

# enterprise



Sports UCD panel readies report for chancellor



## Topete jury recommends death



Marco Topete is led by sheriff's deputies out of the Yolo County Courthouse on Wednesday, shortly after a jury recommended that he be executed for fatally shooting Deputy Jose "Tony" Diaz on June 15, 2008, near Dunnigan.

FRID GLADYS/ENTERPRISE PHOTO

He never testified, but killer's voice 'was loud and clear'

By Lauren Keene  
ENTERPRISE STAFF WRITER

WOODLAND — In the end, it was Marco Antonio Topete's own words that sealed his fate.

There were his recorded conversations at the Sacramento County Jail, where Topete once used a string of expletives to describe his June 15, 2008, encounter with Yolo County Sheriff's Deputy Jose "Tony" Diaz.

"Somebody wanted to be a f—ing hero," Topete told his wife during a jail visit in December 2008 — six months after Diaz was fatally shot with an assault rifle after pursuing Topete down a darkened Dunnigan roadway. "Are you f—ing stupid in the head?" Then there was the letter Topete sent his father in 2003 from Pelican Bay

State Prison, in which the validated Norteño gang member wrote that "I can be a very cruel person and I'm not ashamed of knowing that about my personality. ... Even I can't believe it, all the harm I've done to people over the years."

"Topete never got on the stand, but his voice was loud and clear," said Monica, a teacher in her 40s and one of 12 jurors who recommended Wednesday that Topete be sentenced to death as punishment for Diaz's murder.

Monica and another juror, Noelle, talked to reporters moments after the verdict as they made their way out of the Yolo County Courthouse, where they had spent nearly

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## Will there be a vote on water rates?

Debate erupts over referendum legality

By Tom Sakash  
ENTERPRISE STAFF WRITER

The advocates of the referendum to repeal the City Council's higher water rates believe City Attorney Harriet Steiner is wrong in her analysis that the referendum is unconstitutional.

"I think that legally the memo is defective," said Michael Harrington, an attorney and former Davis City Council member who led the referendum campaign. "It doesn't address the issues and I think we'd prevail if someone went to court about it."

Steiner released a memo this week advising the council that under Proposition 218, residents can challenge a "local tax, assessment, fee or charge" with an initiative, but not with a referendum.

The memo also states that "the referendum power is unavailable to challenge laws that impose taxes and appropriations for usual and current city expenses."

Davis residents had recently collected enough signatures to qualify a referendum that sought to overturn the new water rates, which are scheduled to take effect Dec. 1.

The higher rates would be used to fund construction of a project that would draw water from the Sacramento River, treat it and pipe it to Woodland and Davis. Both cities rely solely on ground water.

Aside from putting the water rates on a ballot or

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Tomato grower Jim Borchard sorts his crop as it rolls off the harvester on Oct. 14. Early fall rains complicated the harvest this year, but agriculture remains a huge economic force in the Yolo-Solano County region.

See CACKNELL/ENTERPRISE PHOTO

## Yolo, Solano leaders chart way for ag

By Jonathan Edwards  
ENTERPRISE STAFF WRITER

Agriculture has been, is and will continue to be king in Yolo and Solano counties, but most people don't understand that, industry leaders said Wednesday at a joint economic summit.

More than 100 politicians, farmers, professors, bankers and government employees met Wednesday at UC Davis to talk about the challenges facing the region's \$2.5 billion industry and how the two counties could pool their collective might to advance their interests.

Educating people will be key, they said. "It's important to dispel the myth that agriculture is a small part of the economy" or that agriculture equals farmers laboring in the field, said Dan Summer of the UC Agricultural Issues Center, which

is housed on the UCD campus.

Agriculture was a \$2.5 billion business for the two counties last year, a sum almost evenly divided across a variety of sectors that include farming, processing, administrative support and distribution.

It could be an even bigger part of California's economy, said Glenda Humiston, state director for the U.S. Department of Agriculture's Rural Development Program.

If leaders like the ones at Wednesday's meeting create a statewide agriculture plan, Humiston said agriculture could add 182,000 jobs in five years. The average worker would make \$24 an hour.

More than 14 million workers had jobs in California last month, according to data

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## UC could take \$100 million midyear hit

By Cory Golden  
ENTERPRISE STAFF WRITER

UC Davis could face up \$14 million to \$15 million in midyear cuts, based on projections released Wednesday by the Legislative Analyst's Office.

