

Gloria resets after \$1M donation for opponent Turner



Michael Smolens
COLUMNIST

About a month ago, Steve Cushman said he was feeling pretty good about Mayor Todd Gloria's re-election prospects.

The longtime San Diego businessman, philanthropist and political player was the chief fundraiser for the Gloria campaign, which had pulled in about \$350,000, with an additional \$60,000 expected from a fundraiser just days away.

The incumbent was facing a little-known challenger with little money, San Diego police Officer Larry Turner.

Then the campaign was thunderstruck as a seemingly unbelievable rumor came true: An obscure Point Loma attorney made an unheard-of \$1 million donation, most or all of which is being spent to help Turner.

That forced the Gloria camp into a new course of action. Cushman stepped away from the candidate's campaign to retool and raise money for an existing independent political committee that is largely unfettered by the city's strict contribution limits — same as the committee supporting Turner.

Big donations have been flying in ever since, with "San Diegans for Fairness Supporting Todd Gloria for Mayor & Stephen Whitburn for Council 2024," which said it has raised more than \$800,000 and allocated \$500,000 for television as of Thursday.

With other independent committees, Democratic Party support and the mayor's own campaign, a cautious optimism has set in among some of Gloria's supporters.

"We will certainly be able to compete on an equal or higher level," Cushman said this week.

San Diego's political world was turned upside down when attorney Steve Richter contributed \$1 million to the political arm of the Lincoln Club of San Diego County, a Republican-leaning business group. In a letter to the club, Richter and his wife, Carol, put no conditions on the money, saying the club should spend it as it sees fit.

Club officials swore high and low that the money wasn't earmarked to elect Turner, but that's where it's going.

Richter denied interview requests last month from The

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Jury denies damages for family

Sidney Cooper Sr., the 'Mayor of Imperial,' was buried in wrong grave

By **Alex Riggins**
UNION-TRIBUNE

SAN DIEGO — A San Diego jury on Wednesday ruled against awarding any damages to a family that sued Greenwood Memorial Park and Mortuary after the cemetery buried the family's father in the wrong grave, a mistake that was not discovered for more than two decades.

Sidney Cooper Jr., the son of a businessman who was affectionately known as the "Mayor of Imperial Avenue" before his 2001 death, alleged in a lawsuit filed last year that Greenwood Memorial Park and its owners had negligently and intentionally inflicted emotional distress upon him. His attorneys argued last week that the cemetery's former owner should pay the family tens of millions of dollars in damages.

The misplacement of Sidney Cooper Sr.'s remains for 22 years was discovered in March 2023 when cemetery workers prepar-

ing for the burial of his widow, Thelma Cooper, realized their shared plot was empty. Cooper Sr.'s remains were discovered about three months later in a nearby, unmarked burial plot, apparently the result of a map-reading error by cemetery crews.

The Superior Court jury unanimously ruled that Service Corporation International, the former owner of the cemetery in southeastern San Diego, was negligent and caused substantial harm, according to Eric Dubin, an attorney for the family. But the jury

ruled that Cooper Jr. suffered no serious emotional trauma for having spent 22 years unaware that his father's remains were not in the proper grave.

"We trusted the jury and the jury came back with a verdict that was fair and reflective of the evidence," Toby Magarian, an attorney who represented Service Corporation International, told the Union-Tribune.

According to the family's lawsuit and arguments at trial, Sidney and Thelma purchased their plot at Greenwood around

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Roxana Velásquez, executive director and CEO of the San Diego Museum of Art, talks about a model of an early concept design for the museum's west wing Thursday. **K.C. ALFRED / U-T**

Early concept unveiled for S.D. Museum of Art's new west wing

Proposed plan will be introduced to public Saturday at opening of 'Light and Space' exhibition

By **Pam Krage**
UNION-TRIBUNE

SAN DIEGO — It's been 20 months since the San Diego Museum of Art announced it was hiring the international architecture firm of Foster + Partners to renovate and redesign its west wing. Now the early concept model and renderings for the new west wing are ready to meet the public.

