.



City Attorney Jan Goldsmith sent out a press release of his own.

Council signed off and, oh shoot, it all turned out to be illegal.

You need lawyers. The pension group benefited immensely from a city attorney sitting there the whole time, helping it manage the maze of rules. Its proposed laws passed.

Presumably, this new stadium group, which includes some serious brains, needs so many months to work — it's not supposed to produce a report until fall — because it too will request analysis and testimony. Like the Pension Reform Committee, it will probably gather mountains of material. That's information we probably could all use to help us evaluate a potential investment in a new stadium.

And yet, it will not be public. And none of that analysis will come from the city.

When we revealed this Friday, a gaggle of lobbyists, flacks and even other journalists wondered what the big deal was.

Of course the public will be able to provide input on a stadium financing plan, they said. It's called the ballot, dude.

OK. But if I show up at home with mortgage docs and tell my wife to either sign them so we can buy a house or not, I can't meaningfully say she had any input on the deal. Now the mayor is trying to reassure us that this is just Part One. Part Two will be the grand public process.

Why wait another seven months for that?

If you really want a deal to get done, this seems like a miscal-

culation. The group the mayor has impaneled is comprised of very intelligent people. Why not give them the benefits of official status? They should be able to call an attorney. They should be able to summon city employees who can offer insights.

Sure, they might have to deal with people like me watching them. They might have to listen to members of the public.

What, is that too hard? Will that take too long? If you're pledging to do it eventually, all the more reason to start now.

There is a giant gulf between what the public wants (a new stadium!) and what they want to sacrifice (nothing!).

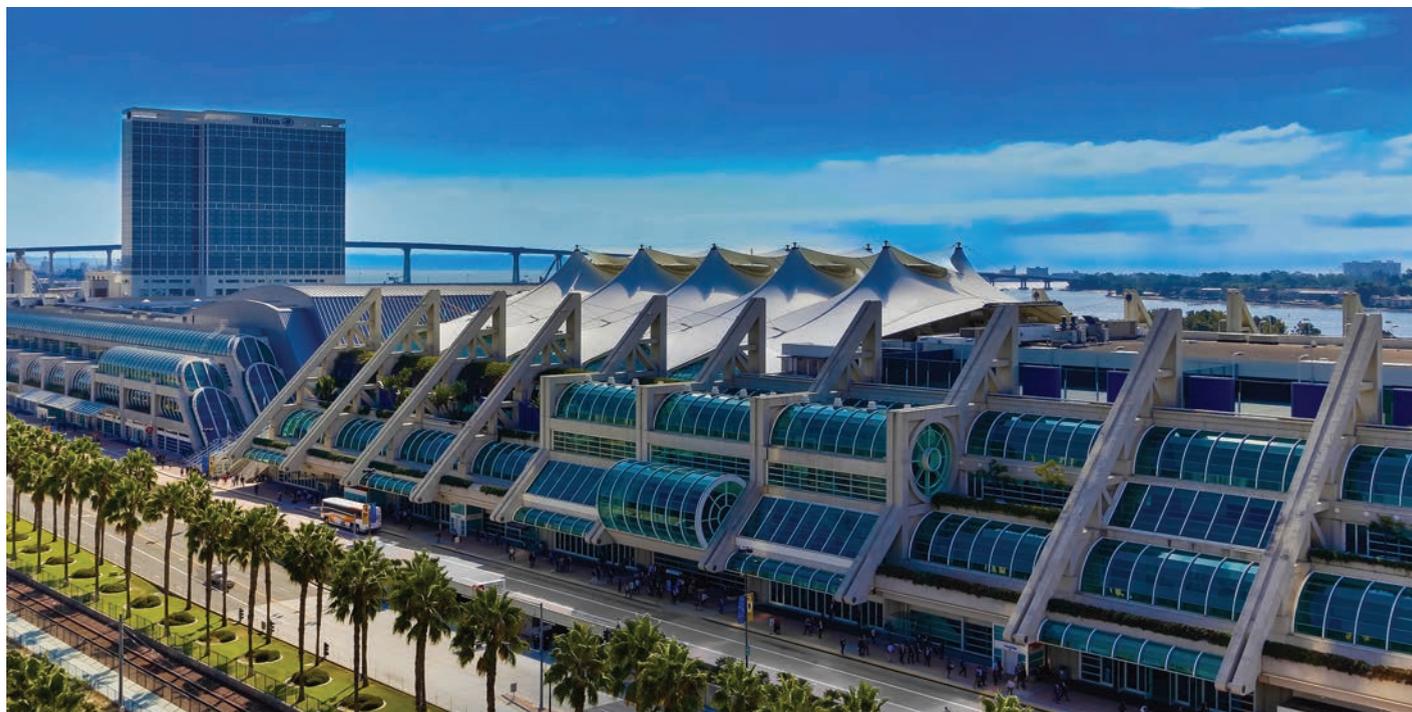
If that gap is to be bridged — and that's a big if — the mayor and his buds will need to weave a new story.