The report is not a guarantee of midyear cuts, but an ominous indicator that UCD's budgetary house of horrors likely will grow darker still. However, the UC Office of the President has ruled out a midyear tuition increase.

The state Department of Finance will release its own projection next month, with the decision on the automatic cuts made by the department's director, Ana Matosantos, by Dec. 15.

California will bring in an estimated \$84.8 billion this fiscal year, the analyst found. The budget enacted last summer counted on \$88.5 billion in revenue.

The analyst foresees a \$100 million cut each for the University of California and California State University systems, about a

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## Visiting composer's music featured this weekend

Composer Fabian Panisello conducts the UC Davis Symphony Orchestra during a rehearsal Tuesday on the Jackson Hall stage at the Mondavi Center for Performing Arts.

FRID GLADYS/ENTERPRISE PHOTO



By Jeff Hudson  
ENTERPRISE STAFF WRITER

Composer and conductor Fabian Panisello is visiting UC Davis this week, and audiences have opportunities to hear him speak on Friday, listen to three of his chamber works on Saturday and enjoy his Violin Concerto on Sunday.

Panisello was born in Argentina, to a family of Italian heritage. He trained as a composer in Buenos Aires, then continued his studies in Austria, at the Mozarteum in Salzburg. He lives in Spain, where he leads the Madrid-based group Plural Ensemble, which focuses on 20th and 21st century music, and he has been guest conductor of numerous ensembles in Europe, Israel and elsewhere.

Along the way, Panisello has been associated with

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# COMPOSER: UCD Symphony concert features diverse works

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many of the big names in contemporary music. He studied under American composer Elliott Carter, a two-time Pulitzer Prize winner who is still composing at age 104. Panisello also studied under Brian Ferneyhough, the English composer who has taught at Stanford and Harvard.

Panisello received encouragement from the late Luciano Berio, an Italian composer and new music advocate; the two discussed early drafts of the score of Panisello's Violin Concerto.

Panisello has worked with Polish festival with composer Krzysztof Penderecki and with the late German composer Karlheinz Stockhausen. Panisello was co-conductor and orchestra coach for the premiere of two Stockhausen works, "Hoch-Zeiten" and "Mixtur 2003" with the WDR Orchestra of Cologne and the Deutsche Symphonie of Berlin.

In 2008, French composer and conductor Pierre Boulez, who works with orchestras all over the world and has recorded extensively for major labels, premiered Panisello's orchestra piece "Aksaks," which Boulez had commissioned. Panisello studied conducting under Hungarian maestro Peter Eötvös, a 20th/21st century specialist, and Eötvös conducted the 2009 premiere of Panisello's orchestra piece "Mandala."

Carter, Ferneyhough, Berio, Penderecki, Stockhausen and Boulez are all composers known for writing music that can be quite complex and dense. Asked to describe his own music, Panisello said, "I work a lot with polyrhythms. The influence is mainly from African music. I did my master's work in Salzburg about African rhythm."

He added that he works a lot with polyrhythms. "Metrics is related to pulsation," he explained, "and the organization of this pulsation. Almost equal pulses are organized through accents. You can superimpose different patterns with metrics, and get different accent patterns simultaneously."

"Rhythm is the relationship between accent and duration — you have different durations between points. I think it's a symbol of will. With metrics and pulsation, it's a biological issue. Our heart has a pulse. Our walking is pulsed. Metrics is the first step of artificiality in the pulse."

"That is why so much popular music uses metrics as a main point of reference — so you can sing and dance. But rhythm is more like thoughts. There is a rich conflict between rhythm and pulse and metrics."

Panisello said he is working on a song cycle for baritone voice and piano that will include poems by Edgar Allan Poe.

"Poe's approach to lost things and lost love is so accurate," Panisello said, adding that this was what attracted him to Poe's verse. Audiences have three chances to catch Panisello this week:

■ On Friday at 3 p.m., he



Composer Fabian Panisello explores polyometrics and polyrhythms in his music, particularly the rhythms of Africa, on which he concentrated in his master's work. He will conduct some of his music in two concerts this weekend at UC Davis.

COURTESY PHOTO

## Details

**Who:** Composer and conductor Fabian Panisello, with the UC Davis Emphyrean Ensemble and Symphony Orchestra

**When and where:** 7 p.m. Saturday, Vanderhoef Studio Theatre (Emphyrean Ensemble), \$20 general, \$8 students; 7 p.m. Sunday, Jackson Hall (Symphony Orchestra), \$12-\$17 general, \$8 students/children

**Tickets:** www.mondaviarts.org, (530) 754-2787

will give a free lecture in Room 115 of the Music Building at UCD.

