

# The Carmel Pine Cone

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YOUR SOURCE FOR LOCAL NEWS, ARTS AND OPINION SINCE 1915

## DOCTOR'S SODOMY CONVICTION REVERSED BY APPEALS COURT

### ■ DA says Bergstrom will be tried again

By PAUL MILLER

IN A decision that highlighted the strict legal protections afforded criminal defendants in the American justice system, a panel of appellate judges overturned the forcible sodomy conviction of former Carmel doctor Carl Bergstrom Monday on narrow Constitutional grounds.

While a 2-1 majority of the Sixth District Court of Appeal found fault with an instruction about the legal meaning of the word "consent" given to the Bergstrom jury by Monterey County Superior Court Judge Russell Scott, all three appellate judges also made it clear they thought Bergstrom was probably guilty.

And an assistant district attorney said the nature of the ruling led the district attorney's office to make a quick decision to retry Bergstrom.

"When we read the court's decision Monday afternoon, our decision to retry the case was virtually immediate," said Assistant Monterey County District Attorney Stephanie Hulsey.

Bergstrom, 55, was convicted in Sept. 2009 of forcible sodomy of an acquaintance in his Carmel Woods home after

See **REVERSED** page 23A

## Everything's changing at the river lagoon

By CHRIS COUNTS

MONTEREY COUNTY officials explained to residents last week why their longstanding policy to declare an emergency before breaching the Carmel River Lagoon sandbar will have its last hurrah this winter. The declaration allowed the county to do the work without a permit.

After this year, public works will need to obtain a permit from the federal government to use bulldozers to cut a channel in the sandbar.

The annual breaching of the sandbar was discussed at a public meeting Oct. 20 at Mission Ranch.

While the extra step in the permit process might cause worry among residents in flood-prone areas at the edge of the lagoon, officials said the installation of a barrier on the north side of the lagoon and armoring of the bluffs under Scenic Road will ultimately reduce the hazards for those living close to the river.

### Plan aims big, legal threats loom

While Monterey County senior planner Carl Holm said a federal permit won't be required this year, he said the county is trying to obtain one nevertheless — in part because of the threat of legal action. Holm conceded the county has been warned by a steelhead group of a possible lawsuit.

In the past, the county's bulldozers have accessed the beach from the state beach parking lot or the bluffs on the south side of the river. But neither remains an option because the parking lot is badly damaged and access from the south is prohibited due to concerns about endangered plants and Native American archeological sites.

To allow bulldozers access to the beach from the north, about 1,000 cubic yards of sand will be trucked in from Marina to build a ramp leading to the beach from Scenic Road.

According to Holm, the planning process for installing the protective barrier and armoring the bluffs could take three to five years. When asked if he believes the strategy will successfully protect Scenic Road and nearby homes, he said, "That's what the planning process will determine."

If the barrier and armoring plan comes to fruition, artificially breaching the sandbar will become a thing of the past.

"The intent is to create conditions where we don't have to breach," allowing the lagoon to break through to the sea on its own, Holm added

## La Playa closing Monday for lengthy renovation

### ■ All employees losing their jobs

By PAUL MILLER

IT HAS welcomed visitors for more than 80 years, but La Playa Hotel will close Monday for at least 10 months to undergo extensive renovation under new ownership.

Barring a last minute glitch in escrow, owner John Cope will sell the venerable institution Nov. 1 to Phoenix-based



La Playa employees and union supporters picket the hotel Oct. 20. They want severance pay from the old owner and job guarantees from the new owners, who are expected to close escrow Nov. 1.

Classic Hotels & Resorts, which plans to update the hotel's guest rooms and infrastructure while leaving its historic public rooms, exterior and gardens intact. In preparation for the handover, Cope will shut the 75-room hotel and layoff all its 85 employees.

The last night for hotel guests will be Sunday. The bar and restaurant will also close the evening of Oct. 30.

"Our goal in buying La Playa is to take a great property and make it once again the crown jewel of Carmel," said Matt Crow, CEO of Classic Hotels & Resorts. He called the exterior "extraordinary," and said the gardens are "exquisite."

But the guest rooms and infrastructure need extensive updating, he said.

"The hard truth about this fantastic property is that there's so much work to be done behind the walls, it's just not practical to keep the hotel open while the work is underway," agreed John Grossman, the company's vice president of development projects.

The men, who have been holding introductory meetings with city officials and community leaders, said the renovation work, which has not even reached the permit stage, would take "10 months to a year."

But they've also been told "things take longer in Carmel," Crow said.

While their acquisition doesn't include the hotel's cottages on the north side of Eighth Avenue, it does include La Playa's

See **LA PLAYA** page 12A

## Burnett says he will run for mayor

### ■ McCloud not seeking re-election

By PAUL MILLER

AFTER TWELVE years as mayor of Carmel-by-the-Sea, Sue McCloud said this week she will not seek a seventh term in the April election.

"I think it's time to move on and give someone else a crack at a 24/7 job that pays \$200 a month," McCloud said.

She was first elected in April 2000 when she ousted Ken White.

McCloud's announcement comes six weeks after restaurateur Richard Pepe said he would run for mayor. And, last Friday, councilman Jason Burnett filed papers at city hall to launch his candidacy for the office.