Instead of starting that process, though, he's locking it in a back room to ferment.

We're left to hope that whatever brew emerges is something we can swallow



Scott Lewis is editor in chief of Voice of San Diego, a media partner of SD METRO. Contact Lewis at [scott.lewis@voiceofsandiego.org](mailto:scott.lewis@voiceofsandiego.org), or (619) 325-0527.



In 2009, when Mayor Jerry Sanders' Citizen Task Force on the San Diego Convention Center Project hashed out the need for a new Convention Center expansion, it, too, met in public.

# New and Amended Employment Laws for 2015

## What employers need to know **By Janice Brown | Brown Law Group**

The New Year brings newly amended employment laws, and employers and human relations specialists should take heed.

The new legislation regarding employment includes: paid sick leave, discrimination and retaliation increases, training, leave of absence, wage and hour law requirements, whistleblowing, wrongful termination and arbitration agreements.

Effective Jan. 1, 2015, (AB 1522), the Healthy Workplace, Healthy Families Act of 2014 became law. This legislation states that employers must provide employees with at least three days of paid sick leave per year. This applies to employees that work 30 or more days within a year from commencement of employment and can be used for individual preventative care or family members. This does not, however, cover employees under union contract that provides paid sick leave and has binding arbitration, unionized construction employees, state providers of in-home supportive services and certain air-carrier employees.

It is recommended that employers choose to implement one of three methods used to calculate paid sick leave: accrual, allotment or PTO. No matter

which is chosen, it is essential that that employers keep track of accrued and used sick time and report the information on an itemized wage statement or in a separate document that is issued at the same time of the employee's wages.

A law passed in 2013 and also effective as of Jan. 1, 2015, states, "Employers cannot discriminate against someone holding or presenting an AB 60 license." An AB 60 license is issued by the DMV to an undocumented person who can prove identity, California residency and meet all other licensing requirements. The law recognizes that employers have the right and obligation to obtain documentation evidencing identity and authorization for employment. However, employers should be careful to avoid a claim of national origin discrimination from someone who holds or presents an AB 60 license.

In addition, discrimination and retaliation definitions have been expanded to include threats by employers regarding immigration-related status of an employee. Employers need to be diligent in verifying employees' work authorizations at the beginning of their employment. New legislation stipulates that undocumented workers who submit false docu-

mentation may still be entitled to California labor and employment protections.

Any employer that complies with the verification requirements when hiring an individual, but later discovers that the employee is an undocumented worker, is advised to discuss the situation with legal counsel prior to taking action against the employee.

Under wage and hour legislation, pursuant to SB 10, California employers must comply with new minimum wage law requirements. It is recommended that employers verify compliance with the local minimum wage laws and ordinances currently in effect and also ensure that any overtime hours worked by non-exempt employees are properly calculated and paid. Employers should take caution when paying employees, whether it is for commission earnings or hourly wages earned. Additionally, employers should seek assistance of qualified counsel before classifying an employee as exempt, non-exempt, salaried or hourly.

Another new law as of Jan. 1 extends the Fair Employment and Housing Act (FEHA) to unpaid interns and volunteers. Employers must now treat interns and volunteers as employees, giving them pro-



tection from discrimination and harassment. In the area of training, AB 2053 states that employers with 50 or more employees must now include an anti-bullying subcomponent to the existing sexual harassment prevention training requirement. This subcomponent will outline the prevention of “abusive conduct.” All supervisors must be trained every two years, and within six months of hiring or promotion.

SB 496 ensures that whistleblowing laws are expanded to protect employees who make internal complaints. Employers should establish an internal process for employees to raise questions and/or concerns

about a company’s business activities. This should include the potential misconduct of other employees or supervisors. By updating company policies and procedures to reflect this internal process, employees are less likely to seek assistance from governmental agencies or third parties.