The proposed design is likely to please critics who feared the renowned English firm would build a glass dome, high-rise

tower or modern-looking structure that would be out of sync with the park's historic Spanish Colonial Revival style.

Instead, the new west wing will maintain roughly the same height profile as the other museum along El Prado and will have shaded loggias wrapping around its two-story exterior, with two additional stories of gallery and archive space below ground — doubling the museum's exhibition space.

The outdoor sculpture garden will remain, but would include a new free-to-all arts education

center and reading room, and the tall steel fencing that now separates the garden from the public along El Prado and near the Old Globe Theatre complex would be removed.

The new wing would also include three new dining options at different price points: a grab-and-go market, a casual café on the ground floor and a more upscale rooftop restaurant that will overlook the park.

The museum also is hoping to replace the empty courtyard in front of the main building with a water feature and trees.

A large-scale model of the reimagined west wing will be featured in the new exhibition "Foster + Partners: Architecture of Light and Space," opening Saturday in the museum's second-floor Gallery 18.

The "Light and Space" exhibit features models, designs and photographs of some of the company's most famous building designs since it was founded in London by Pritzker Prize-winning architect Lord Norman Foster in 1967. These include Apple's corporate headquarter-

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City unveils \$22M fire station and 1st electric engine in Torrey Pines

\$2.1 million Pierce Volterra fire engine has a backup diesel engine

By **Karen Kucher**
UNION-TRIBUNE

SAN DIEGO — A Torrey Pines fire station — first envisioned more than a decade ago by city and university leaders — officially was opened Thursday and will be home to the city's first electric fire engine.

Located near North Torrey Pines Road and Genesee Avenue, Fire Station 52 sits on property formerly used for tennis courts on the northwest edge of the UC San Diego campus.

The university was instrumental in the effort, giving land for the project and contributing \$20.5 million, which Chancellor Pradeep Khosla called "an amazing collaboration."

"When I first got here, this was on the docket," said Khosla, who became chancellor in 2012. "It took a little while to figure out how would the UC bureaucracy work and how would we be able to carve out a piece of our property and give it to the city?"

Khosla said the result was "an amazing fire station" that will help improve response times on fire and



Firefighters stand during a ribbon-cutting ceremony for the opening of Fire Station 52 on Thursday. **SANDY HUFFAKER / FOR THE U-T**

medical calls at UC San Diego and to the surrounding Torrey Pines community.

Fire Chief Robert Logan said the station was first discussed back in 2010 by former Councilmember Sherri Lightner, then-Fire Chief Javier Mainar and former Chancellor Marye Anne Fox.

The state-of-the-art station is

a rectangular, 14,600-square-foot building with a black, red and white color scheme. It has three apparatus bays, an office, workout room and equipment locker room on the first floor, with a kitchen, sleeping quarters, a room equipped with a big-screen TV and a line of comfortable-looking

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Trial date set in Lemon Grove public records lawsuit

Nonprofit sought but never got files of probe of council member

By **Gary Warth**
UNION-TRIBUNE

LEMON GROVE — A Superior Court judge has set a June 27 trial date for a lawsuit filed against the city of Lemon Grove for not responding to a request for public records relating to a City Council member.

Cory Briggs filed the lawsuit against Lemon Grove in March 2022 on behalf of the nonprofit watchdog group Project for Open Government after the city did not turn over requested records showing complaints about City Councilmember Liana LeBaron and details about an investigation the city conducted about the complaints.

The suit claimed the city violated the California Public Records Act when it did not provide the records, including those related to disciplinary

actions against LeBaron. The City Council had considered a vote to censure LeBaron in March 2022 and accused her of disruptive behavior at council meetings and being abusive to staff members.

In a separate claim, Briggs had alleged the city violated the Brown Act, the state's open meeting law, because it did not place on the City Council agenda a new policy requiring council members to go through the city manager when addressing staff members. Council members also no longer have an access code to City Hall, which they can only enter during regular open hours.

The new rules were in response to claims that LeBaron had been abusive to staff members. A judge dismissed the case earlier this month after ruling that the actions did not have to be placed on an agenda because they were taken by the city manager, not by elected officials.

