

P.G. tries to reduce angry incidents between cyclists and pedestrians

By KELLY NIX

IT'S RIDERS versus walkers in Pacific Grove, where the city is mulling ways to decrease the number of heated spats between the two groups when they use the popular rec trail between Lovers Point and the Monterey Bay Aquarium.

The roughly 1-mile segment of the Monterey Bay Coastal Recreation Trail in P.G. is a wonderful way to leisurely enjoy the stunning local scenery and offers a passage from P.G. to Monterey, Seaside and Marina without driving. But if you're a regular user of the trail, you've seen angry exchanges between territorial cyclists and pedestrians.

Confrontations between the two groups have become so frequent that a special subcommittee has been formed by the city's traffic safety commission to look into ways to minimize them. The subcommittee will meet on Aug. 12 to get feedback from the groups and come up with ideas to make the rec path safer.

"The subcommittee is charged to come up with ideas for resolving conflicts between pedestrians and bicyclists," Pacific Grove Traffic Commissioner Bill Silva told The Pine

See **TRAIL** page 12A

What's that silly 'Fog Ahead' sign?

By CHRIS COUNTS

PRESENTING A curious sight for motorists traveling along Highway 1 through Carmel are two "Fog Ahead" signs on Highway 1 at the entrances to the city, which are not meant to warn people about the mist that regularly envelopes the Monterey Peninsula, but to bring attention to the condensation that's rising from a PG&E project.

Easily visible to anyone driving by, three large tanks are supplying local residents with methane to power their utilities over the next couple weeks while PG&E conducts strength tests on gas lines along Highway 1.

The tanks are filled with liquified gas, which is cooled to about minus 260 degrees fahrenheit. By liquifying it, PG&E

See **FOG** page 21A



PHOTO/MARY SCHLEY

When locals see the new "Fog Ahead" signs on Highway 1, they wonder why they weren't warned 500 years ago.

Council backs Stilwell despite protests

■ Petitions calling for his resignation delivered after march on city hall

By MARY SCHLEY

MORE THAN 100 citizens upset about the changes in Carmel and the erosion of its friendly, small-town atmosphere since Jason Stilwell became city administrator marched in protest Tuesday afternoon to ask for his resignation.



Resident Carolina Bayne (top photo, in white) — who launched a petition drive calling for the resignation of city administrator Jason Stilwell — followed bagpiper Michel d'Avenas in a march on city hall Tuesday, where about 100 protesters were greeted by Stilwell (far left) and Mayor Jason Burnett (left).

PHOTOS/KERRY BELSER

Led by a bagpiper, the procession made its way from Devendorf Park, down Ocean Avenue and along Monte Verde Street to the former church that now serves as city hall.

Among the protesters were longtime resident Lillian Hazdovac and daughter Paula, who served on the city council for 18 years, fired administrative coordinator Margi Perotti, Nobel Prize winning economist Bill Sharpe, hotel owner Denny LeVett, builder Chris Tescher and former assistant city administrator Heidi Burch (now Mozingo).

After the unprecedented rally arrived at city hall, organizer Carolina Bayne presented the city council with petitions containing 539 signatures calling for Stilwell to be fired. (She later reported she got 11 more during the rally.)

"We respectfully request that you protect our village from additional harm and avoid the necessity of further action by this community, by taking immediate and decisive steps to meet the concerns expressed by the petition calling for the resignation of the city administrator," Bayne told the council.

Before the city council meeting, Stilwell, Mayor Jason Burnett and the rest of the council mingled with the protesters, talking and shaking hands.

The cordial atmosphere changed, however, when the city council meeting began and a parade of citizens expressed their displeasure with the numerous firings at city hall, secrecy and other issues.

Among them was the 26-year-old daughter of former building inspector John Hanson, who was fired in August 2013 and subsequently sued the city.

Keely Hanson was a baby when her dad started working for the city as a heavy-equipment operator a quarter-century

See **MARCH** page 31A

Poll: City administrator has very little support

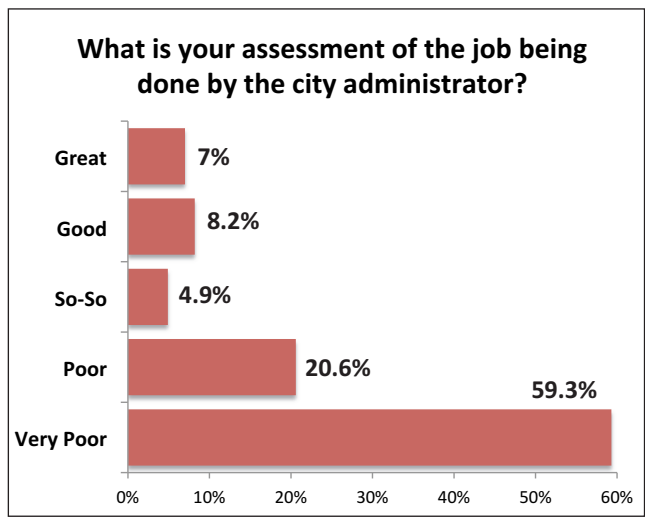
By PAUL MILLER

A POLL conducted last week among subscribers to The Carmel Pine Cone's email edition reveals that very few people in town believe city administrator Jason Stilwell is doing a good job.

Among those who responded to the poll, nearly 60 percent said Stilwell is doing a "very poor" job, while only 15.2 percent rated his performance as either "great" or "good," which means 84.8 percent of respondents believe his job performance is not acceptable.

Readers were also asked what they think of the job the mayor and city council are doing. They got better results than Stilwell's dismal showing, but not by much. Only 21 percent said the council was doing "great" or "good," while 22.1 per-cent rated the council as "so-so," 31 percent scored it at

See **POLLS** page 31A



Sandy Claws

By Lisa Crawford Watson

Looks are deceiving

LIFE WAS looking pretty bleak. Pressed into service at an early age but abandoned by the time she was 2, Athena was pregnant, homeless and completely on her own. Eventually picked up and delivered to the Monterey County Animal Shelter, she languished against the clock. Apparently there wasn't a lot of demand for a pregnant pitbull. Although Athena is actually part Labrador retriever, her black coat, muscled body and looming litter were foreboding.

Meanwhile, her person was surfing the Internet in search of a canine companion for her recently rescued retriever. Drawn to Athena's appealing photograph posted on the shelter website, she called to inquire about adopting her. At that moment, Athena was on her way to make a public appearance at Del Monte Shopping Center in Monterey



for her last chance at adoption.

Her time was up. But only at the shelter. Her person was right on time. Ten years later, Athena is devoted to her family. Against all appearances of this lean, 52-pound mass of muscle, whose sleek coat skims the sinewy landscape of her body, Athena is actually affectionate and gentle.

"When my children were little and in their rooms," says her person, "Athena would sit midway up the stairs, with her back to the staircase, guarding them. When we brought home a couple of orphaned kitties, she mothered them for weeks, cleaning them, carrying them around, protecting them. She wouldn't let our other dog near that box of baby cats. She makes a very good mother to anything young."

Athena loves riding in the family jeep — she's definitely a front-seat dog, on the look-out for deer and squirrels and other critters. She also loves the beach, but will wade her way in just enough to get wet.

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Youth Center needs Concours volunteers

THE CARMEL Youth Center, which serves kids from all over the Monterey Peninsula, counts on the dollars it raises from operating concessions stands and shuttles during the Pebble Beach Concours d'Elegance, and the nonprofit is in dire need of volunteers for the Sunday, Aug. 17, marquee event.

"We needs LOTS of people. To be more precise, we need an additional 67 volunteers," organizers said Thursday.

Four-hour shifts starting as early as 6 a.m. and as late as 2 p.m. are available, providing plenty of free time for volunteers to enjoy the Concours — where tickets cost \$275 to \$300 — for free.

Register to volunteer at www.carmelyouth.com/cyc-volunteer-concours.php.

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Architects hired to get Forest Theater reopen ASAP

By MARY SCHLEY

THE FIRM that remodeled the historic Greek Theater at UC Berkeley and the house and garage where Hewlett-Packard was conceived will be paid \$114,530 to develop a plan for the renovation of the Forest Theater. On Aug.5, the council voted to approve a contract with Cody Anderson Wasney Architects of Palo Alto.

First, the architects will figure out what's needed to quickly reopen the theater, which was abruptly closed in April due to electrical, plumbing and structural issues. Next, they will plan for a more comprehensive rehabilitation, according to public services director Sharon Friedrichsen. The first phase will be a "triage" to determine the bare minimum needed to get it ready for actors to take the stage next year.

"The goal is to have the theater open for the next two summer seasons and to have the repair work done around those two summer seasons," councilman Ken Talmage said.

Chris Wasney introduced himself to the council and remarked that he'd never before been greeted with bagpipes (referring to the piper who led protestors to city hall before the meeting).

"Perhaps that wasn't for me," he said, before settling into the serious business at hand.

"It's a big deal to red tag a building — it doesn't happen often," he said. "It has to be pretty bad."

He observed the theater has aspects that "certainly are not safe, especially in the dark when people are concentrating on something that occupies them and engages their willing suspension of disbelief — and common sense."

But, he said, there's hope for getting the theater, which is more than a century old, open sooner rather than later, especially by taking advantage of the historic building codes that allow a little more latitude than requirements for modern structures.

"By no means do we think the building has to be com-

pletely 'to code' to be opened and be safe," he said.

"That's sometimes a hard sell for building officials," he said, but the property's historic status allows less onerous building standards to be applied.

Wasney, who obtained his bachelor's degree from Stanford University in 1980 and his master of architecture from U.C. Berkeley in 1988, teaches architecture at Stanford and is well versed in historic resources, in particular. He's affiliated with the California Preservation Foundation and the National Trust for Historic Preservation, and lectures statewide on the historic building codes.

The firm was one of nine that submitted proposals after the city announced it was seeking an architect to take on the theater renovation, and one of four interviewed by a panel that included representatives of the theater's main users, a resident, a developer and city staff. The group unanimously

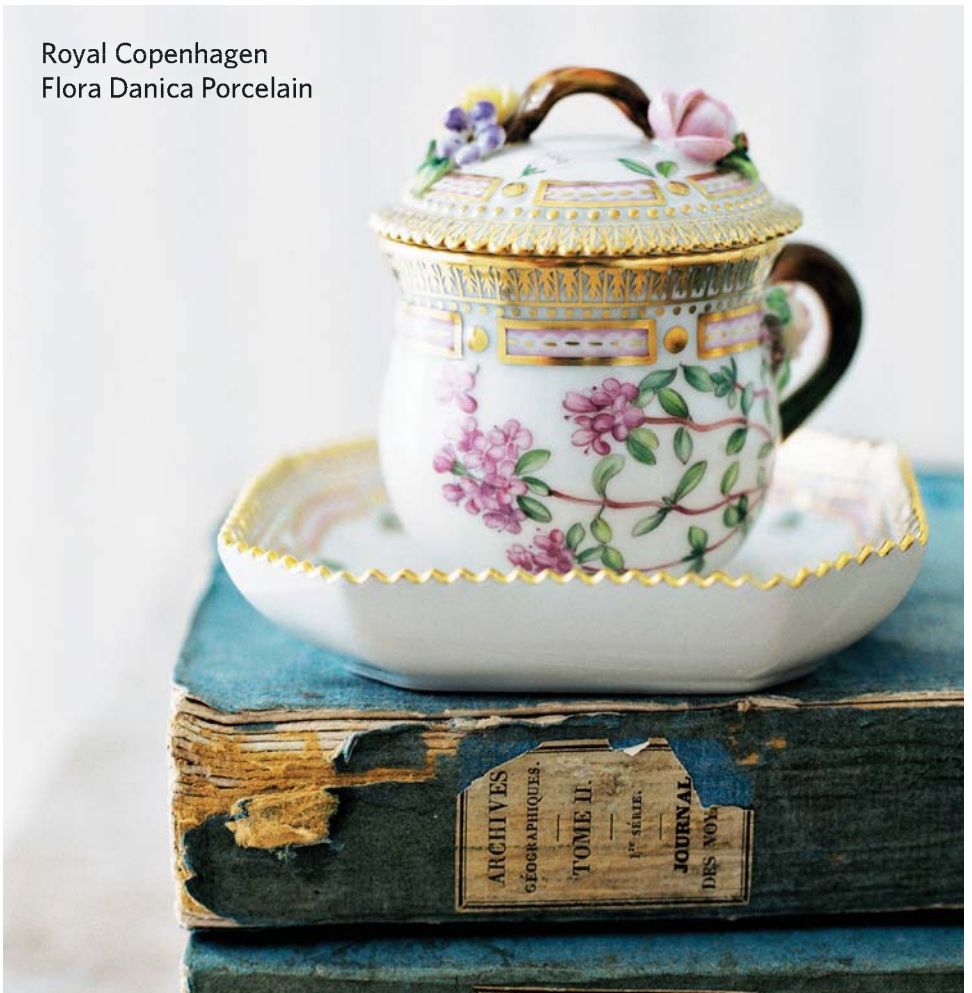
See **THEATER** page 25A

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Police, Fire & Sheriff's Log

Closed windows solve singing problem

HERE'S A look at some of the significant calls logged by the Carmel-by-the-Sea Police Department and the Monterey County Sheriff's Office last week. This week's log was compiled by Mary Schley.

MONDAY, JULY 21

Carmel-by-the-Sea: Subject reported loss of designer sunglasses while walking in the commercial district or along Carmel Beach.

Carmel area: Flanders Drive resident responded to a rental listing online and found that the posting was not valid.

Carmel Valley: A male suspect was found sleeping in a public park at Ford Road and Carmel Valley Road at 1654 hours. Upon contact, the deputy saw he had urinated himself, had the strong odor of an alcoholic beverage emanating from his person, slurred speech and a staggered gait. He was taken into custody. Case closed.

Carmel area: Victim reported that an unknown suspect stole his wallet out of his unlocked vehicle on Carmel Knolls.

Carmel Valley: Female claimed that her 3-year-old son was physically abused by her ex-husband's girlfriend.

Pacific Grove: Unknown suspect tried to break into an apartment complex office on Pacific Grove Lane. The suspect damaged the door and lock but was unable to gain entry.

Pacific Grove: A 2-year-old jumped from the top of a 4-foot-high retaining wall in front of a city-owned building on Central Avenue. No visible injury; child was crying and moving around in mother's arms. Mother had turned around to provide child with a strawberry. She only heard a "thud" and did not see her son fall. Child transported to CHOMP for precautionary X-rays.