The official filing period doesn't begin until Dec. 19, but the "Candidate Intention Statement" Burnett filed allows him to organize a mayoral campaign and start soliciting contributions.

However, he said he would not start actively campaigning until after the first of the year.

"The community doesn't want, and it's not good for the community, to have a protracted campaign," Burnett said.

## Talks under way to extend water cutback deadline

By PAUL MILLER

WITH A state-ordered cutback in Monterey Peninsula water use just a few years away, and with progress toward a new supply to replace pumping from the Carmel River stalled, local officials are pressuring the State Water Resources Control Board to give them more time to get a desal plant or other water project online.

Wednesday night, an attorney for the Monterey Peninsula Water Management District said discussions with the SWRCB about extending the deadline were ongoing and could bear fruit — especially with the regional water project on hold because of conflict of

See **WATER** page 9A

## Black and white exhibit captures African wildlife



Photographer Doug Steakley says his trips to Africa have left him with feelings of "awe and grandeur." This striking photo of a mother cheetah and her cub will be among his works featured in an exhibit opening Friday, Oct. 28, at the Pacific Grove Art Center. See page 10 A.



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# Sandy Claws

By Lisa Crawford Watson

## Small but Stately

THE ONLY dog they would consider had to have characteristics of convenience – hypo-allergenic hair, small enough to travel but big enough to keep up, and comfortable in the car, the plane, the office. But the moment they brought home the 5-month-old Yorkie, they found it was his personality that pleased them the most.

They named him Winston Churchill. Not because of his stature, his scowl, his pate or his politics. Most Yorkshire terriers would be hard-pressed to measure up to the British politician, and, frankly, an English bulldog might bear greater likeness. But this dog does seem to like cigar smoke.

Mostly the name came from considering anyone associated with a presence larger than life. When Winston sits, he appears at attention; his paws together, his head lifted, as if anticipating an audience. Some say he is small but stately.

In his four years, Winston has traveled from his Carmel home to five states and throughout much of California. He slips into his own travel bag and sits silently under the seat, waiting patiently for the hands that will reach under to release him. When in town,



he hangs out at work, taking up most of the office chair, curled up like a cushion at the small of his person's back. At home, he sleeps at the end of the bed in his own semicircular sofa.

Winston likes to go for walks but steers clear of Carmel beach, taking cautious steps along the street overlooking the shore to keep sand from getting stuck between his toes. Although he never says much, he always makes his presence noticed and his wants known. Perhaps it is the big personality in the little dog that earned him his name. As the legendary Winston Churchill said, "Attitude is a little thing that makes a big difference."

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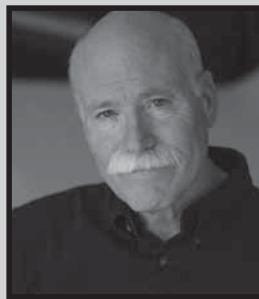
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# Man scratched trying to fend off raccoon

By KELLY NIX

A CARMEL man taking his dog for a night stroll was attacked by a raccoon when he tried to stop the animal from getting near his pooch.

On Sept. 21 at about 9:30 p.m., Matthew Bohman was walking his dog on Lincoln south of Fourth Avenue when they were confronted by a raccoon, Carmel Police Sgt. Mel Mukai told The Pine Cone.

"He was trying to kick the raccoon to stop it from advancing," according to Mukai, who said Bohman reported the incident to police Oct. 12. "And in the process, the raccoon scratched him."

Bohman received a minor scratch from

the raccoon's claws to one of his ankles. His dog was uninjured. But Bohman's actions apparently convinced the raccoon he wasn't a match for a human and his hound. "The raccoon went on his way," Mukai said.

Bohman went to a physician to get some medical attention, "but other than that, he didn't sustain any threatening injuries," he said.

Though raccoon attacks against people don't happen often, Mukai said some simple precautions can help keep the wild animals at bay.

"It has been advised to just carry a stick or a cane or an umbrella for self-defense instead of exposing your hand or your foot or your leg," he said.

# Road crews at work throughout city

PINE CONE STAFF REPORT

ROADWORK APPROVED by the Carmel City Council in a \$292,790 contract with a Watsonville company, Norcal, is getting under way.

Workers have been grinding down problem areas throughout downtown, including crosswalks on Ocean Avenue, according to public works superintendent Stu Ross.

"They will grind downtown and then move off to residential streets," Ross reported last week. "Grinding should take two days. They will pave the crosswalks the same day they grind, to avoid tripping hazards." That work is slated to be finished Nov. 7, according to the construction schedule provided by Jaime Vidal of Norcal.

Much of the grinding, patching and overlaying on Eighth Avenue, Guadalupe Street,

Lobos Street, Fourth Avenue, Santa Fe Street, Torres Street and Dolores Street is set to take place this week and next.

Vidal said the final work, including adjusting manhole covers and valve boxes to match the level of the new pavement, should be completed by Nov. 9.

## ■ Sandbags for storms

Ross also reported last week that the city's stash of sand and bags, as well as shovels and a machine for filling them, have been placed behind the Carmel Youth Center at Torres and Fourth, ready for residents to use to keep stormwater from flowing into their homes. The city supplies sand and sandbags in anticipation of winter storms each year, and Ross asked that only residents — no contractors — take advantage of the service.