The bottom line across the board is that all employers, large and small, should have updated and accurate policies and handbooks in place that includes new and amended legislation. In addition, employers should have all employees read, understand and sign these policies and procedures. This is the best way to reduce

a company’s exposure to liability. Employees should work with their legal counsel to tailor a current, accurate policy and procedure handbook that fits their particular business.



Attorney Janice P. Brown is the founder and senior partner in the Brown Law Group.

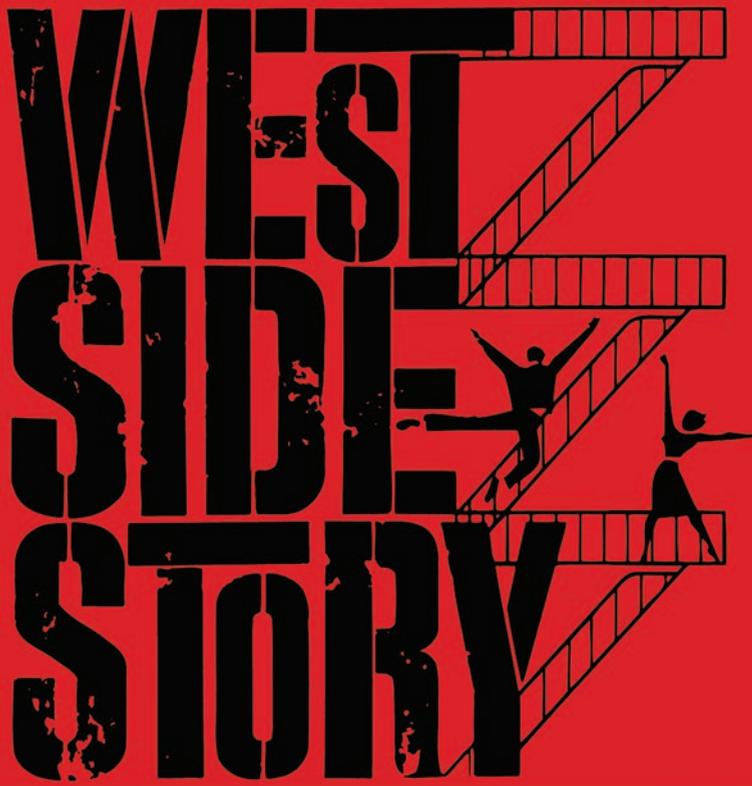


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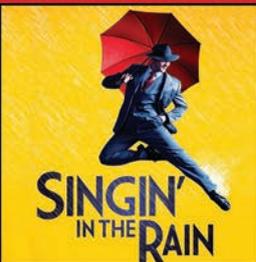
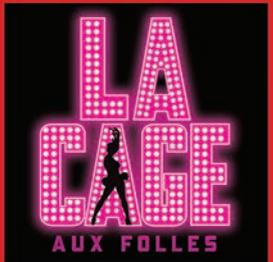
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# COAST TO CACTUS



## Exhibit will help visitors discover what it means to be a biodiversity hotspot

“Coast to Cactus,” an exhibit that was conceived more than a decade ago, has opened at the San Diego Natural History Museum and will serve as a companion to “Fossil Mysteries,” which explores evolution, ecology and extinction in Southern California.

Together, the two exhibitions tell the story of Southern California from the prehistoric era to present day.

San Diego is known for its incredibly diverse terrain, ranging from the beaches to the slopes. This terrain is what makes the region one of only 35 biodiversity hotspots in the world, meaning areas that have the highest concentration of different species of any geographic area of similar size.

“Coast to Cactus” illustrates that richness and takes visitors on a journey through Southern California’s habitats, from coast to chaparral, and from mountain forests to deserts.

Through immersive environments (hands-on interactive exhibits, live animals, life-like mounted specimens, and innovative media), “Coast to Cactus” will help visitors discover what it means to be a biodiversity hotspot: the story of why one region is home to so many species, why those species are so critically threatened at this moment in history, and why it matters.

Some of the exhibit’s main attractions:

- An oversized replica of a segment of mud from a local tidal flat. Young visitors can crawl inside, where they will discover animals that survive in the mudflats in spite of tough intertidal conditions.

- A recreation of a residential patio overlooking an urban San Diego canyon, exploring how humans share space with nature and bringing to light the impact of introduced species on native plants and animals.

- An immersive virtual storybook that tells the tale of the dynamic chaparral ecosystem and how periodic fires are a natural part of life in this signature California habitat.