TUESDAY, JULY 22

Carmel-by-the-Sea: Man reported at 0253 hours that after he left a bar on San Carlos Street, his girlfriend went missing. Prior to officer's arrival, the female had returned, and an argument ensued. Both parties were HBD [had been drinking] and were counseled. They agreed to go to sleep for the night.

Carmel-by-the-Sea: A citizen reported the theft of a cell phone from a parked vehicle on Monte Verde Street. No leads at this point.

Carmel-by-the-Sea: An anonymous male located an unattended cellular phone on Carmel Beach and turned it over to CPD for safekeeping pending identification and return to owner.

Carmel-by-the-Sea: Non-injury collision on Ocean Avenue.

Carmel-by-the-Sea: Woman on 11th Avenue stated her bank contacted her to find out if she had requested a new credit card. She stated someone was attempting to have her credit card mailed to a different address. She did not have any information on who requested the card be mailed out.

Carmel-by-the-Sea: Dog was found on San Carlos Street and dropped off at the station.

Carmel-by-the-Sea: Reported vehicle burglary on Ridgewood.

Carmel-by-the-Sea: Subsequent to a traffic stop on Santa Rita for failure to stop at stop sign, the driver was issued a citation and

released. It was later determined the vehicle's registration was expired, and the vehicle was subsequently towed. During a search of the vehicle, Vicodin was located and seized.

Pacific Grove: A yellow Lab was found wandering on Eardley Avenue. The dog was taken to the city yard. The owner of the dog has not been located.

Pacific Grove: Man reported his vehicle was vandalized while it was serviced at a business on Forest Avenue. No witness and no suspect information.

Pacific Grove: Man reported opening his wife's Forest Avenue business and finding a handwritten note tucked in the doorway. He stated that a subject known as "Joe" has repeatedly left handwritten notes at the place of business. He said "Joe" stopped writing notes for approximately eight months but recently started again. The handwritten note is not addressed to anyone in particular and does not threaten or harass. The letter was addressed from "Joe" stating he was going to make dinner, spaghetti and meatballs. Officer advised the man to let "Joe" know his letters are not welcome and to stop writing notes.

Pacific Grove: Vehicle was left unlocked on Lobos. At an unknown time, an unknown party took a work-issued laptop located in the trunk.

Pacific Grove: Woman stated she was inside her vehicle parked on Lighthouse Avenue when a subject threw his car door open and dented her vehicle. She did not wish to pursue charges.

Pacific Grove: Conducted a traffic stop on Eardley Avenue and discovered a person was in violation of a restraining order and had a felony warrant. The person, a 36-year-old male, was arrested, booked and transported to PGPD.

Pacific Grove: Person opened a car door without verifying if it was safe to do so. Auto was traveling northbound on Congress and hit the open car door. Parties exchanged information.

See POLICE LOG page 11RE

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Deadline set for recycled water deal

By KELLY NIX

THE ‘DROP DEAD’ date for Salinas Valley growers and Monterey Peninsula water officials to strike a deal on an important recycled water project is Sunday, the executive director of the mayors’ water group said at a meeting this week.

At Monterey City Hall Monday, Jim Cullem told members of the technical advisory committee of the mayors group that Aug. 10 was the deadline for an agreement, otherwise, there wouldn’t be enough time to draw up documents in preparation for a crucial PUC hearing in December.

“As I understand it, basically the clock has run out,” Cullem said, saying Aug. 10 is the “drop-dead” date for an agreement.

Getting a deal in place by Sunday would also allow Cullem to present the information to the mayors — who make up the Monterey Peninsula Regional Water Authority — at their Aug. 14 meeting, he said.

Negotiations between farmers and directors with the Monterey Peninsula Water Management District broke down July 30. Though water district general manager Dave Stoldt is skeptical an agreement will be struck, he said it’s still possible, and the parties agreed to meet in a smaller group to discuss the sticking points.

California American Water’s proposed

desalination plant in North Marina will be designed to produce more water if the recycling project — which would provide water to the Peninsula and the Salinas Valley — fails to come to fruition.

The project involves the advanced treatment of wastewater and is a collaboration between the water district, the Monterey Regional Water Pollution Control Agency and California American Water. It is one of three components of the Monterey Peninsula Water Supply Project, which also includes a desalination plant in Marina and expanded water storage facilities.

Keith Israel, general manager of the Monterey Regional Water Pollution Control Agency, the agency that would treat the wastewater, said if the parties “don’t come together on something, everyone loses.”

But, Israel said, “Water agreements are never easy, and they take some time.”

A strong advocate of the project, technical advisory committee member George Riley, pointed to other water project-related deadlines that have come and gone, and said the mayors shouldn’t “stubbornly insist” on a deadline.

“I think we are shooting ourselves in the foot for an arbitrary date that’s been set in the future ... to pass up the project that has enormous potential for everybody on the Peninsula,” he said.

Review of desal plant shows more than \$30 million could be saved

By KELLY NIX

AN ENGINEERING firm tasked with trying to find ways to make the proposed desalination plant for the Monterey Peninsula more efficient and cost-effective has proposed a series of changes it says could save more than \$30 million on the project and speed its construction.

This week, the results of a study by a firm called Value Management Strategies released to the public shows that with a series of design changes to California American Water’s proposed desal plant in Marina, tens of millions in ratepayers’ dollars could be saved, and the desal plant could be built more quickly and operate more efficiently.

The peer review, approved by the six Monterey Peninsula mayors, cost about \$100,000.

Carmel Mayor Jason Burnett — who sits on the mayors’ water group — said the changes could save \$9 million in upfront savings and \$23 million over the life of the desal project proposed by California American Water.

“This is the latest step in our effort to

reduce the cost of the desal plant,” Burnett told The Pine Cone this week.

The mayors formed a governance committee that launched a competitive bidding process that resulted in the hiring of a contractor to build the desal project for \$20 million less than its competitors. The other cost-saving measure was Sen. Bill Monning’s legislation that seeks to finance the desal plant with tax-exempt water bonds for an estimated \$79 million savings. The bill still must be signed by Gov. Jerry Brown.

The company chosen to design and build the desal facility is CDM Smith, which has completed about 30 percent of the desal plant’s design.

“One of the key reasons for the water authority’s existence is to try to bring out a new water supply as quickly as we can,” Burnett said, “and at the lowest cost as possible.”

A new water project is needed because of environmental restrictions on pumping from the Carmel River, which has been the Peninsula’s main water source since the 1920s.

Severe cutbacks are scheduled to go into effect at the end of 2016.



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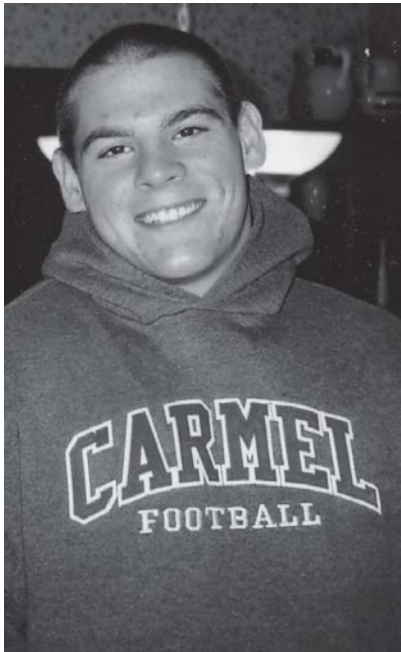
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*Love Mom and your loving
family... XoXo*

ELIZABETH MEYER GROVES

September 6, 1926 – July 30, 2014

Betty, as she was always known by, was born and raised in Milwaukee, Wisconsin. In 1947 she moved to Carmel, California with her parents, brother and sister. She was employed with the State of California, first for the Dept. of Employment followed by the Division of Forestry. Later she sewed ties for a brief time for Robert Talbott when they started their business in Carmel Valley.

In 1948 Betty married George W. Groves in the San Carlos Cathedral in Monterey. They had four children and were married for 61 years until his death in 2009. In 1951 they built their home in Carmel Valley where she continued to reside until her recent illness this year.



Betty enjoyed gardening, reading, baseball games, and social activities with friends and family. She had a passion for growing orchids and taking care of the birds in her garden.

Betty is preceded in death by her parents, a niece, and husband George. She is survived by her sister Marie Muscutt of Salinas; brother Henry Meyer of Carmel; children Michael Groves (Laurie) of Corralitas, Susan Groves-Ameil (Bob) of Prunedale, Patricia Potter (Cecil) of Corral de Tierra, and Sharon Kim (Lane) of Cortez, Colorado; beloved grandchildren Casey and Julia Ameil, Gabriel and Michaela Groves, Madeline and Olivia Potter; four nieces, three nephews, their spouses and children, plus many cherished friends.

Private graveside service. A celebration of Betty’s life will be held on Tuesday, August 12, 2014, 3pm at Our Lady of Mt. Carmel Catholic Church, 9 El Caminito Rd., Carmel Valley, CA, 93924. Reception to immediately follow at the church hall.

In lieu of flowers donations would be greatly appreciated to the Our Lady of Mt. Carmel Restoration Fund, 9 El Caminito Rd., Carmel Valley, CA 93924 or to the National Audubon Society, Attn: Audubon Angel, 225 Varick St, 7th Floor, New York, NY 10014, or online at www.nationalaudubonsociety.com.

Please visit www.missionmortuary.com to sign Betty’s page.

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Council gives nod to more restrictions on beach fires

By MARY SCHLEY

THE FOREST and beach commission should continue its work on figuring out how to further restrict fires on Carmel Beach, the city council decided Tuesday. The commission is researching using fire rings to contain the blazes, keep them off the sand and limit their number, in hopes of keeping the beach's white sands cleaner, reducing pollution and protecting people from getting burned by smoldering fires covered with sand.

Public services director Sharon Friedrichsen noted that the tradition of beach bonfires is long running and cherished, while the mile-long stretch of white sand is also highly valued.

"We have to find a way to balance these two very important values," she said. "It's an issue that is very complex and has a lot of impacts."

Speaking for Carmel Residents Association President Barbara Livingston, who left the Aug. 5 council meeting before the hearing on beach fires began, board member Roberta Miller said, "Barbara is really delighted with the progress that's being made, and delighted with the fact that you're doing something about it and moving forward with a plan that we can do something with."

Carmel Chamber of Commerce CEO Monta Potter pointed out locals and visitors alike enjoy beach fires, and she wanted to assure the public is more involved in the discussion. "I understand the reason for this, but you really have to have a public process. Just saying 'beach fire management strategies' [on the meeting agenda] doesn't really do it."

The last place

Councilman Ken Talmage, who represents the Peninsula cities on the Monterey

Bay Unified Air Pollution Control District board, noted that Carmel is the only public beach in the entire state that allows people to build fires directly on the sand, and which doesn't limit the number of fires.

"You might say we are slow to get with the change, if we are the last place in the state to impose restrictions," he said.

Furthermore, wood smoke is dirty.

"The pollution rate of standing around one beach fire ring is the equivalent of gathering around the exhausts of three large diesel trucks," according to Talmage, and three dozen fire rings emit as much pollution as "a large oil refinery." As a result, he said, a bill in Sacramento would require only using charcoal in beach fires, not wood.

He agreed with the commission's belief that fire rings and a restriction on the number of fires is the way to go.

"I'm glad the forest and beach commission had an open mind to bring forward not a ban, but possible solutions," councilwoman Carrie Theis commented. "I think we need to look at the limit on the number of fires, and then we can figure out how we're going to have them on the sand." While fire rings help restrict the number of fires, she said, they're ugly and often ineffective, too, either overflowing with charred remains or becoming unintended trash receptacles.

She suggested issuing permits to restrict the fires, but councilman Steve Dallas objected to adding more bureaucracy to the mix.

All told, the council decided to encourage the forest and beach commission to continue working on the issue based on the two guiding principles of limiting the number of fires and not allowing them to be built directly in the sand, and Mayor Jason Burnett thanked the commission for checking in to get the council's feedback before getting into the details of how to implement those principles.

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Pension reformer throws hat into P.G. mayor’s race, hopes to unseat Kampe

■ Seven candidates for three council seats

By KELLY NIX

A STRAIGHT-SHOOTING retired lawyer who’s led the charge for pension reform in Pacific Grove has decided to run against Mayor Bill Kampe, who announced in June he’s running to keep his seat.

Mayoral candidate John Moore, 78, said that among the things he hopes to accomplish if he successfully unseats Kampe, 69, in November are to declare a state of financial emergency in P.G., replace the city manager, and “declare” a sweeping 20 percent reduction in city salaries.

“When it appeared that no other citizen would step up to challenge the incumbent mayor,” Moore told The Pine Cone Monday, “I realized that it would then be a campaign of sugar news, when in fact things could not be more dire.”

Not one to parse words or speak in generalities, Moore has gone before the P.G. City Council many times, warning council members that if the city doesn’t overhaul its pension system, it will eventually go bankrupt. He contrasted Pacific Grove to Carmel, which he characterized as a “relatively rich city” in terms of government revenue.

“Pacific Grove is opposite,” said Moore, an avid golfer who has lived in Pacific Grove since 2005, but has owned a home in the city since 2000. “Yet Pacific Grove has overspent to the extent that it will inevitably suffer a financial collapse if appropriate steps are not taken.”

A graduate of Stanford Law School and an attorney for more than four decades, Moore wants the city’s fire and police departments and code enforcement division back in the hands of the city, not shared with the City of Monterey.

He also wants to repeal the 3 percent-at-50 plan for public safety workers, which allows workers at least 50 years old to retire with pay equal to 3 percent of their highest year’s compensation for every year they worked, to a maximum of 90 percent of their highest pay level.

And Moore’s calling for city manager Tom Frutchey and city attorney David Laredo — both of whom he sees as stumbling blocks to any pension reform in Pacific Grove — to be replaced.

“In 2006, Pacific Grove issued \$19 million in pension bonds to pay off most of the unfunded liability in its pension plans,” Moore explained. “In 2008, it could have exited its pension plans and received \$5 million to apply against the bonds. I was alone in arguing that the city take the money and put in an affordable pension plan. I lost.”

As a result, Moore contends it would cost P.G. at least \$120 million to exit the plan.

Barbara, Moore’s wife of 49 years, died in 2010. His youngest son and his family also live in Pacific Grove.

