

The Carmel Pine Cone

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Two arrested for burglaries after resident alerts police

By MARY SCHLEY

AN OBSERVANT neighbor who trusted his hunch and phoned Carmel P.D. helped officers catch two suspected burglars Monday morning. A 25-year-old man and a 26-year-old woman, both transients, broke into two houses near the Mission, as well as a Carmel Highlands home, according to Carmel Police Cmdr. Paul Tomasi.



Ryley Chaffeur



Arriana Culberson

"A resident on Ladera Drive who was having breakfast looked out his window and saw a U-Haul parked in front of his neighbor's house, and he saw the male exit the residence and hop in the U-Haul, and they drove away," he said. "It was odd to him, so he called us, which is perfect — that's what we want people to do."

Officer Chris Johnson was on his way to the house when he spotted the 14-foot truck in the Larson Field parking lot and decided to check it out. He and a second officer, detective Greg Johnson, detained the two people in the truck — identified as Ryley Chaffeur and Arriana Culberson — and searched it.

They "found a ton of stolen property," Tomasi said, including wallets, jewelry, silverware, purses, a garage door opener and other items, as well as drugs and paraphernalia: glass pipes used for smoking methamphetamine, pills, marijuana pipes and a pot grinder. The truck also "had all their personal stuff in the back," suggesting they might have been living in it.

"They rented the U-Haul and didn't return it, so that should have been reported as stolen," Tomasi said. "They had another person's I.D. and a whole bunch of credit cards, so they may have been using those."

And Chaffeur, it turned out, was wanted on a felony war-

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McInchak case returning to Monterey County

■ Stilwell and Paul dropped from suit

By MARY SCHLEY

INFORMATION TECHNOLOGY manager Steve McInchak's lawsuit against the City of Carmel for discrimination and unlawful suspension from his job will return to a Monterey County courtroom — as opposed to being heard by a federal judge in San Jose — in exchange for McInchak dropping city administrator Jason Stilwell and administrative services director Susan Paul as defendants, according to documents filed in federal court Aug. 15.

Furthermore, the city agreed to drop its motion to have parts of the case struck because they interfered with Stilwell and Paul's free speech rights. Under California law, a suit to intimidate someone from speaking out is called a Strategic Lawsuit Against Public Participation, and the city claimed that's what McInchak's case was.

"The city agreed to remand the case back to Monterey County Superior Court and to withdraw their SLAPP motion. After the case is returned to Monterey County, Mr. Stilwell and Ms. Paul will be dismissed without prejudice, which means that they can be served again as defendants at a later time, and Mr. McInchak agreed to amend the complaint to delete the one reference to the city's violations of the U.S. Constitution and federal law so it is absolutely clear that he is suing the city under the California Constitution and laws," attorney Michelle Welsh said. "This stipulation will allow the case to proceed here, as we intended, and to focus on the real issues raised in the complaint. I hope that reaching this stipulation indicates a willingness on the part of the city to communicate about substantive as well as procedural issues."

McInchak sued the city in June, alleging violation of his rights and the law when he was placed on paid leave and a search warrant was served at his Carmel Valley house a year earlier. Last month, police returned his computers, cell phone and other electronic equipment, and closed the criminal investigation into his allegedly illegal access of computer

The city no longer claims the suit violated officials' right to free speech

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Iconic condor dies from lead poisoning

By CHRIS COUNTS

THE OLDEST condor born in the wild among the Central California flock of the endangered birds died Aug. 26 from lead poisoning at the Los Angeles Zoo, where she was being treated.

The condor, named Ventana, was 7 years old.

"It's hard enough to lose a condor to lead poisoning, much less her," said Kelly Sorensen, the executive director of the Ventana Wildlife Society. "She was special. A lot of people are mourning her."

Also known as Condor No. 444, Ventana did not grow up in captivity. Instead, she was raised in the wild by condor foster parents with minimal human intervention. The egg she hatched from was laid at the Los Angeles Zoo and then placed in a condor nest in a Big Sur redwood in 2007, where the resident pair treated the chick as their own. She played a key role in the VWS's efforts to reestablish condors along the Central California coast.

Ventana spent the first six months of her life about 40 feet

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Family in legal battle with P.G. senior home over \$250K deposit

By KELLY NIX

THE FAMILY of an elderly woman who lived at a Pacific Grove senior home for six years before her death last month is in a legal tussle with the facility to get back a \$250,000 deposit they say they are entitled to, but which its operators are refusing to return.

In 2008, when Fermina Davis was 100 years old, she decided she wanted to live her remaining years at Forest Hill Manor. She paid the senior facility a \$280,158 "entrance fee" for a small studio apartment and agreed on \$2,000-per-month rent.

When her health declined in 2010 and she needed advanced health care, she vacated the studio and over the course of four years, moved into two different units at Forest Hill Manor, paying as much as \$12,000 per month. In July, she died at the grand age of 104.

According to the contract she signed with Forest Hill, her

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Bates memorial dedicated

By MARY SCHLEY

THE FRIENDS of Bill Bates and the Carmel Residents Association on Wednesday dedicated a park bench and boulder to the late cartoonist known for immortalizing Carmel in inimitable style. The bench, bearing a plaque that reads "Bill Bates Humor Overlay District," sits in a pocket park just feet away from the post office that contains many of his most famous drawings.

The small plaque refers to the city's 1998 designation of Bates as a mobile zone of humor, and its mandate that everyone coming near him was "required to smile and prohibited from having a bad day." The little park across from the post office was one of his favorite places to sit and watch the world go by.

"The family hopes that, in using the bench, Carmelites will remember Bates' brilliant wit, engaging smile, and appreciation for the quirky idiosyncrasies of our little town," said Claire

Fay of the CRA.

A group of fans and city officials attended the ribbon cutting Aug. 27. Also present were Bates' widow, Lei Lei, and his daughter, Chelsea.

Bates, who died in 2009 after suffering a heart attack a year earlier, was The Pine Cone's cartoonist. More than five years after his death, his cartoons are still published every week on the editorial page (this week, page 24A).

"So many of his drawings are timeless, and our readers would really miss them if I stopped printing them," publisher Paul Miller said. "Certainly, no one could replace him."

Bates also published several books, including a cookbook, and operated a cafe on Mission Street for a number of years.

The collection of his prints in the post office is far smaller than it was in the past, but also represents a victory not only for community

See **BATES** page 18A



PHOTO/KERRY BELSER

Chelsea (left) and Lei Lei Bates, daughter and wife, respectively, of the late cartoonist Bill Bates, cut a ribbon celebrating the dedication of a bench and boulder in his honor Wednesday. Former Mayor Ken White (right) read the inscription.