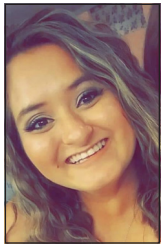
Among the records requested by Briggs were anything from

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Ride honoring woman killed in '22 crash set for Saturday

By Karen Kucher
UNION-TRIBUNE

Off-road vehicle enthusiasts are invited to participate in a safety awareness ride Saturday in Ocotillo Wells to honor the memory of Megan Marie Lopez, who died in an off-road collision in 2022.



Megan Marie Lopez

The ride, called Megan's Legacy, will be held in the Ocotillo Wells State Vehicular Recreation Area. It is the third annual ride that Lopez's family and friends have organized.

Participants driving motorcycles or off-road vehicles are asked to arrive by 1 p.m. for staging, and the ride is expected to start by 2 p.m. Details about the event are posted at meganslegacyride.com.

Lopez was 25, newly engaged and months from graduating from California State University San Marcos when she died Jan. 29, 2022, while riding her motorcycle. She was in a head-on collision with a driver in a four-wheel Polaris known as a side-by-side on a graded dirt road. After her death, her mother, Carrie Lopez, advocated for mandatory training for drivers of some off-road vehicles.

"Megan left a stamp on the heart of everyone she knew through her joyful spirit, enthusiasm for adventure, and unique ability to make others feel loved and cared for," the family said in a statement. "The real tragedy of the accident that took her life is that the circumstances of the incident were entirely preventable by standard OHV safety practices."

Lopez's family erected a memorial cross near where she died shortly after the incident, but state park officials this year ordered it be taken down.

MUSEUM

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ters in Cupertino, the revamped dome of the Reichstag building in Berlin, the Gherkin office building in London and the glass-topped Grand Court at the British Museum in London.

The model of the new SDMA west wing, with cutaway areas to show inside the walls, is featured in the back room of the exhibit. Next to the model is a wall-size rendering of the design and an interactive digital kiosk where visitors can participate in a survey of their impressions. The design — which will replace the original 1966 structure designed by the late San Diego architect Robert Mosher — is still subject to change as well as city and other approvals.

SDMA Executive Director Roxana Velazquez said in a public Q&A session with Lord Foster last month in Balboa Park that many of the elements that have been incorporated into the early concept design came from speaking to members of the public, as

well as donors, museum members and employees.

Some of the main takeaways from these interviews and an online survey included requests for more restaurants, including affordable options; more spaces to see live entertainment like dance and music; more ways that visitors of all ages can freely interact with the museum's offerings; and better accessibility (the museum's main entrance now is a set of concrete stairs).

The new west wing will become the museum's main entrance. Many of the indoor and outdoor areas in the new west wing will be free of charge to the public, including the sculpture garden, rooftop access, learning and workshop spaces, and some gallery areas. A new education center and reading room, to be built in the garden, will offer free programming. There also will be a state-of-the-art digital space for commissioned artworks in new media.

Many of the other changes planned for the new west wing will be less visible to the public, but crucial for employees and the

museum's art collection, including upgraded and expanded vault space for art storage.

Some local architecture historians have criticized the museum's decision to raze Mosher's original west wing design. But besides the small size of the original building, the structure itself is in poor shape and technologically out of date.

Its electrical panels need to be updated. The generator is undersized. The plumbing is antiquated and requires ongoing maintenance. Water leaks tend to crack cast iron storm pipes. There's no ramp in the loading dock to bring large art pieces into the building. There's limited room for restaurant cold and dry storage. And there's a general need for technological, mechanical and environmental infrastructure upgrades.

"Foster + Partners: Architecture of Light and Space" opens at 10 a.m. Saturday and runs through April 27 in Gallery 18 of the San Diego Museum of Art, 1450 El Prado, Balboa Park. For tickets, visit sdmart.org.

Crime & public safety

SUSPECT ARRESTED IN KILLING OF NAVY SAILOR OUTSIDE NIGHTCLUB

The suspect in the shooting death of an 18-year-old Navy sailor outside of a San Diego nightclub was arrested Wednesday in Minnesota, police said.