Meanwhile, seven men have pulled papers to run for three open seats on the city council, though one of them hadn’t filed papers with city hall as of Wednesday.

Incumbents Ken Cuneo and Rudy Fischer are running to retain their seats. The third council seat is vacated by Alan Cohen, who has already served the two-term limit.

“While I want to continue focusing on upgrading our infrastructure, there are so many other things that need to be addressed,” Fischer told The Pine Cone. “We have done a lot to fix up our sewers, roads and the coastal trail, but we still have parts of the city where we need more road work, street lights that work, and better sidewalks.”

According to the P.G. city clerk’s office, Ed Lake, Bill Peake, Brian Brooks and Robert Pacelli have also filed to run. Pacelli, a naturalist and monarch enthusiast who has

spent a lot of time revitalizing the city’s monarch butterfly sanctuary, said he’s running primarily to help the sanctuary.

“The [monarch] sanctuary and the city are unique gifts, and they need to be protected,” Pacelli told The Pine Cone.

Another candidate, former P.G. postmaster Shannon Cardwell, had not filed as of Wednesday morning.

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Public hearing set for Beach House deli and retail space proposal

By KELLY NIX

A PUBLIC hearing on the Beach House Restaurant at Lovers Point's proposed deli and retail space below its main

eatery has been set for Aug. 15 after a resident protested the permit the city issued for the business.

On Friday, Aug. 1, Luke Coletti — citing the lack of public input and P.G. City Council oversight — appealed the administrative use permit the city issued the proposed business. That triggered a public hearing on the proposal.

On July 23, the city issued the permit to allow the Beach House to expand its operations in an 816-square-foot space directly below the main restaurant. The owners want to offer a delicatessen, kitchen and small retail space that will be open from 7 a.m. to 3 p.m.

"I am opposed to seeing the use permit for the lower level

change from retail to food service,” Coletti, who had to pay \$531.50 to the city to appeal the permit, told the Pine Cone, “especially since this is a non-conforming building situated on land zoned as open space.”

Shortly after filing the appeal, Coletti said that Beach House leaseholder, Robert Enea, called him to ask why he contested the business proposal.

“Overall, [Enea] was anxious, and you could tell a bit perturbed that he had to deal with an obstacle at The Beach House,” Coletti said. “But yes, he was polite and didn’t interrupt me.”

But the California Coastal Commission also must approve the change in use. The agency has said it did not want parking spots at Lovers Point to be used by diners, and it prohibited the main Beach House restaurant from being open at lunch. Coletti said that coastal Commissioner Carole Broom told him this week that coastal commission staff sent comments to the city on the issue.

The public hearing will be held at noon Aug. 15 in P.G. City Council chambers at city hall, 300 Forest Ave.

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Still alive, Val Verde project needs EIR, but builders balk at price tag

By CHRIS COUNTS

FOR THE past eight years, a proposed 31-unit subdivision behind the Carmel Rancho shopping center has been moving at a snail's pace through the permit process as its investors negotiate the challenges of getting permits. And now the project is stalled as its partners and the Monterey County Planning Department are locked in a stalemate over the cost of an EIR.

Brian Clark and his partners, Bill McLeod and Ray Wirta, had hoped to build 42 units on eight acres at 26500 Val Verde Drive. But after negotiations with county officials, the project has been scaled back to 31 units — 24 market-rate units and seven affordable ones.

Clark said he and his partners have agreed to pay for an environmental impact report. But he insisted they have an agreement with county officials to satisfy a significant number of its requirements with their own version of an EIR and various studies they have already paid for. According to Clark, they have already spent about \$400,000 on the work.

But Clark said the two bids the county received for doing the actual EIR made no mention of the applicant's EIR or the consultants' reports. One bid — which he said was "in excess of \$350,000" — included \$177,000 for studies he called "redundant."

Clark told the Monterey County Board of Supervisors last month the project has overcome all three requirements they set when

they rejected it two years ago. "You said the project was inconsistent with zoning, it was inconsistent with the private use of an easement, and it was inconsistent with a 50-foot well control zone," he said at the supervisors' July 22 meeting. "We reduced the project's size, we drilled a replacement well to overcome the 50-foot well control zone, and we have an order from Monterey County Superior Court that says we can use the easement. We overcame all three obstacles. We believe we are in compliance."

To break the stalemate, Clark wants to renegotiate the cost of the EIR to reflect the inclusion of his consultants' studies or restart the bid process and require bidders to use existing documents as part of the EIR.

He said his version of an EIR and its underlying studies "have gone through three rounds of vetting and are in the appropriate format to be included in the EIR," he said.

Clark is also asking for some flexibility on the terms of paying for the EIR.

While he has conceded he must do an EIR, Clark is not happy about it. He said the issues an EIR will bring up have already been addressed in the Carmel Valley Master Plan section of the Monterey County General Plan EIR.

Clark said he and his partners are committed to completing the project, but he's weary from the delays. "We're going to die before anything happens," he added.

County planning official Carl Holm told The Pine Cone this week his agency is in talks with Clark to reach a compromise. "In

the spirit of trying to get this project to a hearing, we're willing to work with him to get the requirements of CEQA met," Holm said.

But Holm said the terms of the settlement impose a tight timeline for completing the work, which could add to the costs Clark and his partners will pay.

County planning director Mike Novo confirmed that Clark's project is located in an area that's suitable for a project of its size — in contrast to most of Carmel Valley.

"It's in an area where we have anticipated growth," he explained. "We think it's an appropriate area for growth."

Stella Poland's Wonderful Life

Stella Stratton Poland July 21, 1921 – July 19, 2014. Stella will be missed by family and friends from near and far. She was born in Vicksburg, MS but raised in Memphis, TN. Stella and her husband Chuck raised two boys primarily in Houston, TX then both spent their retirement years in Carmel, CA. There they were quite active as community volunteers -most enjoying Meals on Wheels and Clint Eastwood's successful campaign to become mayor. Throughout her wonderful life, she maintained an intelligent and independent forthrightness, all the while exhibiting graceful charm with a sweet voice. She was a strong feminine compass to both the Poland and the Stratton clan where she could captivate us with her penetrating blue eyes and firm determination. She was forever inquisitive with interests in current events, home decor, fashion, and travel.



Stella was a gracious matriarch and a true Southern Belle who exhibited unwavering spirit of caring and love for all those around her. She is preceded in death by her husband Chuck in 2009 and younger son Jim in December, 2013. She will be fondly remembered by her sister Maryanne of Greensboro, NC, son Bill, daughter-in-law Mary, grandson Stratton Poland from Ross, CA, daughter-in-law Linda Poland from Jonesboro, TN, granddaughter Katy and spouse Neil Higginbotham; granddaughter Aly and her spouse Robert Garlit and Stella's great-granddaughter Hannah Joy Garlit from Nashville, TN. All of us will miss the infectious smile and strength of character that made her the standard bearer for our families. Donations can be made in her honor to Heartland Hospice, 1050 Northgate Drive, Suite 300, San Rafael, CA 94903 or on their website at www.heartlandhospice.com.

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TRAIL

From page 1A

Cone this week.

The issue came to the forefront after the trail was recently resurfaced, which also means it needs to be repainted with safety signs. But should the inland side of the trail again be marked off for bicycles only?

The separation, which was designated when the trail opened, was supposed to keep bicycles and pedestrians from running into each other. But families, tourists, moms pushing strollers and elderly people frequently used the paved, “bikes only” portion of the path anyway, sometimes leading to confrontations.

“I have witnessed families with small children, tourists and locals all have close calls with bikes traveling too fast for the conditions, and then [pedestrians] are chastised

by the person riding the bike for being in the way,” P.G. resident Tony Campbell said. “I have also almost been hit several times myself while walking my dog.”

Ed Lake — who is a P.G. City Council candidate — unsuccessfully encouraged the city to not repaint the yellow stripe that divides the paved path.

“The striping encourages very fast bike riding, almost like a racecourse setup,” in a letter Lake wrote to city council members and city manager Tom Frutchey. “Speeds should be limited to 5 mph. Fast riders can legally ride 25 mph on the street with the car traffic.”

Many bicyclists, who value the trail because it’s separated from cars, support repainting signs that would give them exclusive use of the trail’s pavement.

Councilman Robert Huitt, Frutchey and Pacific Grove Police Cmdr. Cassie McSorley also weighed in on the issue in June email messages.

Huitt urged the city to take measures to divert high-speed cyclists from the rec trail to Ocean View Boulevard. He also said the paved area should not only be open to cyclists.

“The paved part of the rec trail,” Huitt said, “should be a place for low-speed, non-motorized wheeled contraptions, from strollers, to wheelchairs, to surreys and casual cyclists, including kids with training wheels.”

The dirt portion of the rec trail, Huitt said, should be reserved for those who want to stroll on foot at a “leisurely pace.”

Frutchey, an experienced cyclist, had similar thoughts, and said those who want to travel fast on bikes should use the street, not the rec trail.

“I suggest we consider using all appropriate means to restrict the speed of bicyclists on the trail,” he said, “and to encourage competent bicyclists to use Ocean View Boulevard.”

In another email message, McSorley said the city shouldn’t create an expectation that the rec trail is only for cyclists.

“It encourages riders to expect the right of way and travel much too fast for a mixed use path — as it actually is because the pedestrians do not stay on the dirt,” McSorley said.

However, Silva said the city’s municipal code clearly states that the paved portion of the path is intended for bicyclists. In order to change that, the municipal code would have to be modified.

“Everybody is concerned about protecting their areas,” Silva said. “I have been working with the City of Monterey, because they are coming up with additional signage [on its rec path] that advises people to respect each other’s company.”

The Aug. 12 traffic safety commission meeting is at 4 p.m. and will be in the police department’s training room, which is accessible from the police parking lot.

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For decades, bicyclists have had most of the Rec Trail through Pacific Grove designated just for them. But since pedestrians often missed the painted signs telling them to keep to the ocean side of the trail, conflicts and even collisions, were inevitable. The trail was recently resurfaced, leading many citizens to ask that the “bikes only” signs be eliminated.

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Swimmers bring home medals from Jr. Olympics

FOR A bunch of swimmers from a small pond, the Monterey Bay Swim Club did pretty well last month in a big pond. Going up against much larger swim clubs, the local swimmers



took home five gold medals, five silver medals and one bronze medal after competing in the Pacific Swimming Long Course Junior Olympics in San Jose July 11-13.

"For a small club, this was an outstanding result," said Ron Garren of Carmel Valley, whose son won three medals. "We received a disproportionate number of medals."

Dylan Franklin won three gold medals; Connor Rodgers (right of photo) captured three silver medals; Kai Garren (center) earned a gold medal, a silver medal and a bronze medal; and Christina Hashimoto received a gold medal and a silver medal. Also pictured is Craig Lensegrav, who competed as well.

The swimmers were coached by Mark Temple, who performed the same task for the Canadian swim team in the 2004 Olympic Games in Athens, Greece. The assistant coach was Sierra Burton (pictured).

Founded in 1974, the nonprofit swim club features members of all ages, who train in pools at Pacific Grove High School, Monterey Peninsula College, the Carmel Valley Community Center and Hartnell College.

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Turnouts overflow with whale watchers as humpbacks devour anchovies

By CHRIS COUNTS

FEASTING ON a bumper crop of anchovies, an unprecedented number of whales have recently arrived in Big Sur and the Monterey Bay. In response, a growing number of humans are trying to get a closer look.

Cars overflowed from turnouts along Highway 1 near Garrapata State Park this week as people with cameras and binoculars attempted to get a peek of the massive marine mammals. The California Highway Patrol was on hand to try and bring order to a hectic scene as pedestrians crossed the busy scenic route and traffic slowed to a crawl near the turnouts.

In the 28 years she has studied whales in Monterey Bay, Nancy Black said she has

never seen so many humpbacks. A marine biologist and the owner of Monterey Bay Whale Watch, Black said an estimated 2,500 humpbacks now live along the California and Mexican coasts — a dramatic rise from the 400 that existed three decades ago. That's an increase of about 6 percent a year, Black said. She attributed the population spike to conservation measures that have protected them since they were hunted to near extinction in the 19th and early 20th centuries.

"It's extraordinary," Black told The Pine Cone. "We saw 55 whales on our afternoon trip. I've heard people say they could see hundreds from the shore."

Also feeding on the anchovies are sea

See WHALES page 25A



PHOTO/DANIEL BIANCHETTA

A pair of humpback whales surface close to the shore of Monterey Bay this week. Drawn by a proliferation of anchovies, hundreds of humpbacks have arrived in local waters.

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CITY HIT WITH ANOTHER LAWSUIT OVER ACCESS TO PUBLIC RECORDS


By KELLY NIX

ALREADY IN the spotlight for withholding public information from its citizens, Carmel-by-the-Sea was sued this week by a group called Transparency in Government alleging officials violated the California Public Records Act by failing to provide documents it requested in July. But the city quickly reached a settlement by providing all

of the documents and paying the group more than \$2,000 in attorney's fees and court costs.

In the lawsuit filed Aug. 5, the group's attorney, Neil Shapiro, recounted how he asked the city July 10 for copies of all public records requests received by Carmel from Jan. 1 to June 30, the city's responses to the

See **RECORDS** page 24A



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THIS WEEK

Food & Wine

ENTERTAINMENT • ART
RESTAURANTS • EVENTS

August 8-14, 2014

CARMEL • PEBBLE BEACH • CARMEL VALLEY & THE MONTEREY PENINSULA

Ukeleles are hip again, Delaney Ann unveils CD

By CHRIS COUNTS

BRINGING ATTENTION to a musical instrument that's famous for making people smile, the Carl Cherry Center for the Arts presents its fourth annual "Ukelele Melee," Saturday, Aug. 9.

"It's a happy instrument," event organizer and ukelele player **Dixie Dixon** said. "It really cheers everyone up. You can start a party with one."

The "melee" is actually a Vaudeville-style variety show written by Dixon's late husband, Daniel, who also penned a book on ukeleles, "The World's Friendliest Instrument." Summing up the instrument's sunny disposition, the author declared, "You can't play the blues on a ukelele."

One of the most popular instruments on earth during the

See **MUSIC** page 20A



Fifteen-year-old singer-songwriter Delaney Ann celebrates the release of her debut recording, "Fingers Crossed," Saturday at Earthbound Farm in Carmel Valley.