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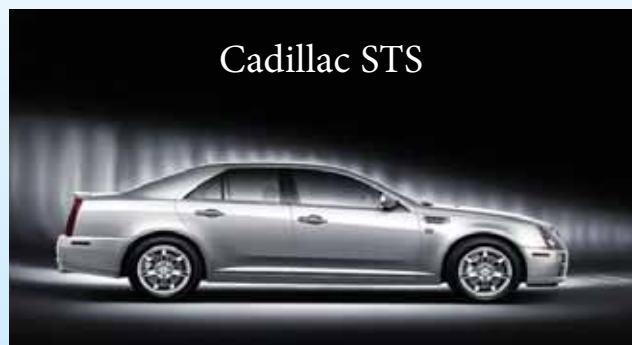
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# Police, Fire & Sheriff's Log

## Intoxicated man found before his clothes

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

TUESDAY, OCTOBER 11

- Carmel-by-the-Sea:** Commercial burglary on Mission Street.
- Carmel-by-the-Sea:** A suspicious male was contacted on Walker Street and found to be

in possession of methamphetamine and a glass pipe used for smoking methamphetamine. The 39-year-old suspect was arrested.

**Carmel-by-the-Sea:** A 22-year-old male driver struck a parked vehicle on Second Avenue and was found to be under the influence of a controlled substance. He submitted to a blood draw and was cited and released to a family member.

**Carmel-by-the-Sea:** Ambulance dispatched to Highlands Drive for a male with ALOC (altered level of consciousness). Patient transported to CHOMP.

**Pacific Grove:** Property owner reported vehicle abandoned by tenant who was evicted. Vehicle towed.

**Pacific Grove:** DUI collision in private parking lot. Reporting party advised that other driver was possibly intoxicated. Officer spoke with the other driver and could smell alcohol on her person. She was subsequently placed under arrest.

**Pacific Grove:** Contacted a 39-year-old male in front of a business on Central Avenue. He was under the influence of alcohol, by his own admission. He had slurred speech, unsteady gate and red, bloodshot, watery eyes. Subject smelled of alcohol and had four outstanding warrants for spousal battery and public intoxication. He was arrested and transported to county jail.

**Carmel area:** Woman reported her purse and contents were stolen from the locked vehicle via window smash. Taken were a passport and camera. No suspects.

**Carmel area:** Conducted a traffic stop for a vehicle code violation. Driver, a 19-year-old male, was found to be driving on suspended

license and was in possession of a controlled substance. He was arrested and transported to county jail.

**Carmel area:** Conducted a welfare check of a resident who appeared healthy, clean and cared for.

**Carmel Valley:** A man was causing a disturbance inside a business. He was found to be intoxicated and unable to care for himself. He was arrested and transported to the county jail.

WEDNESDAY, OCTOBER 12

**Carmel-by-the-Sea:** Officer responded to a citizen's report of four kittens under a house on Santa Fe. She transported the kittens to Monterey County Animal Services for kenneling.

**Carmel-by-the-Sea:** Towed vehicle after conducting a traffic stop on Mission Street and finding the 24-year-old female driver was unlicensed. Vehicle towed by Carmel Towing.

**Carmel-by-the-Sea:** Man said an unknown grey car hit the car he was driving on Junipero and then left without leaving a note. Reported for insurance purposes.

**Carmel-by-the-Sea:** Man on Dolores Street reported a minor injury due to being scratched by a raccoon.

**Carmel-by-the-Sea:** Fire engine dispatched to a business on San Carlos Street for a water leak from a meter box. Owner will contact plumber for repairs.

**Carmel-by-the-Sea:** Ambulance dispatched to the Highlands Fire Station for a vic-

See POLICE LOG page 4RE



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# Cachagua man pleads guilty to raping woman and making her pregnant

By KELLY NIX

A 49-year-old Cachagua man who raped a woman and threatened to kill her if she told police about the crime pleaded guilty Tuesday to rape and causing great bodily injury, according to the Monterey County District Attorney's Office.

When he is sentenced Nov. 22, Alberto Solano will receive up to 13 years in prison for the 2004 rape of an unidentified 24-year-old woman at his house in Cachagua.

"If he had gone to trial," Deputy District Attorney Mike Breeden told The Pine Cone, "he faced a potential life sen-

tence — 15 years to life."

But Solano's plea — which he made the same day he was scheduled to go to trial — means his victim won't have to go through the traumatic experience of testifying in court about the rape, Breeden said.

As a result of the assault, the victim gave birth to a girl, who is now seven years old. The victim and her daughter are doing well, Breeden said.

"She loves her daughter to pieces," he said.

Solano threatened to use a gun and kill the victim and her baby if she ever told authorities, Breeden said. At the time of

the rape, the woman lived with Solano's family at their Cachagua home.

Though the incident happened in 2004, the woman didn't tell anybody about it until 2006, when she was able to leave Solano's house.

When authorities spoke with Solano, he denied he had ever had sexual contact with the victim. But DNA tests later proved he was the biological father of the victim's daughter.

Under California law, prosecutors can charge a rapist with causing great bodily injury if the victim gets pregnant because of the assault.

