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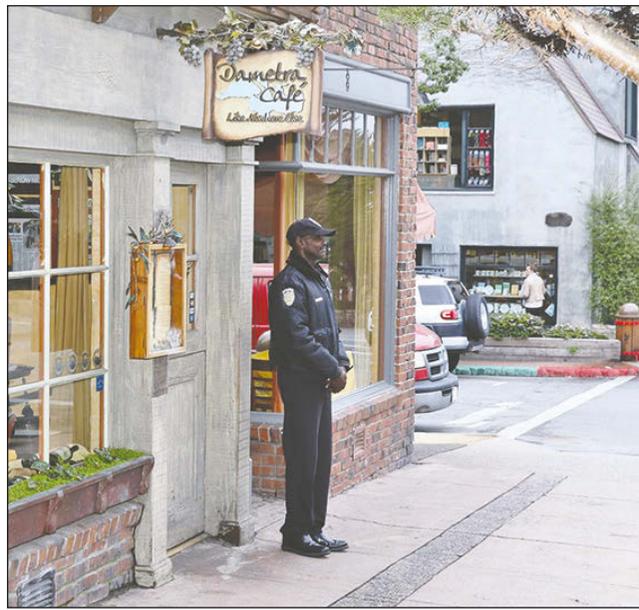
May 8-14, 2015

TRUSTED BY LOCALS AND LOVED BY VISITORS SINCE 1915

Dametra's owners claim landlord is trying to 'steal' the restaurant

By KELLY NIX

A DISPUTE involving the popular Dametra Cafe reached a breaking point this week, when the restaurant's



PHOTO/KERRY BELSER

This security guard was hired to prevent the landlord from changing Dametra's locks, a lawsuit filed this week says.

owners accused their landlord, Connie Dudley (formerly Laub), of trying to "abscond" with their business.

In a detailed but tangled 29-page lawsuit, Dametra owners Faisal Nimri and Bashar Al Sneeh contend Dudley also threatened to lock them out of their restaurant at Lincoln and Ocean and evict them by June 1 if they didn't start paying monthly rent of \$45,000 for the 2,000-square-foot space and giving her a whopping 70 percent of their profits.

But Dudley accuses the men of stealing from her, and claims she is actually Dametra's owner.

The lawsuit, filed May 4, even alleges Dudley and a partner named Mark Morris formed an entity called Dametra Cafe Corporation with the "illicit purpose of attempting to abscond Dametra Cafe" from Nimri and Sneeh.

"From at least 2014 to present," according to the lawsuit, Dudley has "engaged in a scheme to steal ownership of Dametra Cafe and to divest [Nimri and Sneeh] of their rights to occupy the property pursuant to the lease."

However, in a first victory for Nimri and Sneeh, Superior Court Judge Susan J. Matcham issued a temporary restraining order against Dudley Wednesday, barring her from interfering in the restaurant's business affairs. Another court hearing is set for July 9.

Meanwhile, as the behind-the-scenes legal drama unfolded, a security officer this week stood guard round-the-clock outside Dametra to ensure Dudley "does not attempt to change the locks and take possession of the property and the

See **DAMETRA** page 12A

Who was minding the store?

■ Investigation of spending during Stilwell era raises many questions

By MARY SCHLEY

A COMPUTER consultant was paid \$344,875.09 — \$192,360 more than his contracts allowed. He charged nearly \$3,000 for purchasing 13 hard drives, but the city doesn't have them.

A Santa Barbara law firm charged the city for more than \$63,000 in bills from a PR firm, and it paid them — no questions asked.

Purchase orders were authorized by one person.

No one seemed to be scrutinizing invoices or payments.

Contracts were split, in violation of the municipal code.

Contracts were signed without authorization or scrutiny.

Taxpayers shelled out almost \$600,000 to three different contractors via eight contracts, all for computer and IT work, but no one can say exactly what the city received in return.