EVENTFUL YEAR SENDS YOUNGSTER ON LIFELONG PURSUIT OF ART AND AUTOMOBILES

By CHRIS COUNTS

AT THE ripe age of 11, **Jeff Hildreth** discovered three things that would have a profound impact on his life: the Monterey Peninsula, automobile races and his natural talent for painting. An exhibit of Hildreth's motorcycle and automotive art opens Tuesday, Aug. 12, at the Carmel Bay Company.

In 1957, Hildreth moved with his family to Pacific Grove. The same year, he won Best of Show in his first art competition. And perhaps most memorable, he attended his first car race at Laguna Seca, where he dressed in his Boy Scout uniform and directed traffic.

By his late teens, Hildreth had graduated from directing cars to driving them. When he came across a 1953 MG TD he described as "a basket case," it was love at first sight. His parents, no doubt worried about their son zipping around in

located at Ocean and Lincoln. Call (831) 624-3868.

■ Painters embrace color

In addition to displaying its monthlong Miniature Painting Raffle show, the Carmel Art Association presents new work Saturday, Aug. 9, by four of its member artists.

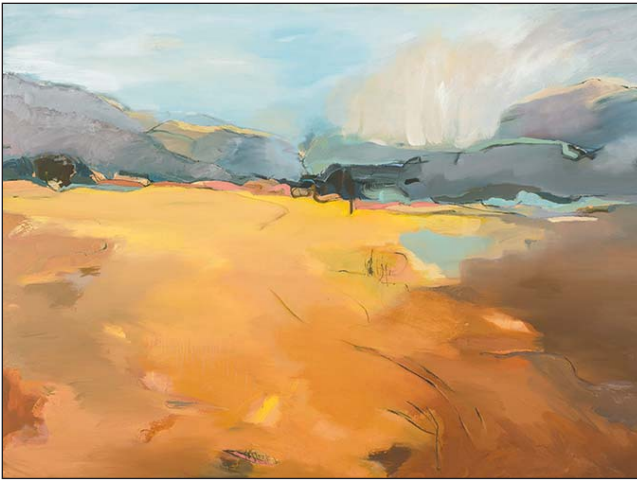
Sarah Healey and **Barbara Kreitman** present a two-person show, "Embracing Color," while a husband-wife duo, **Cyndra Bradford** and **Jeff Daniel Smith**, is featured in the CAA's "Gallery Showcase."

In the first show, Healey and Kreitman "embrace the power of color," said the CAA's Carmen DeVida. "These two oil painters share a passion for color and use it to transport the viewer to a more intimate and personal place," DeVida said.

Healey is a Big Sur painter whose mountaintop home



Like its sculptor, "Nothing Else Matters" (above) by Moses Nyanhongo recently arrived in Carmel from Zimbabwe. Photographer Michael Furman, whose work (top right) is displayed at the Monterey Museum of Art, celebrates the fine art of hood ornaments. Sarah Healey's "My Way Home" (right) is part of a show opening Saturday.



a sports car, supported him buying it because they never figured he'd get the vehicle running.

"I paid the princely sum of \$400 for it," Hildreth told The Pine Cone. "I was driving it 30 days later."

Since that fateful purchase, Hildreth has owned 116 cars, nearly all of them made in Europe. He has also owned more than 50 motorcycles — again, mostly from across the pond.

"I really like European cars," he explained. "I like the history and I like the style. I never got the bug for American cars."

After a lengthy career in the automobile industry as a technician, a retail service manager and a management trainer, Hildreth established himself as an artist and craftsman. Now a resident of Williams, Ore., he has combined his affection of art and automobiles by creating "vintage" European car logo signs, paying tribute to Maserati, Alfa Romeo, Ferrari and other manufacturers of extraordinary vehicles.

The shop, which hosts a reception from noon to 4 p.m., is

offers her a birdseye perspective of the region's beauty and no shortage of inspiration for her work. Kreitman is the owner of Gallery North, which is located on Dolores just steps away from the CAA.

Bradford's colorful palette knife paintings "showcase her passion for horses," DeVida added, while Smith's Central Coast landscapes and seascapes "explore the play of light and color." Bradford and Smith are co-owners of Galerie Plein Aire Fine Art, which is located next door to the CAA.

The gallery, which hosts a reception from 5 to 7 p.m., is located on Dolores between Fifth and Sixth. The shows continue through Sept. 2. Call (831) 624-6176.

■ Seeing cars in a new light

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See **ART** page 21A

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F O O D & W I N E

Spanish peppers, a fair BBQ, Concours Cafe and fresh cocktails

WHEN MUNDAKA chef Brandon Miller and owner Gabe Georis were traveling in Spain a year-and-a-half ago, searching for culinary inspiration they could bring back to Carmel, they found it in the form of a small, mild pepper called “guindilla.” While pan-

Since adding the new pepper to the menu, Miller said he’s been going through 15 to 20 pounds a week. “I go through a lot of peppers,” he said, adding that Ramsey Elmachetoub has also incorporated the pepper into one of his bagel recipes at the Monterey Bagel Co. he operates out of Mundaka’s cafe next door.

To try out the new guindillas, which Miller believes are only found at his restaurant, visit Mundaka, located in a courtyard on the east side of San Carlos Street north of

Seventh Avenue. Call (831) 624-7400 for more information.

■ BBQ to kick off fair

A barbecue will kick off the 78th annual Monterey County Fair Friday, Aug. 8, at 5 p.m. in the Monterey Room at the fairgrounds. The feast will also include silent and live auctions benefiting the nonprofit Monterey County Fair Heritage Foundation.

The event will begin with cocktails at 5 p.m., followed by dinner at 6, and a no-host bar will be offered. The Money Band will keep things lively.

Tickets are \$20 for adults, and children ages 12 and under are \$10. The Monterey County Fair will run from Wednesday, Aug. 27, through Monday, Sept. 1. This year’s theme is “Party with the Animals.” For more information, visit www.montereycounty-fair.com or call (831) 372-5863.

■ More Marvelous Mondays

Montrio Bistro’s Marvelous Monday deals for rewards card holders continue this month, with a lineup of customer favorites in

the offering. The reward cards are free and available at any of Tony Tollner’s three restaurants — the Rio Grill, Tarpy’s Roadhouse and Montrio — and can be activated at www.downtowndining.com. The program allows restaurant regulars to accrue points that eventually translate to dollars to spend at any of the three.

Montrio offers Monday deals to card holders, and this month’s include bacon bruschetta and a Peter B’s beer Aug. 11, lobster mac ‘n’ cheese and Chardonnay Aug. 18, and white anchovies and sparkling wine Aug. 25.

Montrio is located on Calle Principal in Monterey. www.montrio.com

■ Concours Cafe

Because the people strolling through downtown during Thursday’s Tour d’Elegance — when about 100 collector cars from the Pebble Beach Concours d’Elegance park on Ocean Avenue — might want a little sustenance, the Carmel Chamber of Commerce is launching its Concours Cafe

Continues next page

soup to nuts

By MARY SCHLEY

frying small padron peppers had been trendy, they were replaced by the guindilla in many bars in Spain.

“They’re like padrons, but meatier,” Miller said. “They’re super tasty, kind of squiggly-looking and longer, and they’re kind of crinkly. They have a nice earthy flavor.”

Wanting to bring the pepper back to the states, the duo went on a quest for seeds, searching for them in local markets during their travels, according to Miller.

“We found them in Barcelona and gave them to Borba Farms to grow, with a one-year exclusive agreement,” he explained. “You see them pickled and canned here, but not fresh.”

Miller got word from the Aromas farmers who grow much of the produce he uses that the peppers were ready, and he picked up a box at the downtown Monterey farmers market Tuesday afternoon. The mild peppers, which he simply pan-fries in oil and then sprinkles with crunchy maldon sea salt, are a hit.

“People are digging them,” Miller said. “The farmer who grows the padrons says he likes them better.”



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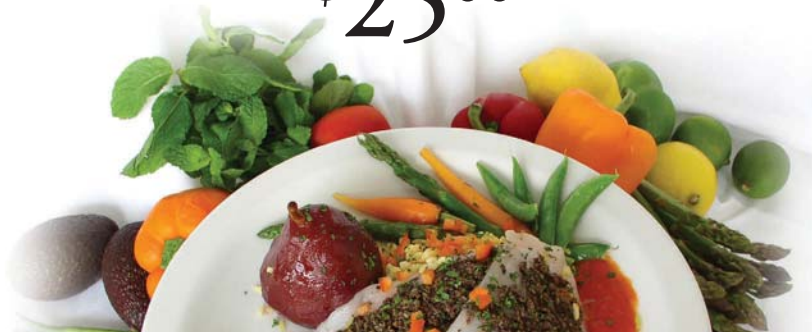
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From previous page

Thursday, Aug. 14.

Open to the public from 11:30 a.m. to 3:30 p.m., the cafe will be located on San Carlos Street between Sixth and Ocean Avenues, and will provide barbecue, snacks, drinks and other refreshments.

Fresh cocktails at Porter’s

Porter’s restaurant in the clubhouse at Poppy Hills Golf Course will host a special cocktail hour featuring Ketel One Friday, Aug. 15, with creative drinks and small bites prepared by chef Johnny de Vivo.

Incorporating fresh lavender from the kitchen’s garden and housemade shrubs (Colonial-era syrups made with fruit, and sometimes herbs, sugar and vinegar) the bartenders at Porter’s will make custom drinks from 5 to 6:30 p.m. Guests will be invited to “choose from the large array of farm-inspired mixing options to create a sweet, sour or savory drink.”

The cost to attend Ketel One Hour is \$25 per person, and reservations are required by calling (831) 622-8240.

At Porter’s, de Vivo also prepares great breakfast and lunch fare, and a twilight menu, too. It’s open to the public and located in the Poppy Hills clubhouse at 3200 Lopez Road, and guests can show their Pebble Beach gate tickets to get a

free glass of house wine or beer, or half-off the calamari appetizer.

Donati dinner at Pt. Pinos

Donati Wines will be paired with three courses during a special dinner at Point Pinos Grill in the clubhouse at the Pacific Grove municipal golf course on Asilomar Boulevard Thursday, Aug. 21, at 6:30 p.m.

Head chef Shane Griffin created the menu, which includes hors d’oeuvres served with 2013 Pinot Blanc, roasted stone-fruit salad with butter lettuce and bacon vinaigrette paired with 2013 Sisters Forever Un-Oaked Chardonnay, braised pork cheek with stewed plum and yellow wax bean paired with 2011 Claret, and marinated peppered tri-tip and grilled summer vegetables served with 2011 Cabernet Sauvignon.

The cost is \$42 per person, including tax and tip. Reservations are recommended by calling the grill at (831) 648-5774.

Dawn’s Dream release party

Dawn’s Dream — the wines of Dawn Galante — will celebrate the release of its 2013 Rachael Pinot Noir (named for one of Jack and Dawn Galante’s daughters) in its San Carlos

Street tasting room Saturday, Aug. 23, from 2 to 6 p.m., with live music, small bites, raffles, and plenty of wine.

The cost of a wine flight is \$10 per person, and an RSVP to the party is requested by calling (831) 659-2649 or emailing wine@dawnsdreamwinery.com.

Dinner Belle reinvented

A few months after launching their dinner service, Carmel Belle owners Jay and Chloe Dolata decided to seek feedback from their customers and friends in the culinary business and revamp it. The new Dinner Belle celebrated its grand reopening Wednesday night, introducing a new menu of snacks, sides, classic main dishes and sweets.


Charcuterie, cheese and local bread make up the starters, with sides of field green salad, soup of the day, a bread salad with tofu, tomato melon salad, chive smashed potatoes and roasted market veggies. Offerings will change seasonally, of course, depending on what’s found at the farmers market.

Main dishes, meanwhile, are herb roasted chicken, Belle’s meatloaf, eggplant parmesan, chicken pot pie, quinoa mac ’n’ cheese and an open-faced steak sandwich. All of those dishes, Jay Dolata explained, can be bought in single-size portions or

Continues next page

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PHOTOS/MARY SCHLEY

Chef Brian Shaner (above) is the new man in the kitchen at La Playa Carmel, which hosted an intimate wine dinner on its heated terrace last week (upper left). Meanwhile, up the street at Mundaka, chef Brandon Miller has introduced fresh guindila peppers (left) that can’t be found anywhere else.

TASTE

SUMMER VISIT



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FOOD & WINE

From previous page

larger amounts, perfect for serving families or groups of friends, or taking out for a party at home. Sweets include “banana jar pie” and baked meringue.

Dinner is served in the restaurant, located in the Doud Arcade at San Carlos and Ocean, Wednesday through Sunday from 5 to 9 p.m. Call (831) 624-1600 for takeout — and curb-side pickup.

■ Sip & Smoke

Galante Vineyards and master Cuban cigar roller Payne Mason will pair up for a unique event, Sip & Smoke, at the Cachagua winery Wednesday, Aug. 13, from 4 to 8 p.m. Tickets for the event, which are \$75 per person, include “succulent delights” and a glass of Galante wine, and one hand-rolled cigar, all in “an evening to remember.” More wine and more cigars are available for more money, of course.

Reservations are required by calling (831) 624-3800.

■ La Playa wine dinners

After taking time to find the right person for the job, La Playa Carmel hotel general manager Mary Crowe introduced new chef Brian Shaner at an intimate wine dinner on the historic hotel’s heated terrace last week.

Hosting winemakers Jack and Dawn Galante, and farmers Dick and Bonnie Swank, the dinner featured their products combined with Shaner’s clean, fresh cooking in five courses. Shaner, who spent the last year cooking at Casanova Restaurant, was the perfect pick, according to Crowe.

“It’s hard to find someone with the talent and patience,” she observed.

Shaner’s selections during the dinner included Alaskan halibut with Swank Farms peaches and heirloom tomatoes, Swank watermelon salad with crispy prosciutto and house-smoked mozzarella, and a duo of N.Y. strip and braised short rib with potato pave and Swank baby carrots. Wines he selected for pairing were Galante’s Sauvignon Blanc, Dawn’s Dream Chardonnay and Pinot Noir,

See **FOOD** page 21A

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FOOD

From page 19A

and 2007 Galante Black Jack Cabernet. Crowe said she’s eager to show off Shaner’s talents at future culinary events. Meanwhile, stop by the historic bar in the hotel at Camino Real and Eighth to get a glimpse and have a cocktail.