- A multimedia experience that includes a real Airstream Bambi and transports visitors to the desert at nighttime, when the sun goes down, temperatures drop, and the seemingly barren landscape springs to life as animals come out to hunt.

- Exhibits highlighting the work of people, past and present, whose efforts help us better understand how the habitats of southern California have changed over time and what we can do to help sustain the plants and animals that live here.



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-Chris Jones, Chicago Tribune

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# ESCAPE TO CARMEL

Some things get reinvented, like Vendange Carmel

By Bob Page

CARMEL IS SIMPLY ONE OF THOSE PLACES THAT MAKES CALIFORNIA SPECIAL. EVERY TIME WE SKIP OUT OF TOWN FOR CARMEL, WE ALWAYS WONDER WHAT HAD KEPT US AWAY. WHY HADN'T WE BEEN BACK SOONER?

Whether it's the Cheese Shop or Bruno's Deli, always two must visits, Carmel is charming even when the weather isn't agreeable.

We dropped everything. Christmas shopping and a number of holiday parties, jumped in our buggy and escaped to Carmel in December. It was cold, damp and raining. But in Carmel, who cares. The joy of Carmel has the unique ability to rise above the elements.

Next we needed a place to stay. With an assist from

some San Francisco friends, we jumped at their recommendation and chose Vendange Carmel.

Not everything old is new again in Carmel. Some things simply get reinvented.

Vendange Carmel is a perfect case in point.

Vendange was a budget motel in a previous incarnation. Built in the 1920s, you wouldn't have given it a second thought let alone your first one.

Jonathan Lee, a bright, 26-year-old UCLA graduate, his brother and parents literally ripped it apart

The sign welcomes guests to what was once a cheap motel.





once ownership was in their hands.

They needed a theme and a complete break from its days as a cheap motel known as the Carmel Crystal Inn. Their renovation began in August 2012. Sang Lee, Jonathan's mother, began replacing all the furnishings, and brother, Brian, started overhauling guest services.

"The previous owner ran it into the ground," Jonathan said. "It was last renovated 20 years ago, rooms were going for \$40 a night and gets you a certain clientele which exacerbates the problem."

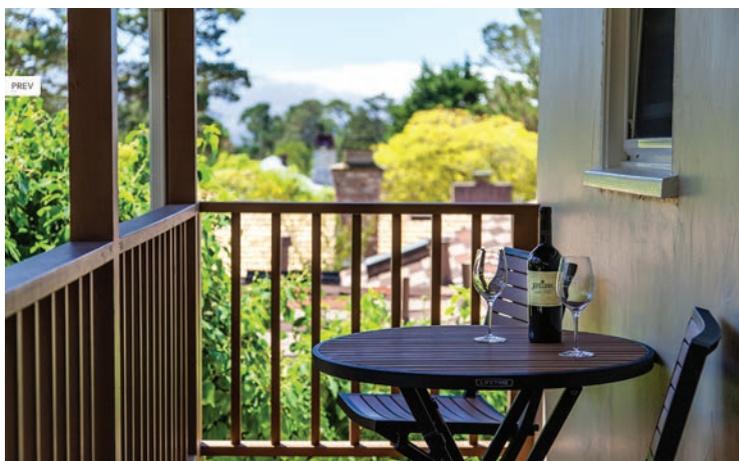
Now, everything is new. They brought in extra sound-proofing (a necessity on busy Carpenter Street), bathrooms with Spanish marble and glass mosaic tiles, and \$2,400 beds topped with double memory foam that face 55-inch LG TVs with high definition channels.

In French, Vendange means harvest. In their re-do, the Lees have created a wine-themed Inn. The remodel is a celebration of Monterey County wineries.

Local wineries have helped with the décor and jumped at the chance to do so. Each winery has its own room. Some appointed accommodations with wine-related accoutrements such as furniture made from wine barrels or bedspreads with their embroidered logos.

Vendange is a small gem of a property with only 18 rooms and suites. A new twist is that no children under 18 are allowed. "We tailor to romantic getaways. Its hard to enjoy a glass of wine with six kids running around," Lee said.

Vendange is about four blocks away from Ocean Avenue, the spirited center of Carmel, but don't let that put you off. And if you're in an athletic mood, you can always walk there. A little exercise is always good for the soul.



A quiet place to enjoy Carmel's surroundings.



Their renovation began in August 2012. All the furnishings were replaced.



Vendange is a small gem of a property with only 18 rooms and suites.

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