Such were the details revealed in attorney Stephanie Atigh's investigation of how city hall conducted business under former city administrator Jason Stilwell, the Carmel City Council learned Tuesday. Launched shortly after Stilwell's departure last October, the analysis, assisted by residents Carolyn Hardy and Carolina Bayne, looked into agreements with Mark Alcock, Boots Road, Davies Communications, Blaze Public Relations, the Public Consulting Group and Sally Nagy, and Wonderspace impresario Richard Tavener.

Atigh looked at the dollar value of each contract, the amount paid out, and the work product, as described by the contractor, but she didn't assess the value, quantity or quality of the product.

"We were not going to be pointing fingers or pointing blame at anybody," city attorney Don Freeman explained at the May 5 meeting. "It's just the facts."

According to Atigh's investigation, Alcock held three contracts authorized either by Stilwell or the city council, cover-

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City waives \$29K fee for COTA

■ Revamp of whole event permit process in the works

By MARY SCHLEY

WITH CONTROVERSY building over special events in the city and the fees they're supposed to pay, the city council this week OK'd the permit for the upcoming Concours on the Avenue and agreed not to charge its organizers \$29,514.65.

It made a similar decision for this year's Run in the Name of Love, which also won't have to pay \$4,052 in city fees.

The council also accepted Carmel Mayor Jason Burnett's suggestion to form a committee to tackle the "existing maze of contradictions within adopted policies" regarding public events and the fees charged to those hosting them.

The discussion at the council meeting Monday over the permit application for the Concours on the Avenue — a large car show held the Tuesday of Concours Week that includes

shutting down more than a dozen downtown blocks and Devendorf Park — highlighted the city's difficulties in applying its policies and fee schedules.

"The current state of affairs regarding event permitting is not fair to applicants, city staff, or the city council," city administrator Doug Schmitz said in his May 4 report for the council.

For example, he said, the city has multiple special-event policies (one now 20 years old) containing requirements such

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Council shuts door on Tudor tasting room

■ Owner says city 'reneged on promise'

By MARY SCHLEY

AFTER BEING bounced back and forth between the planning commission and the city council since he first tried to open a tasting room more than a year ago, Dan Tudor lost his final bid for a permit Tuesday — because his tasting room would have been on the wrong side of town.

Although senior planner Marc Wiener recommended that the Carmel City Council approve Tudor's plan to his offer wines for sale and tasting in a 160-square-foot glass gazebo in the Court of the Fountains, the council voted 3-1 to deny his application because his location would have been south of Ocean Avenue, while the city's new policies "strongly encourage" tasting rooms on the north side.

Local wines

Tudor, who has been making wines with Monterey County grapes but processing them in Paso Robles, was first denied by the planning commission in March 2013, in part because his wines weren't made in the county.

He filed an appeal, but the Carmel City Council sent him back to the commission, which supported his application in July 2014 after he made some changes to the layout, but said he had to move his operation into the county, which he made arrangements to do. The modifications to the proposed design of the small space included making the wine bar shorter and adding more shelving for retail

sales.

Tudor's application was then set for hearing before the planning commission last month for final approval, but not enough members could vote on it due to conflicts of interest, so it was sent to the council.

At the May 5 meeting, Wiener suggested members vote in favor of Tudor's proposal, since it was in the pipeline when

See **TUDOR** page 19A

Cal Am's test well survives again in court

By KELLY NIX

CALIFORNIA AMERICAN Water prevailed again in a Santa Cruz courtroom last week over a request for an injunction to stop the water company from using the desalination test well in Marina.

On May 1, Santa Cruz County Superior Court Judge Rebecca Connolly rejected a bid by Marina Coast Water District to halt the test well over concerns about environmental harm to its coastal dunes, habitat and other issues.

"I considered the evidence, and I don't believe that Marina Coast has established that it would be in the public interest to issue a stay at this point in time," Connolly said in denying Marina Coast's request for a preliminary injunction to stop the test well from operating.

In March, the judge rejected a temporary restraining order by Marina Coast to stop the well, which is expected to oper-

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PHOTO/KERRY BELSER

Tudor Wines can't have a tasting room and shop in this glass gazebo, the council decided Tuesday.