■ Bernardus at Big Night

Favaloro’s Big Night Bistro on Lighthouse Avenue in Pacific Grove will host Bernardus

winemaker Dean De Korth for a wine dinner Monday, Aug. 25, at 6 p.m. Nino and Marie Favaloro have already designed the menu for the evening, which will include organic red leaf salad with apples, almonds and prosciutto paired with Chardonnay, veal and beef cannelloni in tomato cream and pesto paired with Sierra Mar Pinot Noir, braised pork medallions and portobello mushrooms with the Signature Marinus Bordeaux blend, and apple strudel a la mode with late harvest Sauvignon Blanc. The cost is \$75 per person, not including tax and tip, and reservations are required. Call (831) 373-8523 to secure a seat. www.favalorosbignightbistro.com

ART

From page 16A

photographer **Michael Furman** signs copies of a new book Thursday, Aug. 14, at the Monterey Museum of Art’s La Mirada location.

Typically placing his subjects against a black background, Furman captures the lines and forms of some the world’s finest cars with exquisite detail. Furman will be joined at the museum by co-author **Nicholas Dawes**, an appraiser for “Antiques Roadshow.” The two co-authored “Bespoke Mascots,” the second volume in a series of books about automotive jewelry. The museum’s chief curator, **Karen Crews Hendon**, said Furman’s unique perspective presents his subjects in a new light and “showcases the individuality of each automobile he photographs.”

“I met Michael about a year ago,” Hendon recalled. “I went into this enormous space where he was photographing cars. A car he was photographing was sitting on a huge lift with gigantic lights all around it. It felt like I was in a theater. I was blown away.” An exhibit of Furman’s work, “The Spirit in Motion,” is on display at the museum through Aug. 18. Complementing it is a private collection of hood ornaments and other automotive jewelry. “It’s a big deal for us,” Hendon said of the show, which she added is unlike anything the

museum has previously displayed. “I think people are really going to get kick out of it.” The event begins at 4 p.m. The museum is located at 720 Via Mirada. Call (831) 372-5477.

■ Beyond traditional sculpture

Making the long voyage from his home in Zimbabwe, sculptor **Moses Nyanhongo** will be on hand Saturday, Aug. 9, when Gallery Sur unveils 30 new sculptures created by Nyanhongo and other members of his artistically-talented family. In addition to Moses, the collection includes pieces made by **Agnes Nyanhongo, Wellington Nyanhongo, Dennis Nyanhongo, Marian Nyanhongo** and **Norbert Shamuyarira**. “There are some very interesting sculptures in the collection,” gallery director Rohana LoSchiavo said. “There are several ‘breakthrough’ pieces beyond anything we’ve seen before in terms of their use of materials, their composition and the creative ideas expressed. They are continuing the tradition of the Shona sculpture movement, but they’re bringing something new and innovative to it.” Nyanhongo presents a demonstration of his technique in Piccadilly Park on Dolores between Ocean and Seventh from 11 a.m. to 1:30 p.m. A reception at Gallery Sur follows from 4 to 7 p.m. Gallery Sur is located on Sixth between Dolores and Lincoln. Call (831) 626-2615.

FOG

From page 1A

can store a large quantity of gas onsite. From the tanks, the gas travels through aluminum or stainless steel tubing known as “fins,” where the ambient heat from the atmosphere surrounding the tubing turns the liquid into gas. The air outside of the tubing is cooled, creating “fog.” “This heat exchange makes the air so cold that normal water vapor in the air condenses creating a localized fog — much in the way natural fog is made,” explained Donald

Cutler, a spokesman for PG&E. Coming just months after a March 3 gas leak from a PG&E main caused a house at Guadalupe and Third to explode, the methane gas storage has raised a few eyebrows around town. One resident told The Pine Cone he believed the storage of so much gas so close to a high school and a residential neighborhood presented a public safety risk, while others claimed a fracking operation was under way. The project could cause delays along Highway 1 from 8 p.m. to 5 a.m., Sunday through Friday, until it is complete, which will likely be very soon, PG&E officials said.

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A century of Pine Cones

■ 98 years ago — Aug. 9, 1916

The City of Carmel-by-the-Sea?

The preliminary legal formalities have been inaugurated, setting in motion the proposal to incorporate “The City of Carmel-by-the-Sea,” making it under the laws of the State of California a city of the sixth class. Fifty resident citizens and property owners have petitioned the Monterey County Board of Supervisors to set a date upon which an election may be held submitting to the electors this proposition.

The time for action has arrived. Carmel has reached the point where it must either go ahead or stand still. To stand still means to go back. There is too much at stake to go back.

We have the people, we have the homes and we have the business concerns. We need street improvements, police and fire protection. These things may be obtained for a very small additional tax, a tax which will more than be compensated for by automatically increased values immediately following incorporation.

It must not be assumed that the city trustees, under the new order, would proceed to make all improvements desired at once. Work would be done gradually and thoroughly and economically.

There will be no fancy salaried official. Much of our tax money, now going to Salinas — and remaining there — will come back direct to the town. In fact, we shall govern ourselves, have home rule.

Fire under control

The forest fire in the Big Sur Country which has been raging since last Thursday is now under control.

The area devastated is approximately 25 square miles, including both government and private property.

The property destroyed embraces a vast amount of red-wood timber, the University of California bee farm, and the

telephone line from Big Sur to Soledad.

Upwardts of 75 men were engaged in fighting the flames, among them a number of regulars from the Monterey Presidio.

■ 75 years ago — Aug. 11, 1939

Series of Fires Puzzle to Police

Grass fires don’t start by themselves on damp and foggy nights. Nor do five roadside fires along a highway begin from one carelessly flung cigarette. Carmel has just had a series of mysterious fires and the police are investigating on suspicion of arson.

Two of the grass fires were near the Peninsula Community Hospital in an area which in the past year has been prone to such fires. The latest of these was found burning on both sides of the roadway at the border of the city of Carmel. At the time a heavy “weeping” fog covered paved streets with enough water to run and grass and brush were definitely damp instead of timber dry.

Five mysterious fires along the Carmel Valley highway on the Hatton ranch first threw the light of suspicion on the grass fire situation. These were along one side of the road and only failed to blacken acres of beautiful fire timber because of quick action by the State fire crew. Owners of the ranch are reported to have no enemies who might have started such fires.

(Long ago Robert Louis Stevenson, during his brief but highly romanced stay on the peninsula, started a first-class forest fire on Huckleberry Hill by lighting pieces of Spanish moss “to see if they would burn.” They did.)

■ 50 years ago — Aug. 13, 1964

City Gets Money to Pay For Sunset School

City Clerk Hugh Bayless will come home from San Francisco tomorrow with a check for \$575,000 made out to the city. In January, this money will be paid to the Carmel Unified School District and the city will take possession of the Sunset School buildings and site.

Tomorrow morning, Mr. Bayless will receive from the printer, sign and deliver to the Bank of America the bonds

approved by the voters in April to raise the money for the Sunset purchase. Following this, he will be given the check.

The \$575,000, until January, will be deposited in the time deposit banking account of the city and earn interest until it is paid to the school district. After the city takes possession of the school in January, the school district will pay Carmel \$2,000-a-month rent for Sunset.

■ 25 years ago — August 10, 1989

Water Board Takes on Volatile Issue

The Monterey Peninsula water district board has scheduled a vote on limiting water meter connections at its next meeting, an item that has pit board members against each other both in and out of their meetings.

The agenda item comes at the same time the Residents Water Committee is ready to formally request the State Water Resources Control Board and the Public Utilities Commission to usurp a water board’s decision to continue to issue new permits while current water users are being rationed.

The committee was scheduled to conduct a press conference on the filing at 11 a.m., Wednesday, Aug. 9 after Carmel Pine Cone press time. Most water users within the district’s boundaries are under 20 percent rationing. A few areas with reliable sources of water are exempt.

Three of the city councils within the district — Carmel, Monterey and Pacific Grove — and the Monterey County Board of Supervisors — have requested that the water board limit water meter connections during this drought. According to water district general manager Bruce Buel, Sand City and Seaside have written letters to the district opposing the limitation.

Organizations representing contractors, the construction industry, and architects have also opposed the limitation.

In June, the water board was stalemated on a vote to conduct a public hearing on the issue and sent the request to one of its committees for a recommendation.

—Compiled by Christopher Good

Stuart Miller, Ph.D.

Stuart Miller, Ph.D., long-time resident of Carmel, California, passed on July 1, 2014 at the age of 76. Born December 28th, Stuart grew up in NYC. He graduated Oberlin College with Highest Honors in 1958; by 1963 he had completed his M.A. in English Literature and his PhD in European Comparative Literature from Yale University. Stuart spent 1958-1959 in Italy as a Fulbright Fellow, the first of several extended European stays that included a Haskell Fellowship in Rome in 1963 and several years living and writing in Belgium and Italy in the 1980s. Stuart wrote numerous articles, book chapters, and books on health policy, higher education, cross-cultural understanding, men's issues, friendship, and literary theory; he professionally edited and coached many authors. His varied career also included positions as professor at UC Berkeley and Rutgers University; the first Vice President of Development at Esalen Institute, Big Sur, CA; and founding President of The

Institute for the Study of Humanistic Medicine, San Francisco, CA. Recent work focused on introducing Share The Care, a grass-roots caregiver support model, to Monterey County. Predeceased by his parents, Irving Miller and Annette, his second wife, Dr. Sukie Miller, and his last wife, Eleanor Cox Miller, Stuart Miller is survived by his sister Sally Peretz of Long Island, New York and his son, Antony Scott, of Anchorage, Alaska. Warm, intelligent, charming, and with a great sense of humor, Stuart will be missed by his family, friends and colleagues. A celebration of his life is scheduled for Sunday, September 28th at 11:00 AM, the Old Whaling Station, (back of) 99 Pacific St. & Scott St., Monterey, CA. Memorial gifts are suggested to Share The Care (STC) - c/o CCHAS, STC fiscal agent, P. O. Box 1931, Monterey, CA 93942.



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JUSTICE

From page 30A

accident in 1978. His car had a stuck throttle; it catapulted off the Corkscrew, flew several hundred feet, and crashed into a hillside. Remarkably, he returned to racing the next year. That level of danger is why Justice never seriously considered racing as a career. “My dad didn’t encourage me — he’d lost too many friends.” He pointed out that when Dale Earnhardt was killed in 2001, it was a great shock to fans; however, in the sport’s early days, it wasn’t unusual to lose ten drivers of Earnhardt’s stature in one year.

Through race car sponsorships, however, Justice said he’s had the opportunity to ride — safely — in many high-performance vehicles. “I’ve been blessed. I’m very, very thankful for what I’ve been able to experience,” he said. He owns a private museum in Duarte with over 100 cars, including drag cars, Indy cars, and vintage stock cars. “It’s very eclectic; I think I have automotive ADD,” he said.

And what does the eclectic collector drive? “I have a Ford Expedition, but my main car is a 2010 Porsche 911 Turbo.”

And, although Justice calls the automobile “one of the greatest inventions of mankind,” what he values most is relationships. “The people I’ve made friends with have been the

richest experience of my life,” he said. “With friends, you create memories.” We hope he continues to create them here, for himself and for the fans at Concours on the Avenue.

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RECORDS

From page 15A

requests and the amount in legal fees it cost the city to comply with the queries — information Shapiro said should have been easy for the city to compile.

Instead of giving Shapiro the records, though, Carmel gave itself two extensions to comply with the request. The first was July 21 when city administrator Jason Stilwell — quoting the Government Code that permits cities to request extensions — informed Shapiro that Carmel would need more time to “search for, collect and appropriately examine a voluminous amount of separate and distinct records,” and to determine whether the documents were, in fact, “disclosable public records.”

Stilwell said the city had expected to make its determination no later than Aug. 1. On

that day; however, interim city clerk Lori Frontella told Shapiro that Carmel would need even more time to comply with the request and cited the same reasons. This time, the city set a date of Aug. 15, the group contends.

But by late Thursday afternoon, the city had provided Shapiro all of the documents — about 80 public records requests in all. They also gave him the data on the amount of tax dollars the city spent to comply with the requests. City attorney Don Freeman reached a deal with Shapiro to pay him \$435 in court costs and \$1,800 in attorney’s fees. In exchange, Shapiro will drop the suit.

Shapiro said he will donate the \$1,800 to The Carmel Foundation “for the fine work that it does.” “This was never about money, it was about open government and making the city follow the law or pay the consequences,” he added.

Mayor Jason Burnett acknowledged that

the city’s response to public records needs a lot of improving, and he pointed to the city council’s Tuesday decision to modify the PRA policy, which, among other things, allows the city clerk or others at city hall to comply with PRA requests on the spot with little wait time. If there are redactions or information that need to be withheld, Freeman is tasked with either signing off on the requests or making a determination that the information can be released.

“My interest is ensuring that the revised policy works right,” Burnett told The Pine Cone.

Shapiro maintained in the lawsuit that the city’s delay in complying with the Public Records Act was a “stalling tactic” that lacked legal justification and violated the law.

In speculating as to Carmel’s motive in withholding the information, Shapiro had


said he believed officials did not want to disclose how the city responded to the six-months’ worth of PRA requests his clients requested.

“I have doubts that the City of Carmel is following the Public Records Act with any great frequency,” Shapiro said Thursday before the agreement was reached. “And the best way to determine whether it’s playing straight is to look at the requests [the city has] received and by looking at its responses.”

The lawsuit also took issue with the two extensions the city filed. The PRA requires agencies to respond to public records requests within 10 days, and in “unusual circumstances,” grants an extension to comply with requests. However, the law mandates “that no notice [of an extension] shall specify a date that would result in an extension for more than 14 days,” Shapiro said.

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LETTERS

From page 28A

Fortunately, the previous city administrator had already been terminated.

Conversely, the positive results achieved to date by the new mayor, council, city administrator and staff are highly commendable. They refinanced the pension funds and achieved a one time saving of \$4.2 million. They established a hospitality improvement district and strongly supported passage of the sales tax increase, which has completely reversed Carmel’s financial problem; fiscal year 2012-13 generated a \$1.1 million operating surplus followed by a \$500,000 surplus in fiscal year 2013-14. And Carmel now has an AA+ credit rating. Concurrently, various broadly read American travel magazines have awarded Carmel with these rankings: No. 2 Best Small City in America, No. 3 city in the world for romance, No. 6 travel destination in the United States and No. 7 best American city for foodies!

In organization management, it is objectivity and results that count, not emotions, bias and subjectivity.

Bob Jenkins, Carmel

Now what with McInchak?