■ On Saturday at 7 p.m. in the Vanderhoef Studio Theatre at the Mondavi Center, the Emphyrean Ensemble will present a program that will include three of Panisello's chamber works: "Cinco piezas métricas" (2000); "Il desino inelutabile ogni cosa" for flute, clarinet, violin, viola, cello and piano (2003); and the Cadenza from Panisello's Violin Concerto (2002), which the composer describes as "a small scherzo in itself," and is sometimes performed as a free-standing piece.

Also on the program will be Fred Lerdahl's Duo for Violin and Piano (2005). Lerdahl will give a free talk at 4 p.m. Thursday in 203 Music.

Tickets for Saturday concert are \$20 general, \$8 for students, available at www.mondaviarts.org or (530) 754-2787. A pre-performance talk at 6:15 p.m. will include a discussion of the music with Panisello and Lerdahl.

■ On Sunday at 7 p.m. in the Mondavi Center's Jackson Hall, the UC Davis Symphony Orchestra will perform, with Panisello conducting his own three-movement Violin Concerto (2002), featuring violinist Hrabbia Atladottir.

The ensemble for the Violin Concerto will feature a compact ensemble including six violins — who sometimes band together and play as what the composer describes as a "hyperviolin" — plus three violas, two cellos, five percussionists and several other individual instruments.

Panisello also will conduct the full orchestra in a performance of the Berceuse and Finale from Igor Stravinsky's "Firebird" Suite, drawing on ballet music that Stravinsky composed in 1910 — music that was considered quite bold

and adventuresome at that time, and has now become so popular that "Firebird" is often played at pops concerts.

Also Sunday, conductor Christian Baldini of UCD will conduct "Don Juan," the tone poem for large orchestra by Richard Strauss that premiered in 1888, when the composer was 24. The piece begins in a spectacular manner with what program notes author Michael Steinberg described as "a fountain of 16th notes" that releases a "headlong melody ... exemplifying the composer's exhilarating orchestral virtuosity" while also "challenging performers to their limits."

Baldini also will conduct the popular overture to Giuseppe Verdi's otherwise seldom-performed opera "I vespri siciliani," dating from 1855. Baldini and the orchestra will play the Verdi overture when they tour Spain in the spring.

The combination of the very modern Violin Concerto by Panisello, the 19th century Italian opera overture by Verdi, the German Romantic tone poem by Strauss and the distinctly Russian ballet music by Stravinsky make for a program that will feature many different moods and textures.

Tickets for Sunday's orchestra concert are \$12-\$17 general, \$8 for students/children, available at www.mondaviarts.org or (530) 754-2787.

# UCD closes Mrak to protesters

By Cory Golden  
ENTERPRISE STAFF WRITER

UC Davis closed its primary administration building early Wednesday afternoon, with the last of a group of about 50 protesters that had spent the night agreeing to leave when police locked Mrak Hall.

UCD spokesperson Claudia Morain said the protesters were "respectful — they even swept up after themselves" — but that the administration was concerned about its liability for the safety of protesters and staff in a building normally locked at night.

She added that Student Affairs and News Service employees worked late Tuesday, speaking with protesters and coping with media interest. Most staff members went home when the building was closed at 2:30 p.m.

"It couldn't continue indefinitely,"

Morain said. "This seemed like a good time to end it, and it worked out well."

A live webcam set up by protesters showed them sitting with their laptops and talking late Tuesday night. Four campus police officers remained on hand throughout the night.

On Tuesday, hundreds attended a midday rally against tuition hikes that protesters decry as the ongoing privatization of the UC system. Also on their minds was the use of batons last week to break up protesters' plans for an Occupy Cal encampment at UC Berkeley.

After holding a meeting Wednesday morning, a portion of the Mrak Hall protesters boarded buses bound for Bay Area rallies. Two to three dozen protesters remained on Mrak Hall's north steps late in the afternoon.

— Reach Cory Golden at cgolden@ davisenterprise.net or (530) 747-8046.

# UCD: Stable funding sources sought

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4.5 percent cut in general funds.

UCD's share typically is 14 to 15 percent of what the 10-campus system receives in general fund money. It would fall to the UC Board of Regents to mete out further cuts.