## Pound of pot found in car parked on C.V. Road

By KELLY NIX

A DEPUTY patrolling Carmel Valley Road found more than a pound of marijuana and pot-growing equipment belonging to the driver of a vehicle that was parked illegally on the side of the road, according to the Monterey County Sheriff's Office.

On Oct. 16 at about 9 a.m., sheriff's deputy Arras Wilson was on patrol when he came across a car parked at Carmel Valley Road and Martin Road. When Wilson spoke to the driver of the 1990 Volvo, Joseph Houghton, 26, of Greenfield, he spotted a marijuana pipe in the front of the vehicle. That gave Wilson the legal right to search the Volvo, Cmdr. Jerry Teeter told The Pine Cone.

"As a result of the search, he found a pound of marijuana in the trunk," Teeter said. Wilson also found lights used to grow marijuana, and according to a report of the incident, Houghton "admitted to growing the marijuana at home."

However, because Houghton is a local resident, has a valid driver's license and no outstanding warrants, the officer opted not to take him into custody. The Monterey County District Attorney's Office will decide whether to prosecute him.

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# GARDENER AND WIFE SUED FOR TAKING OVER RICH WOMAN'S ESTATE

By KELLY NIX

**T**HE COUSIN of a wealthy Monterey woman who died in May is suing the elderly woman's longtime gardener for taking control of her multimillion dollar estate and alienating her from her family.

Erick E. Ulferts, a cousin of Kathleen MacLean Gowell, who died in May at the age of 93, is suing Gowell's former gardener and caregiver, Samuel Andrews, Jr. and his wife Shiron Andrews for taking advantage of Gowell — who had dementia and other mental issues — in an effort to ease their way into her trust.

Andrews and his wife "exhibited a steady pattern of seeking control over Mrs. Gowell's property and financial affairs in an attempt to systematically loot her estate for the benefit of themselves," according to Ulfert's suit, filed Aug. 26 in Monterey County Superior Court by his Carmel attorney, Frank Hespe.

According to the 18-page lawsuit, Andrews used money from Gowell's bank account to buy a Jaguar, purchase a home and even pay for the education of family members. The couple also took thousands of dollars worth of Gowell's personal property

including antiques, silver, guns and other items, without the woman's knowledge, Ulferts alleges.

In an effort to "deepen their control" over Gowell, between 1999 and 2009, the couple used a pattern of coercion and undue influence to convince the elderly woman to change her estate plan to "ensure that a progressively greater share of Mrs. Gowell's multimillion dollar estate was wrongfully bequeathed to them," the suit says.

Ulferts accuses the couple of financial elder abuse, undue influence, isolation, neglect, physical abuse and other charges. Andrews and his wife, through their separate lawyers, have denied the allegations in court documents.

### Couple denies wrongdoing

Shiron Andrews' Monterey attorney, Robert Greathouse, told The Pine Cone Wednesday that nothing he has found in the hundreds of pages of documents he's gone through substantiate the allegations of wrongdoing on the part of his client.

"For many years, Mr. and Mrs. Andrews dedicated themselves to providing a safe, loving, nurturing, and caring environment for the late Ms. Gowell," Greathouse said,

"and in the process, developed a deep and mutual bond with Ms. Gowell based upon love and mutual respect."

Furthermore, Greathouse said it was Gowell's wishes for the couple to be beneficiaries of her wealth.

"As a natural outgrowth of the loving relationship they shared," according to Greathouse, "Ms. Gowell provided a bequest to Mr. and Mrs Andrews in honor of the love they shared for each other; a matter that will be staunchly defended."

Samuel Andrews' attorney, Ron DeHoff, was out of town and did not return a message left by The Pine Cone this week.

Gowell, who was originally from Kentucky, didn't have any children.

According to Ulferts' suit, though, Gowell had a "very close relationship" with her cousins and other family members in Kentucky and California.

"She relied extensively upon her extended family and they were the natural object of her bounty," the lawsuit says.

### Began as gardener

In the 1990s, Gowell hired Samuel Andrews to be her gardener. He and his wife eventually lived in an RV parked in the driveway of Gowell's Monterey home and became caregivers for the elderly woman, running errands, taking out the garbage and

See ESTATE page 13A



Mr. and Mrs. Erik and Lori Davidson of Carmel are very pleased to announce the engagement of their daughter, **Sonja Davidson to Caleb Schut**, son of Mr. and Mrs. Al and Holly Schut of Holland, Michigan.

*The couple plan to marry at Carmel Presbyterian Church this coming January.*

Sonja and Caleb met while working as camp counselors at Mt. Hermon Christian Camp in the Santa Cruz Mountains. Sonja is a recent graduate of Baylor University (Texas) and is working in the not-for-profit sector. Caleb, a recent graduate from Hope College (Michigan), is working in Christian ministry. Additionally, as an outcome of their joint studies in Uganda, together they founded a not-for-profit charity, Beautiful Response, which provides funding for school fees for impoverished children in orphanages in Third World countries. Sonja and Caleb will reside in the Bay Area.

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# CHAMBER OF COMMERCE

## NOVEMBER CARMEL 2011

### CHAIR MESSAGE



David Sandys,  
Board Chair,  
Carmel Chamber  
of Commerce

Thanks to all the restaurants, wineries, volunteers and staff who worked hard to put on our annual Taste of Carmel. Even with the uncertainty of rain, everyone persevered and made it an outstanding event.