Dear Editor,

Now that IT manager Steve McInchak has been exonerated, the public learns that forensic computer examiner Mark Alcock was paid \$273,486 from taxpayer’s funds. Interestingly, Alcock himself initiated the accusations against McInchak, and now reaps the benefits after finding no evidence of wrongdoing. Government at its finest.

I would not be surprised if some of the ill-gotten gain finds its way into the mayor’s campaign coffers or donated to aspiring politicians he supports. This is the typical Chicago style of politics. Never let a crisis go to waste, especially if the crisis was a fabrication.

This episode is just another example of the true nature of government machinery. Most of those in the political/government sector are dedicated to living off the public while enjoying high salaries, pensions and benefits that the public rarely experience. But then again, government cannot survive without engaging in deception, corruption, unaccountability, non-transparency and inefficiency. That seems to be their job.

There was a time when government was there to protect rights, property and life. Now we have something that is a blend of Mussolini’s Italian Fascism and Machiavelli’s political expediency. Our government used to be about preserving justice, not the politicians’ wallet.

Lawrence Samuels, Carmel

‘Difficulty adjusting to change’

Dear Editor,

It is apparent that many of the longtime entrenched Carmel community are having difficulty with a new mayor and city administrator. The feeling, as expressed by some, seems to be that the operation of the city by the former city council and city administrator was preferred over that of the current.

The previous city council, headed by a longtime mayor, appointed the former city administrator, who served for many years. It should also be noted that the former council, finally after considerable public pressure and agreeing to an out-of-court settlement in excess of a half million dollars against the former administrator for sexual harassment, forced the retirement of the former administrator.

A new mayor is elected and a new administrator is appointed. Change occurs after many years. Employees find that they are responsible and accountable for the duties that they were hired to do. Some make it, and others don’t. Those that don’t draw the attention of the press that is already unhappy about the difficulty in obtaining documents or other information that was reportedly readily available under the previous administration.

Finally, a concerned citizen prepares a petition to terminate the city administrator. The Pine Cone prepares a front page story mistakenly calling the city administrator a city manager (or perhaps not understanding the distinction). The

THEATER

From 3A

selected Cody Anderson Wasney as the top choice.

The firm will “design plans and specifications, obtain building permits and assist in the preparation of bid documents for future construction activities,” according to Friedrichsen’s report. The triage phase will cost about \$46,000 to develop, and the second phase addressing longer-term rehabilitation and needed capital improvements will cost about \$68,530.

At the meeting, Talmage reminded Wasney the city’s centennial is coming up in 2016, so reopening the theater is a top priority.

“It is a ferocious schedule,” Wasney confirmed. “But we’re committed to meeting it.”

After the council unanimously OK’d the contract, councilwoman Victoria Beach welcomed Wasney.

“I want to welcome the architect to town and to tell him how very much is riding on this for us,” she said. “You obviously already know that, but we are thrilled this is getting going, and our cultural heart is in your hands.”

petition references a number of employees who have terminated employment and The Pine Cone’s reporter supports the petitioner in that the mayor is misrepresenting the number of employees voluntarily separating from city service. The mayor reports seven but the petitioner reports 13. It is rather interesting that six of the 13 identified by the writer of the column either accepted another job, retired, or resigned, voluntarily. The mayor is correct is reporting the number of employees involuntarily terminated.

The new restrooms at the south end of the beach are finally being built. The Forest Theater, a safety hazard and liability for many years, has been shut down for repairs and upgrades, public works projects are being accomplished, and the mayor is assisting in leading the way to a long-term water supply. It is time to pull together as a community without private agendas and support the city council and city administrator.

William J. Woska, Carmel

‘Unfounded greed’

Dear Editor,

We have lived and shopped in Carmel since 1992 and support the local merchants 100 percent.

The recent downsizing of the farmers market is a bummer to our family, as we can no longer purchase superior locally grown fruit (except for strawberries).

I discussed this with a friend who owns two businesses in Carmel. I was informed that even though there is nothing sold in the armers Market that is competitive with his businesses, his receipts are down on Thursdays between 10

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I was not quick enough to point out to him that the additional traffic due to people drawn to a worthwhile farmers market could generate more business for him and other merchants before and after Thursday between 10 a.m. and 4 p.m.

Anyway, this decision is short sighted, narrow minded, generated from unfounded selfish greed, and just plain stupid!

The merchants need to think things through more thoroughly. Living in Carmel is more than just caving in to whatever makes the merchants happy. There are thousands of non-merchant citizens in the balance that need to be considered!

Mike Pierce, Pacific Grove

WHALES

From page 14A

lions. Whether they intend to or not, the sea lions are aiding the whales in their feeding frenzy, Black said.

“It appears the sea lions are benefiting the whales,” she explained. “The sea lions go down and herd the fish together, which is attracting the whales.”

As the swarms of anchovies move closer to shore, so do the whales, enabling photographers to capture images of them when they surface. “It’s an exciting time,” Black said.

California Highway Patrol spokesman Jaime Rios confirmed the whale watchers have impacted the flow of traffic along Highway 1 in Big Sur. He told The Pine Cone about 60 cars were parked in the vicinity of one turnout last weekend.

“People were parking their cars and setting up their cameras in the roadway,” Rios said. “Verbals warnings were given. We advised people to move and most complied. If it continues to be an issue, we will start writing tickets.”

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Calendar

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May-September - Beginning its 11th year, the Carmel Farmers Market at the Barnyard is open Tuesdays, 9 a.m. to 1 p.m. during the peak of the harvest season, from early May through the end of September. www.montereybayfarmers.org

Aug. - Monterey Bay Antiques & Vintage Market is a once a month outdoor event held at the Monterey Peninsula College 980 Fremont St. parking lot A. Free admission and free parking. We feature strictly antiques and vintage merchandise from some the finest sellers in California. Hours are 8 a.m. to 3 p.m. For more information visit www.montereyantiques.com or call (831) 648-7505.

Aug. 8 – Tonight from 5 to 7 p.m. the **Carmel Plaza Summer Live Music Series** features The IPOs, with dynamic singer and songwriter Joy Bonner, playing their high energy versatile music of soul, funk, R&B, classic rock contemporary music. Wine tasting is provided by Estancia Winery and tasty appetizers from Patisserie Boissiere. Event is free. Package \$15 for food & drink. Ocean Ave. & Mission St. www.carmelplaza.com/events (831) 624-1385.

Aug. 9 - Teddy Bears with Hearts and Local Fire Departments present Hearts with Fire FUNdraiser, Saturday, August 9, 11 a.m. to 4 p.m. VFW Memorial Building, 90 5th Street, Spreckels, CA. Performances by The Firefly Band. Tri-Tip BBQ (\$12), silent auction, youth raffle, games, face painting, and prizes. www.TBWH.ORG, (831) 915-1112.

Aug. 10 - Canine Acutouch “Wellness Workshop” at The Raw Connection, 26200 Carmel Rancho Blvd, Carmel: Sunday, August 10, 2 to 3:30 p.m. Learn about this holistic, gentle, and easy “DIY” therapy for inflammation, anxiety, muscle spasm, as well as: Puppy Development, Performance Dog Conditioning, Age-Related Issues & more. \$20 POMDR donation. Register: (831) 626-7555.

Aug. 12 - Christie's Auction House Jewelry Appraisal Day. A Jewelry Specialist is available at Carmel Realty (3 SW Dolores & 7th, Carmel-by-the-Sea) Tuesday, August 12, 10 a.m. to 5 p.m., for complimentary, confidential jewelry valuations. For an

appointment, please contact usjewels@christies.com or (310) 385-2665

Aug 13 - Join Galante Vineyard for an evening of Fine Wine & Hand-Rolled Cigars, August 13, 4 to 8 p.m. Master Cuban roller of Payne Mason will prepare your personal cigar for an evening to remember. Reservations required call (831) 624-3800 or email wine@galantevineyards.com for details.

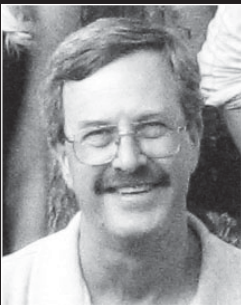
Aug. 15 – The 20th annual Pacific Grove Concours Auto Rally will be held on Friday, August 15. Beginning with a line-up on Lighthouse Avenue in Pacific Grove at 12 p.m. The Rally Drive will start at 4:30 p.m. Additional information about the rally may be obtained by calling (831) 372-6585 or online at www.pgautorally.org. Registration forms may be downloaded from the web site.

Aug. 16 - Celebrate Car Week at the Barnyard Ferrari Event, August 16, from 4 to 7 p.m. at the Barnyard Shopping Village off Highway 1 in Carmel. Enjoy Ferraris, fine wines and small bites, benefitting JD RF. For advance tickets or to learn more visit www.thebarnyard.com

Aug. 17- Introduction to Buddhism for Modern Living – Sunday, August 17 at 1 p.m. at Hacienda Carmel Community Center, near Carmel Valley Rd and Via Mallorca. SGI-USA (sgi-usa.org) is sponsoring an introductory meeting on Buddhism and your happiness. The meeting is open to all and will be held in the West Room at Club House.

Aug. 20 - Auditions for Youth Music Monterey County’s Junior Youth & Honors Orchestra, Chamber Players, Brass Ensemble & Woodwind Ensembles, Wednesday, August 20, 3:30 to 8:30 p.m., by appointment only. Auditions held in the Music Building at Monterey High School. Register online at: <http://www.youthmusicmonterey.org/joinymmc.php>. For more info: (831) 375-1992 or email office@youthmusicmonterey.org.

Aug. 23 – 3rd Annual Benefit for Hands to Help Seniors. Join us for an elegant evening of hope, Saturday, August 23, at the Carmel Valley Ranch. Cocktails, appetizers and silent auction begin at 5 p.m. Dinner served at 6:30 p.m., followed by dancing and live music. www.H2HS.org, (831) 212-2011.



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PUBLIC NOTICES

T.S. No.: 2014-01829-CA
Loan No.: 7130896256
A.P.N.: 007-152-022-000

NOTICE OF TRUSTEE'S SALE

PURSUANT TO CIVIL CODE § 2923.3(a), THE SUMMARY OF INFORMATION REFERRED TO BELOW IS NOT ATTACHED TO THE RECORDED COPY OF THIS DOCUMENT BUT ONLY TO THE COPIES PROVIDED TO THE TRUSTOR.

NOTE: THERE IS A SUMMARY OF THE INFORMATION IN THIS DOCUMENT ATTACHED

IMPORTANT NOTICE TO PROPERTY OWNER:

YOU ARE IN DEFAULT UNDER A DEED OF TRUST DATED 12/29/2005. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER.

Trustor: **Mary Moore, an unmarried woman**
Duly Appointed Trustee: **Western Progressive, LLC**
Recorded 01/05/2006 as Instrument No. **2006001119** in book ---, page--- and of Official Records in the office of the Recorder of Monterey County, California.
Date of Sale: **09/10/2014 at 10:00 AM**
Place of Sale: **AT THE MAIN ENTRANCE TO THE COUNTY ADMINISTRATION BUILDING, 168 W. ALISAL STREET, SALINAS, CA**

Estimated amount of unpaid balance and other charges: **\$1,197,077.76**

WILL SELL AT PUBLIC AUCTION TO HIGHEST BIDDER FOR CASH, CASHIER'S CHECK DRAWN ON A STATE OR NATIONAL BANK, A CHECK DRAWN BY A STATE OR FEDERAL CREDIT UNION, OR A CHECK DRAWN BY A STATE OR FEDERAL SAVINGS AND LOAN ASSOCIATION, A SAVINGS ASSOCIATION OR SAVINGS BANK SPECIFIED IN SECTION 5102 OF THE FINANCIAL CODE AND AUTHORIZED TO DO BUSINESS IN THIS STATE:

All right, title, and interest conveyed to and now held by the trustee in the hereinafter described property under

and pursuant to a Deed of Trust described as

Note: Because the Beneficiary reserves the right to bid less than the total debt owed, it is possible that at the time of the sale the opening bid may be less than the total debt

More fully described in said Deed of Trust

Street Address or other common designation of real property: **2803 Forest Lodge Road, Pebble Beach, CA 93953**
A.P.N.: **007-152-022-000**

The undersigned Trustee disclaims any liability for any incorrectness of the street address or other common designation, if any, shown above.

The sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by the Deed of Trust. The total amount of the unpaid balance of the obligation secured by the property to be sold and reasonable estimated costs, expenses and advances at the time of the initial publication of the Notice of Sale is: **\$1,197,077.76**.

If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse.

The beneficiary of the Deed of Trust has executed and delivered to the undersigned a written request to commence foreclosure, and the undersigned caused a Notice of Default and Election to Sell to be recorded in the county where the real property is located.

NOTICE TO POTENTIAL BIDDERS: If you are considering bidding on this property lien, you should understand that there are risks involved in bidding at a trustee auction. You will be bidding on a lien, not on the property itself. Placing the highest bid at a trustee auction does not automatically entitle you to free and clear ownership of the property. You should also be aware that the lien being auctioned off may be a junior lien. If you are the highest bidder at the auction, you are or may be responsible for

paying off all liens senior to the lien being auctioned off, before you can receive clear title to the property. You are encouraged to investigate the existence, priority, and size of outstanding liens that may exist on this property by contacting the county recorder's office or a title insurance company, either of which may charge you a fee for this information. If you consult either of these resources, you should be aware that the same lender may hold more than one mortgage or deed of trust on this property.

NOTICE TO PROPERTY OWNER: The sale date shown on this notice of sale may be postponed one or more times by the mortgagee, beneficiary, trustee, or a court, pursuant to Section 2924g of the California Civil Code. The law requires that information about trustee sale postponements be made available to you and to the public, as a courtesy to those not present at the sale. If you wish to learn whether your sale date has been postponed, and, if applicable, the rescheduled time and date for the sale of this property, you may call **(866)-960-8299** or visit this Internet Web site <http://altisource.com/resware/TrusteeServicesSearch.aspx> using the file number assigned to this case **2014-01829-CA**. Information about postponements that are very short in duration or that occur close in time to the scheduled sale may not immediately be reflected in the telephone information or on the Internet Web site. The best way to verify postponement information is to attend the scheduled sale

Date: August 4, 2014
Western Progressive, LLC , LLC , as Trustee
C/o 30 Corporate Park, Suite 450
Irvine, CA 92606
Automated Sale Information Line: (866) 960-8299
<http://altisource.com/resware/TrusteeServicesSearch.aspx>
For Non-Automated Sale Information, call: (866) 240-3530

THIS FIRM IS ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE

Publication dates: Aug. 8, 15, 22, 2014. (PC 807).