Ta'Kari Terrell Benness, 20, of Minnesota was arrested on suspicion of murder in the August slaying of Albert Soto, police officials said Thursday.

The shooting occurred in the early morning hours of Aug. 31 allegedly following a confrontation between two groups of men at an East Village nightclub near Ninth and F streets.

According to San Diego police Lt. Lou Maggi, Soto and a group of friends were involved in a fight with another group inside the club with the altercation spilling outside even as both groups left the establishment through separate exits.

At around 12:50 a.m., shots were reported near Ninth and F streets. A San Diego police officer who had been working in the area heard the shots and arrived at the scene,

finding Soto on the ground suffering from a gunshot wound.

Soto was transported to a hospital but did not survive.

The group consisting of the shooter and multiple others was allegedly seen running along F Street.

Police identified each member of the group and identified Benness as the shooting suspect, Maggi said.

Beness was arrested without incident Wednesday in St. Cloud, Minn., by the St. Cloud Police Department.

Soto, a native of Queens, N.Y., had been signed to the USS Pickney at Naval Base San Diego as an operations specialist seaman apprentice.

He had arrived in San Diego in April 2023 after enlisting in the Navy the prior fall.

"We mourn the loss of Albert Soto," Naval spokesman Brian O'Rourke said last month in a statement. "Our thoughts are with the sailor's family, friends and shipmates."

Christian Martinez U-T

ONE PERSON KILLED IN CRASH ON SR-76 NEAR LAKE HENSHAW

One person was killed Wednesday in a late afternoon crash on state Route 76 near Lake Henshaw.

The fatal wreck in the Morettis Junction area was reported shortly before 5 p.m., according to the California Highway Patrol.

A blue van appeared to have struck at least one tree after veering off the rural roadway about a mile and a half northwest of state Route 79, the CHP reported.

No further information was immediately available.

City News Service

FORMER EDC STAFFER SENTENCED IN EMBEZZLEMENT CASE

SAN DIEGO — A former finance director for the San Diego Regional Economic Development Corporation who federal prosecutors say stole more than \$400,000 from the nonprofit was sentenced Thursday to one year and a day in prison.

Katherine Lu Acquista previously served as the EDC's director of operations and accounting and used her access to the EDC's bank accounts, credit cards, checkbook and payroll system to siphon money from the organization over the course of several years, according to the U.S. attorney's office.

Prosecutors allege the thefts were concealed through false entries Acquista made in the EDC's accounting system, such as fake charges for maintenance, repairs, office supplies or other recurring charges. She also put personal expenses on the nonprofit's credit card and issued checks to herself. The total loss to EDC was \$433,275.89, according to the U.S. attorney's office.

Acquista pleaded guilty earlier this year to a federal wire fraud charge. Court filings from both the prosecution and defense indicate Acquista has repaid the full amount of restitution requested by the nonprofit.

City News Service

FIRE

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chairs on the second floor.

It also is home to the city's first electric fire engine, manufactured by Pierce Volterra and delivered just a day before the ribbon cutting. The engine cost \$2.1 million, and the city spent an additional \$600,000 for a charging station and related infrastructure at the new fire station, Assistant Chief James Gaboury said.

The station "went live"

Oct. 8, with crews running calls for the past week and a half. But it will take several weeks for the new electric engine to be ready. For now, a reserve diesel engine is assigned to the station.

"We still have to do all the outfitting on it," Gaboury said. "The equipment mounts need to be put on it" and staff will need to be trained on how to plug it in.

From the outside, the shiny red engine looks exactly like the rest of the department's fleet. "The idea is to make sure all the pieces

of equipment are the same," Gaboury said. "All the hose, all the knobs, all the levers — everything else is exactly the same as the other 85 fire engines that we have."

The only exception is an 18-inch box in the middle of the apparatus where the EV batteries are stored. It does sound different, though: Like all EVs, it is extremely quiet when driven.

Gaboury said the engine is equipped with a diesel engine, which will automatically kick on when the battery runs out, either when

it is being driven or pumping water.