If you haven't already put in your nominations for the Awards of Excellence, the deadline is TODAY, October 28th. Winners will be announced at the Awards dinner on December 14th. See you there.

Members should have received an electronic ballot for the election of board members for 2012. Please take a moment to respond, your participation counts. We continue to have a

great group of board members.

We've received the results of our recent member survey and thought you'd be interested to know that a majority of the members responding said business was better than last year and they expected 2011 to finish stronger than 2010. This is good news as we look back on the summer and forward to the holidays.

### PROSPECTIVE MEMBER INTRODUCTION

**Where:** Carmel Chamber of Commerce Office  
San Carlos between 5th & 6th

**When:** Wednesday, November 16  
4:00 – 5:00 pm

Find out how the Chamber can connect your business to the community through a new chamber membership! Receive a free mixer pass just for attending! RSVP to Lee is required - seating is limited. 831-624-2522.

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- Monterey County Weekly
- Philip Glass' Days and Nights Festival
- The Pine Inn • Santa Barbara Bank & Trust
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- Wells Fargo • Welton Investment Corporation



**Baja Cantina and Storage PRO of Carmel** hosted a joint mixer with the Carmel and Carmel Valley Chambers of Commerce. Shown enjoying the food, wine, margaritas and fun are (L-R): Camille Kolles of Carmel Bach Festival, Michelle Lange of Monterey Symphony and Carmel Chamber board member Peter Lesnik. Photo by DMT Imaging.



**Cantinetta Luca** celebrated the opening of their **Salumeria Luca** with a ribbon cutting. Shown are: (L-R) Monta Potter, Carmel Chamber CEO, David Fink, Mirabel Hotel & Restaurant Group CEO, Jason Balestrieri, Cantinetta Luca and Salumeria Luca Partner and Executive Chef and David Sandys, Carmel Chamber board chair. Photo by DMT Imaging. Banner courtesy of Bob the Printer.



**Winters Gallery** celebrated the opening of their **Carmel Highlands Sculpture Gardens and Gallery** with a ribbon cutting. Shown at the festivities are: (L-R) Monta Potter, Carmel Chamber CEO, David Sandys, Carmel Chamber board chair, Jerry and Joan Winters, gallery owners and Louis Montgomery. Back row (L-R) are John Ambro and Bob Brown. Photo by Kira Godbe Photography. Banner courtesy of Bob the Printer.

### BUSINESS MIXER

**Where:** Kurtz Culinary  
Ocean Ave at San Carlos

**When:** Wednesday, November 16  
**Time:** 5:00 - 7:00 pm

**Cost:** \$10 members, \$20 non-members

Visit their spacious Carmel-by-the-Sea location and join Kurtz Culinary, the producer of award-winning gourmet foods, including farm-fresh jams, artisanal tapenades & dressings, wine jellies and specialty foods to prepare for your own festive entertaining and seasonal gift-giving. Enjoy tastes and treats to get you in the holiday mood.

### RIBBON CUTTINGS

**Where:** Borroméo Forge  
San Carlos btwn 7th and 8th  
Belltower Court

**When:** Wednesday, November 9  
**Time:** 5:00 - 6:30 pm

**Cost:** FREE

Join us for a Grand Opening Celebration, Ribbon Cutting & refreshments. Borroméo Forge features decorative and sculptural metalwork for the hearth & home, hand-forged by Artist-Blacksmith Alan Drew. Alan draws on a deep reverence for historic craftsmanship & artistry in his designs and forging ethic. Today, Alan Drew & Lisa Guthrie carry on Carmel's long tradition for unique and hand-crafted ironwork at their Borroméo Forge ~ Artisan Metalwork Gallery.

**Where:** Holman Ranch  
19 East Carmel Valley Road, Carmel Valley

**When:** Tuesday, November 22  
**Time:** 5:30 - 7:00 pm

**Cost:** FREE

Swirl, Sip and Celebrate The Grand Opening Of The Holman Ranch Vineyard & Winery Tasting Room in Carmel Valley Sip Our Wines • Savor Small Bites

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### NOVEMBER CALENDAR

For a comprehensive list of local events visit:  
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## Halloween all weekend

THE CITY will celebrate its birthday Saturday, Oct. 29, with the traditional Halloween parade through downtown and a party at Sunset Center afterward. The procession of costumed kids, adults and canines will begin at 11 a.m. and will follow a meandering route through downtown along Ocean Avenue before returning to Sunset, where every participant will be treated to free ice cream.

At noon, a hot dog lunch and entertainment will take place in the main parking lot at Sunset. Tickets are \$5 and can be purchased at Carmel City Hall and at the event. For information, call (831) 620-2020 or email [clopez@ci.carmel.ca.us](mailto:clopez@ci.carmel.ca.us).

## A Night in Old Havana

THE ROTARY Club of Carmel-by-the-Sea is holding a fundraiser for the Rotary Foundation Fund Friday, Nov. 4, when the grounds of Sunset Center will be transformed into a slice of Cuba for the evening.