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Editorial

Hoping for healing

WITH PROTESTERS outside city hall (when was the last time that happened?), hundreds of signatures on petitions, lawsuits piling up, the city increasingly regarded as a political laughingstock, and polls showing that officials at city hall are held in very low regard, the mayor and the city council are continuing to act like all the controversy is no big deal.

The city council is making plenty of promises, coffees are being scheduled and committees are being formed, but all of that is just a Band-Aid.

The problem at city hall is that strangers have taken over the place — strangers who have no idea where this town came from, what it stands for and what it is supposed to be, and the delicate balancing act required to preserve it. Instead, they see it as just another city, where bureaucrats call the shots and citizens are called to heel.

If you don't have business at city hall, you may not have noticed the difference yet, but almost everyone who does certainly has.

From respected builders, to business owners, to lifelong residents, people who are closely involved in city affairs are asking, “Who are these people?”

Don't believe us? Then just take a look at the statement issued this week by the Carmel Residents Association — an organization that practically worshipped Jason Burnett when he ran for office and gleefully celebrated when he was elected mayor.

All that is gone now. This week, the CRA issued a statement about the controversy swirling around city hall that was truly remarkable for its tepidness. Not a word was said in support of Burnett or Stilwell; instead, the group just called for “lines of communication” to be “kept open for cordial discourse” and promised to “facilitate better communication between city hall and residents.” You can put those words in the dictionary under “damning with faint praise.”

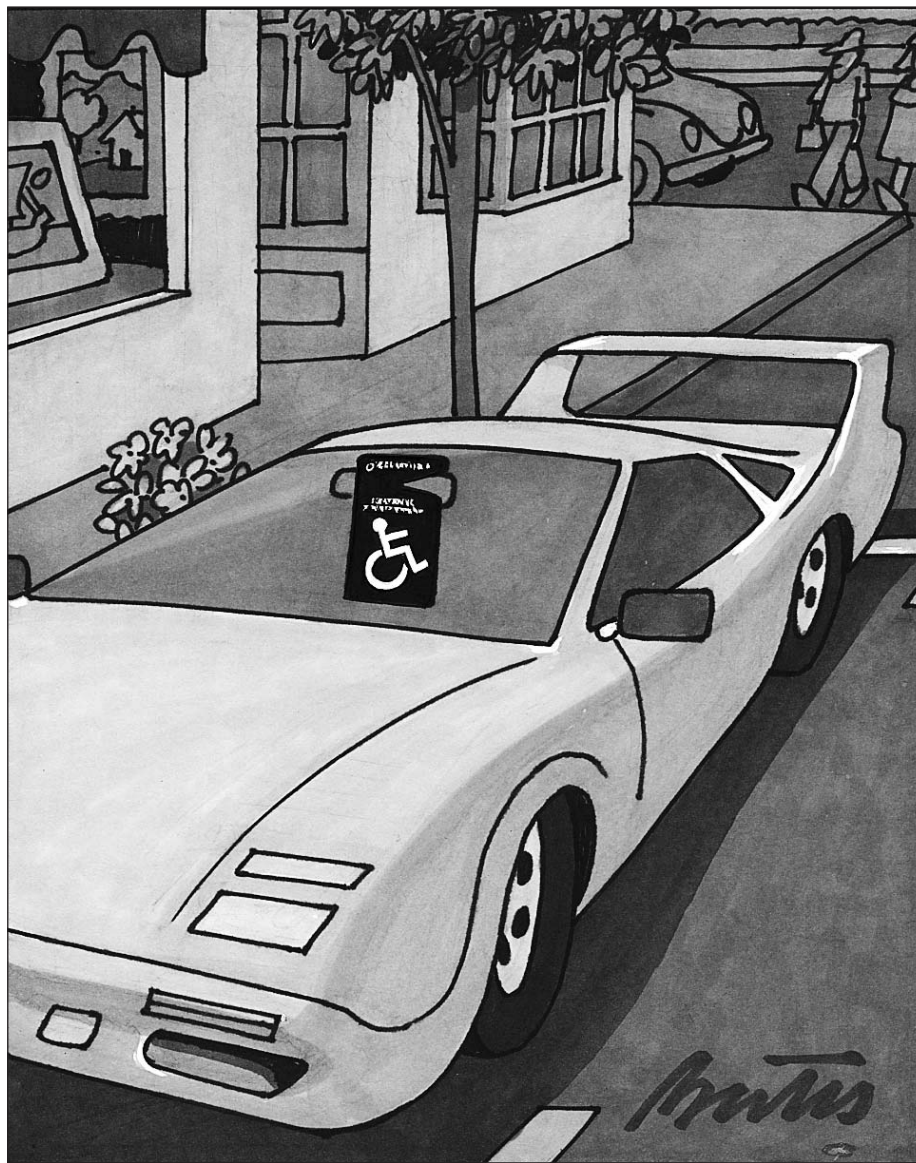
None of this had to happen, of course. Jason Stilwell didn't have to make all the colossal mistakes he's made, and the city council could have taken stronger steps to rein him in.

Unfortunately, the road has already been travelled. Humpty Dumpty is broken, and there's no way to put him back together again. The mayor and council are inexplicably determined to keep Stilwell on the job, which leaves everybody he's damaged simply left to cope.

Putting city attorney Don Freeman in charge of handling PRA requests is one major step forward, but forming a mayor's committee — which will probably just turn into a bunch of gladhanding — and having city employees start blogging aren't going to accomplish much. Unfortunately, until the next election rolls around all we can do is hope the sentiment behind those steps is sincere, and that secrecy, unfair treatment of employees and the Invasion of the Out-of-Towners will come to an end, and that as the years go by, things will slowly get better.

The council's action this week may be just a Band-Aid, but it's still possible for the wound they put it on to heal.

BEST of BATES



Letters to the Editor

The Pine Cone encourages submission of letters which address issues of public importance. Letters cannot exceed 350 words, and must include the author's name, telephone number and street address. Please do not send us letters which have been submitted to other newspapers. We reserve the right to determine which letters are suitable for publication and to edit for length and clarity.

The Pine Cone only accepts letters to the editor by email. Please submit your letters to mail@carmelpinecone.com

CRA board speaks

Dear Editor,

The board of directors of the Carmel Residents Association read this statement into the record at the Aug. 5 city council meeting. This statement represents the board's position relative to the current state of affairs at city hall.

“The Carmel Residents Association believes that democratic processes require thoughtful, open conversations, devoid of emotion, without regard to personal friendships and alliances. Personnel decisions can be difficult and the public must be made aware of the constraints governing how those decisions are made and the procedures which must be followed. Further problems arise when procedures are not understood by the public. We must keep lines of communication open for cordial, thoughtful civil discourse.

The Carmel Residents Association stands prepared to assist in any way to facilitate bet-

ter communication regarding these and other issues between city administration and the residents of Carmel-By-The-Sea.”

Barbara Livingston, Carmel

'Objectivity and results count'
Dear Editor,

My wife and I owned a vacation home in Carmel for 20 years; now we have been permanent residents for the last five years. Since living here, I have been active with the chamber of commerce and the city elections. And I have attended many of the council meetings and workshops. My current perspective is based upon having been a general partner for 25 years in a corporate crisis and turn-around management firm working in Silicon Valley and nationally.

The results of the previous mayor and council were dismal. The \$35 million CalPERS pension fund liability was just disclosed during her last term. Then the \$6 million "side fund" was correctly classified as another debt. The sexual harassment settlements involving the previous city administrator totaled \$1.1 million plus substantial legal fees for the city. Carmel's reserve fund continued to deteriorate, and there was no progress to identify and initiate significant new revenue sources. The deplorable state of Carmel's management and finances at that time is best exemplified by the deferred street maintenance that is still readily visible to every resident and visitor despite an accelerated remediation program. Based upon this negative performance, this is the mayor who should have been impeached and recalled with complete justification rather than being allowed to complete her last term in office.

See **LETTERS** *page 25A*

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The Carmel Pine Cone

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The wisdom of the ages — and it's all at your fingertips

WHEN IT comes to news, you're wasting your time reading this newspaper or watching the 6 o'clock news on TV.

The Internet has everything you need to know — because it's all about the clicks, baby.

To prove it, we've culled the Top 20 news links about Monterey County from our favorite social network sites:

■ A mother drove her child to Santa Catalina School without her uniform. What happens next will blow you away.

beyond the realm

By JOE LIVERNOIS

■ Six totally amazing things said in Carmel that only people from Carmel will understand!

1. "The city administrator needs to leave."
2. "Aren't we precious?"
3. "Your dog dish is empty."
4. "Would you kindly remove that tree? It's impacting my property values."
5. "Could you direct me to the nearest Eastwood?"
6. "You might mistake them for sluts and whores."

■ Spend a weekend in Monterey County and earn 40,000 bonus miles on your Capital One Venture card.

■ This kitten from Pacific Grove might look cute and cuddly, but what she does to a pit bull will reduce you to tears. Share if you agree.

■ Repost when you find the mistake: 123FORA56789.

■ The person who shared this with me said "this won't go viral because it's mostly about cute kids in Monterey" — and I wanted to punch something.

■ Five totally random facts about Pacific

Grove that will have you asking for more!

1. The sale of alcoholic beverages was prohibited within the city limits until 1969.
2. Pacific Grove maintains a small city park known as the "Elmarie Dyke Open Space."
3. Less than 7 percent of its residents are between the ages of 18 and 24, compared to 12 percent in Salinas.
4. Pacific Grove calls itself "America's Last Hometown."
5. John Denver spent time on Pacific Grove's shores.

■ Make your voice heard!

Sign the petition to stop the secret tax on fracking on the Big Sur scenic highway over viewsheds of the marine sanctuary to honor coastal protection week while the do-nothing Congress vacations and President Obama signs an executive order to offer reverse mortgages to children of undocumented immigrants.

■ Meme: "I have no idea what they're doing in Prunedale these days, but I think it's a travesty." — Sen. Bernie Sanders (I-Vt.)

■ A miracle? Stare at this picture for two minutes, then stare at the dot to the right and you will be surprised by a vision of St. Junipero Serra.

■ Kim Kardashian stunner: She's never heard of Sand City.

■ Click "LIKE" for a chance to win six-dozen golf balls with the King City Country Club logo.

■ Help me get 1 million likes on this video of a moron driving his father's Maserati Ghibli off the rocks at Lovers Point.

■ Can you name a Monterey County city that doesn't have an "e" in its name? I'll bet you can't.

■ Steamy "Fifty Shades of Grey" trailer premiered in Salinas and you won't believe what happened next.

■ Watch how sanctimonious liberals in

Seaside react when a conservative sucker-punches them in the groin with a baseball bat.

■ This guy crawled out of his kayak to pet a cute little otter in the Elkhorn Slough. He certainly didn't expect what happened next!

■ Fifteen maps and six charts that explain Cannery Row's history!

■ Read it now: How the sassiest boy in Monterey County became a county supervisor.

■ Which Monterey County celebrity are

you?

1. Some hoodlums are on your lawn. How do you confront them?

2. You think you might know where Osama bin Laden might be hiding. Do you send in the Navy SEALs?

3. Brian Wilson calls. Do you agree to participate in The Beach Boys reunion?

4. You've won the Nobel and the Pulitzer for your novels, so why do the New York critics hate you?

5. You've done the Hollywood thing but now you prefer the company of dogs.



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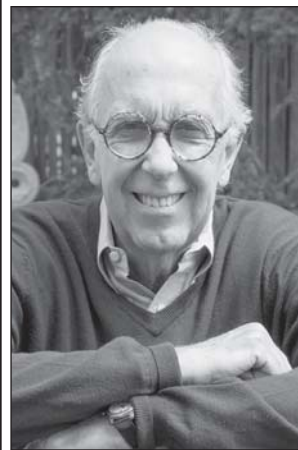
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Doing Justice at the big car show on Ocean Avenue

ED JUSTICE Jr. has been the voice of Concours on the Avenue since its inception in 2007. As the event’s emcee, he’s been able to share his passion for and knowledge about automobiles with fellow enthusiasts. The Southern California resident first visited Carmel in 1972. He’d had his driver’s license for about a year, and drove from Los Angeles to Monterey and back. In 1973, he returned with his family and

Great Lives

By ELAINE HESSER

future bride to see one of his family’s cars race at Laguna Seca. His love affair with Carmel — and races at Laguna Seca — brought him and his wife back frequently after that. “My wife’s birthday falls during the same week as Concours,” he said. “I always take her to Grasings for dinner.” He figures they’ve been staying at the Cypress Inn for at least 20 years.

His history with Concours began when longtime friends Doug and Genie Freedman, who founded the event, invited him to emcee. His admiration for the couple is expansive. “They’re detail-oriented people who would never do anything that was second best,” he said.

Justice doesn’t seem to do anything halfway, either. Motorsports are in his genes. As he put it, “I was born into a family that was writing automotive history.” His father and

uncles started Justice Brothers Racecar Repair and Fabrication in the early 1940s as a part-time business. According to the company’s website, they sold their first race car in 1946 and invested the profits in the motor-oil business. Over the years, the business grew exponentially, and Justice Brothers became a major player in auto racing. They’ve sponsored cars in races from the Indy 500 to NASCAR. Justice became CEO of the California company more than 25 years ago, carrying on the family’s tradition.

If motor oil was in Justice’s blood, he also knew there was velvet in his voice. “People always asked if I was going to be on the radio,” he said. He once worked as a professional magician and loved entertaining, so radio was a natural fit. Given his in-depth automotive knowledge, it seemed inevitable that he’d find himself hosting Road & Track Radio, Car and Driver Radio and Motor Trend Radio at various times, as well as reporting for MSNBC.

Sharing that knowledge and his sense of humor at Concours is something Justice clearly enjoys. “There’s a long list of amazing vehicles that have been at this show — and it’s great, because it’s free to the public!” he enthused. He said that while his wife is as excited about cars as he is, he knows that many women who accompany their husbands to the event spend quality time shopping. “When I see a couple walking together and the woman has a lot of shopping bags, I like to interview the guy to see if he knows what’s in them — especially if they’re Tiffany blue,” he joked.