He said it isn't really a hybrid, it just has a backup engine. "It is a seamless transition," he said. "You don't have any drop off in water pressure or anything. It is a very smooth transition."

Fire officials opted for the diesel backup because the equipment needs to be reliable during extended fire events. The engine can go up to 80 miles on a battery charge and pump water before the diesel kicks in,

Gaboury said.

There are similar engines being beta-tested in Oregon, Arizona and Wisconsin, but San Diego is getting the first production model of the engine in the Western U.S., according to Gaboury.

Mayor Todd Gloria said the long-awaited fire station shows that persistence pays off. He said he has the "absolute utmost respect" for first responders like firefighters and paramedics and said they deserve to work in nice facilities.

"These are not 9-to-5 jobs,

everybody; this is 365, 24/7, and they deserve a first-class facility like this to make sure that as they are doing that difficult work and keeping us safe, they are able to do it in an environment that shows them the respect of our community," the mayor said.

Gloria said the new fire station will lower the fire rescue response times in "this thriving corner of America's Finest City" and said purchasing an electric fire engine shows the city's commitment to its climate action plan.

GRAVE

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1992. The cemetery is just two blocks from the family's Mountain View neighborhood home in a community the couple cared for deeply.

"He was a veteran, and he was all about the community," daughter Lana Cooper-Jones said of her father last year, referring to the neighborhoods along Imperial Avenue, including Logan Heights, Mount Hope, Mountain View and Lincoln Park. "He loved that community — he had a house two blocks from Greenwood, on 38th and Imperial; he had a business on Imperial; he wanted to be buried on Imperial."

When Cooper Sr. died in 2001 at 71, he was buried at the cemetery on Imperial Avenue — but not in the correct plot. Cooper Jr. alleged that part of the emotional damages he suffered arose from pray-

ing at a grave marker where his father was not actually buried.

Magarian, the attorney for Service Corporation International, warned the jury during closing arguments not to listen "to the emotional appeals" and "the outrage" from the Cooper family's attorneys. He said the family had every right to be angry, but that the legal case was an overreach. He said the family only suffered emotional distress after it was discovered that Cooper Sr. was not in his correct burial plot, but didn't suffer during the 22 years it thought he was there.

Dubin told the jury during his opening statement that if the cemetery made a mistake, that equated to negligence. The attorney also implied to the jurors that there was an aspect of racial injustice to the case.

Cooper Sr. was born in an all-Black town in Oklahoma that on June 19 each year would celebrate June-



Sidney and Thelma Cooper married May 19, 1953, in San Diego. His remains were not buried in the plot designated for him, a mistake lasting 22 years. **COOPER FAMILY**

teenth, a holiday marking the day in 1865 when word of the Emancipation Proclamation finally reached the final slave holdout of Galveston, Texas. Cooper Sr. continued to celebrate the holiday when he came to San Diego. Dubin told the jury that Cooper Sr. "is given credit for being the founder of Juneteenth in San Diego."

Dubin said that was why

the misplacement of the remains hurt so much. "The Coopers lived their life so well, they played by all the rules," Dubin told the jury. "Honest, hardworking people. Gave to the community. Loved the church. Loved their family, lived for their family. Gave to others. Proud African American family playing by all the rules ... and then to still get treated

so horribly in his death. That was crushing to Sidney Cooper Jr."

Annee Della Donna, another attorney for the family, echoed Dubin during her closing argument, telling the jury that the misplacement of Cooper Sr.'s remains was especially egregious given "the history of what this country did to Blacks in unmarked graves." She said the jurors had a chance to "right a grievous wrong" caused by Greenwood's owners being reckless and disregarding their own policies.

"This case reveals a profound lack of compassion and responsibility," Della Donna said. "This is a big deal, if you lose bodies. This is your only job."

Just before the trial started, the family reached a settlement with NorthStar Memorial Group, the company that purchased Greenwood from Service Corporation International in 2016. The terms of the settle-

ment were not disclosed. Attorneys for NorthStar had previously argued that it shouldn't be held liable for the actions of previous ownership and that its employees "acted reasonably and diligently to correct the mistake" when it was discovered Cooper was not buried where he was supposed to be.