A Night in Old Havana will take shape with a DJ spinning Latin and Cuban tunes, a Cuban-style cigar bar and a feast provided by Babaloo Cuban cuisine that includes roasted whole pig, Cuban-style paella, black beans, tropical slaw, roasted seasonal vegetables, dessert and Cuban-style coffee.

The Rotary Foundation seeks to "enable Rotarians to advance world understanding, goodwill and peace through the improvements of health, the support of education and the alleviation of poverty."

A Night in Old Havana will begin at 5:30 p.m., and the price is \$65 per person. For tickets or information, call (831) 236-3506.

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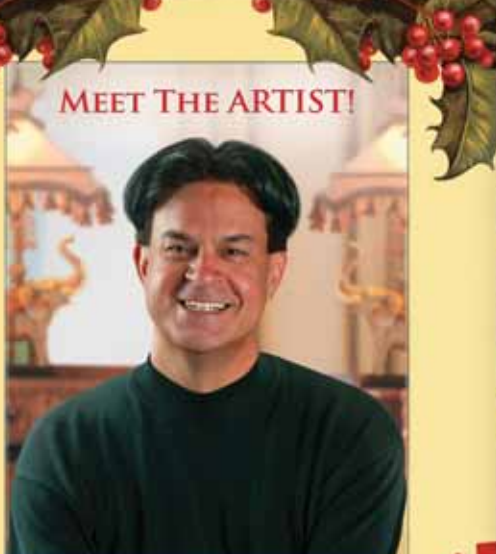
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# WATER

From page 1A

interest allegations.

"The last time we met with them, the regional project was on a better timeline," David Laredo told a community water forum in Monterey. But now, "the state will have to recognize that its [cutback] timeline may not be achievable."

More talks between local officials and the SWRCB will take place in the next two weeks, Laredo said. The talks stem from lawsuits filed in Oct. 2009 by Cal Am and the MPWMD, and later joined by local cities, challenging the state board's order that Peninsula water use be drastically cut by 2016.

"This is a hot topic," Laredo said. "And if the state board is reticent to realize that there are delays, we will press for a trial date."

His comments came during a four-hour session at the Monterey Conference Center which drew a crowd of 275 to listen to presentations by various water agencies and companies about alternative solutions to the local water supply problem if the regional project has to be abandoned.

Richard Svindland of Cal Am presented his company's analysis of the various alternatives. The company has long expressed its willingness to adopt the best solution, whatever it is. But the analysis shows that a project similar to the regional plan, centered on a 23 acre-foot per day desal plant in Marina, will be the most cost-effective and most likely to be completed by the SWRCB's deadlines, Svindland said.

That position was disputed by Brent Constantz of DeepWater Desal, who said his company's plan to draw seawater from deep in the Monterey Bay canyon would be much more cost-effective than the Marina desal proposal, and would also provide enough water for empty lots and urban infill.

"We can provide the amount of water which is needed to make up the shortfall, and whatever additional water the Peninsula needs," said DeepWater Desal's attorney, Jim Heisinger.

Meanwhile, developer Nader Agha said his water project, which he calls the "People's Desal Plant," would produce water for about half the price of the other plans.

While most projects envision overall costs of about \$3,000 per acre-foot, Agha said his plant's water would cost \$1,800 per acre-foot, and then he reduced the price to \$900 per acre-foot.

When Monterey Mayor Chuck Della Sala approached the lectern to tell Agha his time to comment had expired, the mayor commented, "I'd like to leave you up here longer, because your price keeps going down."

Keith Israel, general manager of the Monterey Regional Water Pollution Control District, said his agency could make a substantial dent in the Peninsula water shortage by treating

sewage to such a high degree that it could be used to recharge aquifers.

"The water we can produce would be so safe, it would probably be the best water going in there," Israel said, though he admitted that public acceptance would be a major hurdle.

Finally, Svindland noted that those calling for increased conservation would have to take note of the fact that Peninsula residents have already cut their water use substantially.

"In 1995, water demand was 18,000 acre-feet per year," Svindland said. "In 2011, it was just 12,250 acre-feet."

Currently, the Peninsula's legal supply is 3,376 acre-feet per year.

Della Sala said he thought the forum was useful for identifying "Plan B in case plan A falls apart," and he noted that "the problem is a serious one and we need to solve it today."

## ■ Judge hears Ag Land Trust lawsuit against Marina Coast

A LAWSUIT filed by the Ag Land Trust against the Marina Coast Water District over water rights for the proposed regional desalination water project was heard by a Monterey County Superior Court judge Thursday.

The lawsuit, filed April 2010, contends the environmental impact report for the regional water project did not properly address impacts of the project on the overdrafted Salinas Valley's basin. The desal plant's wells would be located on the Ag Land Trust's property, the group says.

Monterey County Superior Court Judge Lydia Villarreal heard from attorneys from both groups, who argued over the validity of the environmental report and the location of the wells, and took the case under submission.

## ■ Former Cal Am head applies to be county water agency chief

CALIFORNIA AMERICAN Water general manager Craig Anthony — who was recently told by the company he won't have a job after December 30 — has put in a bid to

become general manager of the Monterey County Water Resources Agency after Curtis Weeks was forced out of the job.