This year’s lineup (of cars, not shopping bags) includes multi marques from 1940 through 1973, and Porsches and Ferraris through 1989. The officials and judges at the Aug.



Ed Justice interviewing a participant on the judging stand at the Concours on the Avenue.

12 event will receive copies of Justice’s new book, “Follmer: American Wheel Man,” about legendary driver George Follmer, whose history at Laguna Seca involved a near-fatal

See **JUSTICE** page 23A

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ago, she said, and she grew up playing in the public works yard and considering his coworkers her family.

“This is a place that he loved. So you can imagine that when I got the news that my father was fired I was baffled, to say the least,” she said. “He was let go in a way that really didn’t have explanation.”

She implored the council to start honoring its employees again, and told how her father received, and treasured, the key to the city when he returned from a tour as an Army National Guardsman in Iraq in 2005.

“You can imagine how hard it is to look at my hero and try to understand why his legacy ended so abruptly,” she said.

Other residents spoke about spending, secrecy and the issuing of contracts.

“While I supported you during elections, I now could not be more disappointed with your performance,” Sarah Berling, sister of former Mayor Sue McCloud, told Burnett and the council in an email. “It seems to me that you are incapable of listening to the many people who are unhappy with Jason S., and, of course, with the council also.”

Berling also said some people didn’t sign the petition out of fear.

“You need to add 70 to 100 more names representing those who feared retaliation if they signed. These were business people, contractors, real estate agents and those who needed to work with the planning department, which has taken on a bad reputation,” she said. “This certainly says something about the flavor of the city staff.”

Resident Mike Rianda, who has been contending with a mysterious water leak flooding the crawlspace under his home for more than three months, criticized officials for making no effort to help solve the problem.

“I’ve had a water leak at my house for 92 days, and no one from the city has contacted me,” he said. “I don’t know what the city can do for me.”

Some support

Polls conducted by The Pine Cone and The Monterey Herald show that public displeasure with Stilwell is very high (see related story), and during the council meeting, no one from the public offered praise for Stilwell or said the council is doing a great job running the city. But members of the Carmel Residents Association, including President Barbara Livingston and board member Roberta Miller, avoided the assembly outside city hall and have not called for Stilwell’s resignation. Instead, the CRA submitted a lukewarm statement saying it “believes that democratic processes require thoughtful, open conversations, devoid of emotion, without regard to personal friendships and alliances.”

The CRA implied some of the protesters don’t know what’s really going on: “Problems arise when procedures are not understood by the public. We must keep lines of communication open for cordial, thoughtful discourse.”

The position reflected a statement the council approved during a closed session that went on for hours Monday and was even continued to the next afternoon. Members evaluated the jobs of Stilwell and city attorney Don Freeman, and also devised a plan to smooth relations with the public.

“Though our staff takes great pride in its desire for a completely transparent, interactive, responsive and friendly government, we found that this kind of culture is not yet fully in place,” Burnett told those in city hall, before going on to say

POLLS

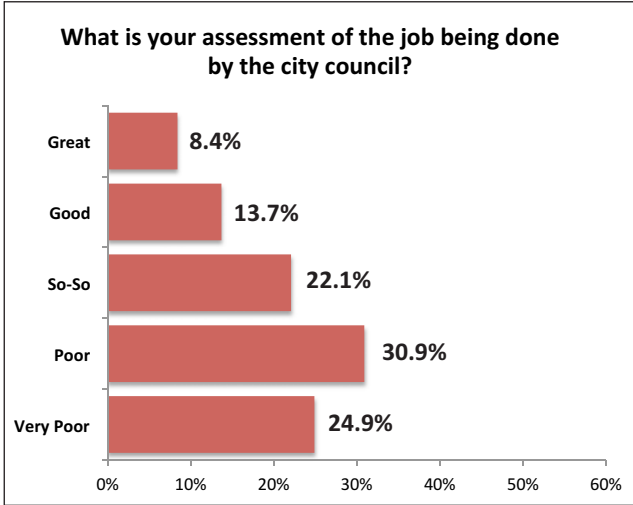
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“poor,” and 24.9 percent said the mayor and council are doing a “very poor” job.

While the poll is not random or based on sampling, 252 readers participated, and Pine Cone polls in the past have been very accurate. It 2012, readers successfully predicted the results of an upcoming city election.

Meanwhile, a separate poll conducted this week by the Monterey County Herald on its website was also bad news for Carmel’s city government.

Readers of the Herald were asked, “Will Carmel deliver on its promise to be more community friendly?” As of Wednesday night, 91 percent of respondents answered that one, “No,” while only 9 percent answered, “Yes.”



the council decided Stilwell and another staff person or council member would be hosting “a weekly downtown gathering ... to better get to know one another.” The first was set for 9 a.m. at this week’s farmers market Thursday.

“Also, please invite him to your home or function to meet with you and your neighbors to discuss what’s going on in our village,” Burnett said.

Freeman, meanwhile, will be available “to speak at local meetings or even living rooms on topics of interest” — including for a chat over a cup of coffee at Il Fornaio set for Friday, Aug. 8, at 9 a.m.

Online, members of the city staff will start using blogs and other communication tools.

Burnett said the council understands people’s frustrations and is “grateful that our village does not suffer the problem of apathy that plagues so many others.”

“Our communication problem has gotten to the point where it has undermined this community’s ability to work on all the other wonderful things we have always worked on together,” he concluded, thanking everyone for their desire and efforts to be involved.

He also announced he is assembling a committee of former mayors — including Clint Eastwood — and community members of the mayors’ choosing, to help the council learn from the past and resolve some of the contentious issues.

“I would like to publicly ask whether Carolina Bayne would be willing to serve on that committee,” he added. “Many of you are here because of her raising concerns, and I think it’s important to work on those concerns.”

Bayne declined to give the mayor an answer from the audience, and on Wednesday, she told The Pine Cone, “Since I don’t know what the goals and objectives are, I can’t make a decision at this time.”

Council members also unanimously expressed their confidence in Stilwell, concluding he and Freeman “are serving the community very well.”

Despite the council’s determination to keep Stilwell on the job, Burnett acknowledged there are serious problems in the way the city is being run.

“We won’t go into the long list of achievements of this 3-year-old administration; those you already know,” he said, reading the statement. “Instead, we wanted to share with you some of the areas that we found needed improvement, and the steps we are taking to accomplish them.”

In addition to improving communication and transparency, he said, no outside law firms will be hired without Freeman’s approval, and performance reviews of Stilwell and Freeman will be conducted more often and always at the same time.

Council adds ‘community outreach’ to key initiatives for 2014

DECIDING STILWELL and his department heads need “time to get out into the community to listen and ensure we are providing high-quality customer service,” the council on Monday voted to add “community outreach” to its list of key initiatives for the year.

In order to facilitate that, Burnett said, some other tasks have to be sidelined.

“If we’re asking too much of the organization, it has consequences that our staff is not able to hear directly from the community as they would if they had more opportunity to get out and less of a workload,” he said.

Burnett said the city’s upper management — Stilwell, administrative services director Susan Paul, public services director Sharon Friedrichsen, planning director Rob Mullane, police chief Mike Calhoun and library director Janet Bombard — needs to be in closer touch with the masses to get assurance they’re doing things right.

“We need to make sure the work we’re doing is what the community wants,” he said during the Aug. 4 council workshop. “That’s primarily the council’s responsibility, but we’re managing the city on a month-to-month basis, while staff is serving it on a daily basis.”

Carmel Residents Association President Barbara Livingston wanted assurance that meant talking to people who live here as well as people who do business here.

“Community outreach and customer service are extremely important. My concern is when staff goes out into community, they’re not just chatting it up with the business community but in some way making arrangements to talk to the residents, because the residents are very, very concerned about the state of the village,” she said. “The residents must not be overlooked.”

In order to allow Stilwell and his managers more time to get out and visit with the public, the council opted to shift some of its initiatives — like “revitalizing” the Scenic walkway and the entrances to Mission Trail park, and “coordinating a campus plan” for Sunset Center — into next year.

He also spoke of the unanticipated events that have occupied the attention of city hall.

“We didn’t know PG&E was going to blow up a house in town. We didn’t know the Forest Theater was going to be shut down,” he said. “So we want to take an opportunity to make a midyear adjustment and calibration in terms of what we want to accomplish by the end of the year.”

Council members favored putting off action on a full parking-management program, a trail plan, further work on the facility use plan, changes to the way Sunset Center is managed and the fate of Flanders mansion until 2015.

Other initiatives, including getting Forest Theater reopened, remain immediate priorities, the mayor said.

“What we are doing is rather than expecting all of this to be done in the next five months, we’re expecting it to be done in the next 17 months,” Burnett said. “We’re allowing more time for the completed work.”

The council unanimously approved the revised lineup, which also includes maintaining a leadership role in developing a long-term water supply (which Burnett said would be on the list every year until a desal plant is built), working on the shoreline and forest management plans, getting the first phase of the new IT plan completed, and focusing on “community beautification projects,” such as replacing old trashcans and making the medians prettier.

Council puts Freeman in charge of PRA compliance

REITERATING THAT the California Public Records Act should “be construed broadly in favor of public disclosure consistent with the law,” and putting city attorney Don Freeman in charge of all requests — instead of the Santa Barbara law firm that’s been handling them — the Carmel City Council on Tuesday revised its PRA response policy.

And on Wednesday, Freeman told The Pine Cone he will be holding a training on PRA fulfillment at city hall Monday, Aug. 11, at 10 a.m. He wants everyone with questions, including members of the public, to attend.

“It’s not going to be a lecture on the law — it’s going to be how we’re going to operate from this day forward,” he said.

If the event draws a crowd, that will be great, Freeman added, “because if anyone has a question, let’s get it dealt with.”

Ongoing troubles

For more than a year, the city has been plagued with problems complying with state law requiring disclosure of government documents to the media and the public. Last fall, The Pine Cone sued the city to obtain the resume of new planning director Rob Mullane. The city settled the lawsuit by promising to provide the document, and by instructing city staff to construe the Public Records Act broadly in favor of disclosure, but that promise failed to pan out when copies of emails between Carmel Residents Association President Barbara Livingston, Mayor Jason Burnett and city administrator Jason Stilwell were requested by The Pine Cone but were delivered with all meaningful information whited out.

Thomas Peele, a San Francisco Bay Area investigative reporter who requested salary information from the city described Stilwell as “incompetent or recalcitrant.”

Other cases arose, including failing to disclose contracts with computer consultant Mark Alcock, and claiming that agreements with a workplace investigator and an outside law firm were “attorney-client work product” and therefore confidential. Freeman ultimately intervened in that instance, ruling that the out-of-town lawyers or city hall staff who claimed those documents were confidential were wrong. Letters of engagement contain no sensitive information, he said, only hourly rates, requirements for reimbursement and other business-related details. He said the documents would be forthcoming, and they were provided this week.

In the future, however, it shouldn’t come to that, according to the revised policy adopted by the council Aug. 5.

“Whenever possible, public records/documents should be made available at the time of the request,” according to the policy, and the asker need not make the request in writing. “It is the goal of the City of Carmel-by-the-Sea to respond to PRAs as quickly as possible.”

And, if a request can’t be immediately fulfilled, Mayor Jason Burnett said at the meeting, only then will it go through the rest of the procedures set out in the policy, starting with the request being forwarded to the city clerk’s office for processing.

“The intent is that any request be handled on the spot, if possible,” he said. “And only if that is not possible, for it to go through the rest of the procedures.”

Those procedures include notifying the city attorney of the request and logging it, referring it to the appropriate department head to fulfill it, and monitoring deadlines to stay within the 10-day requirement or ask for an extension.

Freeman will oversee all redactions and sign off on every PRA request, and necessary redactions will be explained.

PRA log

For nearly a year, the city has been tracking not just PRA requests, but questions journalists ask of city officials, such as the name of the new planning commissioner or the delivery date of absentee ballots, in a log provided in the city council’s meeting packet each month.

Sometimes, the items include time and costs associated with fulfilling the requests. For example, The Pine Cone’s April 1 request for copies of checks and invoices of five vendors in one of the city’s monthly check registers reportedly took 8.51 hours to fulfill at a cost of \$1,513, or \$177.79 per hour. The documents were provided on April 25.

And when attorney Neil Shapiro — who pointedly criticized the city’s cost estimates for fulfilling PRA requests — asked for a copy of city administrator Jason Stilwell’s resume and employment agreement, the cost to provide it was reportedly \$1,288 for 7.02 hours of work. Procuring the same information for administrative services director Susan Paul took 3.92 hours, for a cost of \$697.

And getting Peele the salary and compensation information for all city employees took 26.19 hours, for an equivalent cost of \$4,770 — a figure Peele called “BS.”

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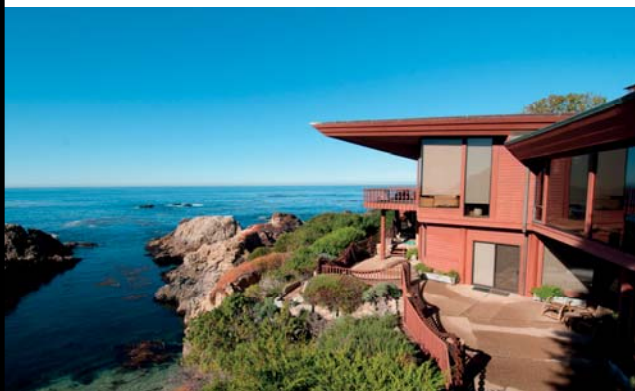


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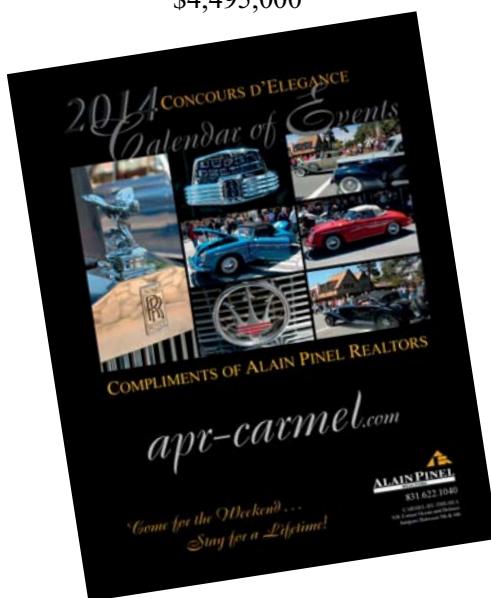
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