"We were concerned with how an all-White jury would treat this Black family in San Diego, so we settled the vast majority of the case prior to trial," Dubin told the Union-Tribune on Wednesday. "We're very thankful we were able to reach that settlement and not let the jury decide this entire matter. The settlement ... turned out to be a fantastic move for this family in getting justice."

Magarian, the attorney for the prior owner, told the jury that Cooper Jr. didn't seek out any mental health assistance or therapy as is typical for someone experiencing emotional distress.

SMOLENS

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San Diego Union-Tribune and as of Thursday had not responded to an email sent this week.

As of Oct. 11, the committee named "Turn San Diego Around in Support of Larry Turner for Mayor 2024" had spent about \$700,000 on various forms of advertising, including print, signs, social media and video ads, according to campaign reports filed with the San Diego clerk's office.

The law forbids independent committees from communicating or coordinating with their favored candidate or the candidate's campaign. But they're often familiar with each other's spending and strategy. Cushman, after all, was at the top of the Gloria campaign until recently.

Independent campaigns can coordinate with each other, however.

Much of the money raised by the Cushman-chaired committee comes from Gloria's long list of endorsers, which include labor unions, teacher organizations, business associations and developer groups. The mayor also is backed by groups such as Planned Parenthood Action Fund of the Pacific Southwest, LGBTQ+ Victory Fund, and San Diegoans for Gun Violence Prevention.

Here's a smattering of some of the contributions to the committee: \$175,000 from the California Apartment Association, \$85,100 from the Coalition for Patient Access & Innovation sponsored by California Life Sciences, \$85,000 from the San Diego Regional Chamber of Commerce PAC, \$50,000 from the

United Nurses Association of California and \$25,000 from the Building Industry Association of San Diego.

Several individuals also have donated five-figure sums.

Raising big money so late in a campaign can be a challenge, because big donors tend to create campaign budgets earlier.

"This is a difficult time," Cushman said. "Everybody's already committed money to this election. People thought they were done. Yes, people had to dig deep."

He said that "it's going far greater than expected" and added something unlikely heard in previous San Diego political eras: "Business and labor have really coalesced well in the past few years."

The Lincoln Club committee for Turner continues to collect smaller donations and, not surprisingly, there's a rumor afoot

about another big one. Turner has further attracted grassroots support from neighborhood groups and critics of the mayor, including La Prensa, which has endorsed the challenger.

It may sound odd, but campaign professionals say it can be difficult to spend a lot of new money that wasn't planned for late in campaigns, though many political strategists would like to have that problem.

Money isn't everything in politics, but it's necessary to have enough to run a competitive campaign. With both the Gloria and Turner forces well resourced, the election may rest on political fundamentals.

For an incumbent with a heretofore unknown opponent, Gloria's polling has been weak. In recent years, surveys have shown either majorities or pluralities of San Diegans believe the city

is on the "wrong track."

Increasing homelessness and the high cost of housing have been top voter concerns, and the city's ill-fated land transactions (think 101 Ash St.) and inadequate stormwater drainage system exposed during the January flood have received broad media attention.

But in recent mailers that sometimes also feature Councilmember Whitburn, Gloria is credited with ridding downtown of more than 80 percent of the homeless tents after a public camping ban took effect, while expanding shelters.

Gloria further has institutional advantages. He's running as a Democrat in a heavily Democratic city. Turner, though not registered with a political party, is now identified with one of the region's best known conservative groups, the Lincoln Club.

Then there's the power of incumbency. The mayor recently has made official pronouncements on such things as arts funding opportunities, extensive road repairs and securing more than \$1 billion in grants. Granted, Gloria and other elected officials do that kind of promotion all the time, but it dovetails nicely with a campaign.

Finally, in a move that must have stung Turner, Gloria was recently endorsed by the San Diego Police Officers Association, which expressed concern over the challenger's comments to the Voice of San Diego about reconsidering pensions for future police and fire department hires and police staffing.

Nobody's going to feel too sorry for a candidate supported by \$1 million, but it's starting to feel like the empire is striking back.