Anthony told The Pine Cone Wednesday that he has applied for the interim general manager slot for the county water agency, a position the county is trying to fill before launching a search for a full-time GM.

"I threw my name in the hat three weeks ago and haven't heard a word since," Anthony said.

The county water agency position was left vacant when Weeks, who was embroiled in controversy over his role in the \$400 million regional water project, was let go from the job in a \$100,000 severance deal.

The water agency position could be a good fit for Anthony, who, before working for Cal Am, managed a staff of more than 40 employees and a budget of \$18 million when he was general manager of Pebble Beach Community Services District. Before that, he managed a staff of about 90 when he was chief of the Riverside County Fire Department and was the vice president of resources for Pacific Lumber Company, where he managed 217,000 acres of timberland.

However, Anthony, who hasn't worked directly on the regional water project for more than two years, said he's concerned some may perceive a job with the county water agency as a conflict of interest. The project would supply the Monterey Peninsula with a reliable water source.

"Even though I honestly don't think a conflict exists, just the perception of a conflict is very important for me to avoid," he said.

Meanwhile, County Administrator Officer Lew Bauman told The Pine Cone the county has hired a recruiter to find an interim general manager. After an interim is selected, the county will contract with another recruiter to find a full-time general manager. It's possible the interim could stay on as GM.

"They would likely go through a competitive recruitment process," according to Bauman, "but [making the interim GM permanent] certainly is a possibility." The job will also be posted on websites, magazines and other publications.

"It's estimated that when we begin the full recruitment process, it will approximately six to eight months" before a full-time general manager is hired, he said.

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# African wildlife show, fundraiser at Pacific Grove Art Center

By CHRIS COUNTS

A PHOTOGRAPHY display that draws attention to the beauty — and endangered status — of African wildlife is one of four exhibits opening Friday, Oct. 28, at the Pacific Grove Art Center.

"Africa — Black and White" showcases the work of Carmel Valley photographer Doug Steakley, who has made numerous trips to Kenya, Tanzania, Rwanda, Uganda and Zambia to capture images of lions, gorillas, elephants, rhinos and other large mammals that live there.

"Each trip has found a place in my memory and heart and it is my hope that these images will reflect the feelings of awe and grandeur that I experienced while traveling in this environment," Steakley explained. "I chose to print this collection in black and white to emphasize the stark and primordial presence these animals convey."

According to Steakley, Africa's population of wildlife is rapidly diminishing.

"With this exhibition I also want to draw attention to the precarious conditions that exist in Africa, even within the wildlife preserves and national parks," he said. "Almost all animals in East and South Africa continue to be threatened by poaching. It is important to document and show images of these

grand animals as they exist in their natural habitat and to convey the message that if conditions do not improve, the large populations that we assume are protected will continue their rapid decline in numbers."

Also opening Friday are the art center's annual fundraising Patrons' Show, exhibits by photographers Toni Chiapelli and Coby Mendoza, and a display of photos from the California Coastal Commission's 13th annual amateur photography competition.

The Patrons' Show, which is the art center's biggest fundraiser of the year, offers locals a chance to purchase a piece of fine art for a bargain price, and at the same time, support the nonprofit art center.

Local artists who have donated pieces include Mark Farina, Jane Flury, Renee Easton, Mabel Landaker, Jean Brenner, Joann Kiehn, Julie Heilman, Michael Zambory, Gail Reeves, Beverly Borgman, and Barclay Ferguson.

The art center is selling tickets equal to the number of pieces in the show. Tickets are \$50 for members and \$75 for non-members. The art center will host present a drawing Dec. 11.

"You could leave with a piece worth \$1,000," suggested Jaqui Hope, the execu-

See ART page 24A

# Bay Bikes



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OCTOBER 28 - NOVEMBER 3, 2011

Carmel • Pebble Beach • Carmel Valley & The Monterey Peninsula

### P.G. theater offers Bolshoi grand opening gala

By CHRIS COUNTS

LIGHTHOUSE CINEMAS in Pacific Grove launches its Ballet and Opera in Cinema series with an HD broadcast of the grand reopening of the historic Bolshoi Theatre in Moscow Friday evening.

The two-hour broadcast, which will begin at 7 p.m., will feature performances by some of the biggest names in opera and ballet, including Grammy Award-winning tenor Placido Domingo and electrifying ballet dancer Natalia Osipova.

The program will feature excerpts from some of the most famous Russian ballets and operas. Highlights include a re-staging of the garland waltz from "The Sleeping Beauty," a performance of the Act II opening scene, "the Appian Way," from the ballet, "Spartacus" and a performance of the "Basque dance" from the ballet, "The Flames of Paris."

The theater opened in 1825 at the site of the former Petrovka Theatre, which burned down in 1805. It took its name from the Bolshoi Ballet, which started 80 years earlier as a dance school at a Moscow orphanage. The original Bolshoi Theatre burned down in 1853 and reopened three years later.

Among the theater's finest moments was the world pre-

mier of Tchaikovsky's "Swan Lake" in 1877. Moscow's most famous theater survived the Russian Revolution and World War II, although it was damaged during the latter. In 2005, the Bolshoi Theater was closed for a \$730 million renovation.

The opening gala takes place Friday at 7 p.m. Moscow time, which is 11 hours ahead of Pacific time. It will be broadcast on a delayed basis in many cities around the world.