Spokesperson Dianne Klein said in an email message Tuesday that UCOP will not ask to regents to approve a tuition hike to close the gap.

"There will be no mid-year tuition increase," she said. "At the same time, we will do everything possible to ensure that this latest reduction does not become permanent."

"We are working vigorously to secure stable, long-term funding for UC — from the state and other sources — that will provide desperately needed stability and predictability for the university, our students and their families."

When the regents will weigh in remains unclear. The board called off a planned meeting this week, citing fears of violence.

Kelly Rathliff, the Davis campus' associate vice chancellor for budget resources management, said UC will have a limited number of options for

bridging the gap until permanent cuts can be made in the next budgetary year.

"It's really difficult to assess the actual impact on the campus," Rathliff said. "Will our students have to pay higher tuition? That's a regental decision."

"Would there be changes in endowment payouts or how income interest is directed? That's a regental decision, as well."

The analyst's projections would seem to increase the likelihood of another round of tuition hikes.

The cost of tuition has doubled since 2003-04, with the annual estimated cost for a California undergraduate at UCD now topping the scales at \$31,200, including campus fees, books, room and board and other expenses.

In September, UCOP offered a plan it said would stabilize revenue by increasing tuition 8 to 16 percent annually from 2012 to 2016, depending on state budget support. The regents rejected the proposal.

Since the beginning of the recession, the state has cut about 25 percent of the general funds received by UC and CSU.

The Davis campus is facing a \$132 million shortfall this budget year

because of further state cuts and fixed-cost increases, like employee pension contributions.

Rathliff emphasized the steps that UCD is taking to stabilize its own budget. They include:

■ The "2020 Initiative," announced in September, which seeks to add 5,000 students and 300 tenure-track faculty, paid for in part by an increase in out-of-state students;

■ The campus' first-ever comprehensive fundraising campaign, which has raised more than \$696 million toward a goal of \$1 billion by 2014;

■ Placing finance, payroll and human resources functions from six administrative divisions under one roof, with a goal of saving \$25 million in salaries by 2015-16 and \$10 million per year after that;

■ An energy efficiency program that will save an estimated \$4.8 billion annually when completed; and

■ Eliminating 100 to 120 faculty positions through attrition over two to three years. "We'll keep doing the same things, but they're getting harder to do," Rathliff said. "We don't have anything new and exciting available to us (in order to balance the budget)."

# AG: Next up is filling gaps in the food supply chain

From Page A1

from the state's Employment Development Department. That's up 140,000 since 2011.

Despite misconceptions that all ag jobs are on the farm, 65 percent of the estimated 182,000 uptick would crop up in and around cities, not farms, she added.

"The second you start talking about agriculture, (urban and suburban residents) get this glaze over their eyes," Hurmiston said. "They have an image of Mo and Pa Kettle holding a pitchfork somewhere. They don't get this."

Farm jobs would increase, sure, she said, but many more would sprout to support the raw products coming off the field, including work in light manufacturing, management, distribution, logistics, packaging and marketing.

"These are not farmworker jobs; these are head-of-household jobs."

Most of the two counties' ag jobs are already off the farm, according to data presented by Doug Henton, CEO and chairman of Collaborative Economics.

About 15,500 people work in agriculture in Yolo and Solano. Roughly 3,500 grow crops on the farm while the remaining workers are involved "in all those activities between that farm and that fork," Henton said.

There are many links in the food supply chain, Humiston said, warning the leaders not to fixate on a single link. That's what Sonoma County did when it homed in on creating a central cold storage where farmers could store their wares and restaurants could come to pick it up.

But that's only a speck in a complex game of connect-the-dots, she continued. "How is that food getting to the aggregation hub? What will it do once it's there? You going to put it in boxes? Wash it? Where is it going? Who's the customer?"

"We've got to recognize these food systems we're talking about are very, very complex," she said. "It's not simply an aggregation hub."

Next steps include promoting agriculture, figuring out way to fill in gaps in the food supply chain, like processing plants, and redoubling efforts to preserve ag land.

Yolo County Supervisors Don Saylor and Duane Chamberlain plan to serve as emissaries to the Solano County Board of Supervisors by presenting Wednesday's action plan. Solano County Supervisor Mike Reagan will do the same in Yolo.

"The counties have been working together without regard to artificial, manmade political boundaries for forever," Reagan said. There's a lot more work we can do to take advantage of the tremendous potential we have in this area."

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