Showtime at Lighthouse Cinemas in Pacific Grove is 7 p.m., with a rebroadcast scheduled for Sunday, Nov. 6, at 1 p.m. Tickets are \$18 for adults, \$16 for seniors and \$14 for children. Lighthouse Cinemas is located at 525 Lighthouse Ave. For more information, call (831) 643-1333.

### Stein's legacy comes alive on Cherry Center stage

By CHRIS COUNTS

POETS ARE famous for their posthumous acclaim — and the success of Tom Parks' "Paris is Paris is Paris" proves that Gertrude Stein's star is still rising 65 years after her death.

The one-woman play closes this weekend at the Cherry Center for the Arts with performances Friday, Saturday and Sunday, Oct. 28-30.

Produced, directed and written by Parks, the show opened Oct. 7 and has sold out the past two weekends.

"She's a Renaissance woman who's having a Renaissance," joked Parks, who lives in Carmel.

An American who lived most of her life in France, Stein achieved fame not only for her poetry, but for a dazzling art collection that was highlighted by the works of Renoir, Cézanne, Matisse, and Picasso. She was a mentor for some of the 20th century's greatest literary figures as well, including Ernest Hemingway and Sherwood Anderson.

Recent public exhibits of her art collection — as well as an ode to her in Woody Allen's most recent film, "Midnight in Paris" — have only increased the public's interest in her.

The play is set in Stein's Paris living room at the end of World War II, about a year before she died. The poet speaks directly to the audience, recounting the colorful details of her life, her work and the people close to her. Parks calls the conversation both "intimate and candid."

In "Paris is Paris is Paris," Carol Daly plays Stein. "She is a fine actress with more than 30 years' experience," Parks explained. "She's played everything from high comedy to serious drama."

Parks, meanwhile, is thrilled by the reception his play has received at the Cherry Center. He also said he's considering taking it on the road. "I flattered, I'm delighted and I'm pleased," he added "In the 10 years I've been producing plays locally, this one has been the most successful."

Friday and Saturday performances begin at 7:30 p.m., while Sunday matinees start at 3 p.m. Tickets are \$25. For tickets call (831) 236-1942 or visit [www.ticketguys.com](http://www.ticketguys.com).

### Bossa Nova legend headlines Big Sur's world music celebration

By CHRIS COUNTS

A TWO-DAY music festival this weekend in Big Sur will showcase both a Bossa Nova legend and an ambitious ensemble with local roots and global aspirations.

Featuring performances by Brazilian percussionist Helcio Milito and a collective of musicians and dancers known as the Ashe Ensemble, the Big Sur Spirit Garden will host an International Festival of Music, Art and Culture Saturday and Sunday, Oct. 29-30.

"This is going to be our end-of-the-season blow-out party," said Jayson Fann, owner of the Big Sur Spirit Garden and founder of the Ashe Ensemble.

Joined by an all-star cast of local jazz musicians, Milito will perform Sunday at 4 p.m. The drummer, who recently celebrated his 80th birthday, has been performing professionally for more than 60 years. In the early 1960s, he frequently performed or recorded with a group of musicians — Antonio Carlos Jobim, Astrud Gilberto, João Gilberto and Stan Getz — who are credited with creating the Bossa Nova sound that swept the globe. He now lives in Carmel.

"He's a national treasure in Brazil," Fann explained. "He's performed with the most famous of all Brazilian musicians. This concert is a tribute to him. It should be a really incredible show."

Milito will be backed by Fann on percussion, Eddie Mendenhall on piano, Kenny Stahl on flute, Deepok Ram on the bansuri (an Indian bamboo flute), Steve Robertson and

See MUSIC page 15A



One of the world's most acclaimed ballet dancers, Natalia Osipova will perform Friday, Oct. 28 at the grand reopening of the historic Bolshoi Theatre in Moscow. The event will be screened the same night at Lighthouse Cinemas in Pacific Grove.



PHOTO/BIG SUR SPIRIT GARDEN

The Ashe Ensemble takes the stage Saturday at the Big Sur Spirit Garden. The concert is part of the two-day International Festival of Music, Art and Culture.

**CARMEL**  
ARLENE STIGUM presents  
**Original Art Show**  
October 28 & 29  
See page 5A

**CARMEL-BY-THE-SEA**  
CITY OF CARMEL & CARMEL CELEBRATES COMMUNITY COMMITTEE  
95th Annual  
**Birthday Party & Halloween Parade**  
October 29  
See page 4A

**Dining AROUND THE PENINSULA**  
**CARMEL**  
Il Fornaio .....13A  
L' Escargot .....16A  
**SALINAS**  
Rancho Cielo .....4A

**PACIFIC GROVE**  
ST. MARY'S ESPISCOPAL CHURCH presents  
**FALL BOOK SALE**  
October 29  
See page 4A

**CARMEL VALLEY**  
S.T.A.R. FOUNDATION presents  
**Cyndia Sieden**  
Coloratura Soprano  
October 29  
See page 14A

**CARMEL**  
CARMEL KITCHENS & BATHS presents  
**A FRESH SPIN ON THANKSGIVING COOKING DEMOS**  
Oct. 29, Nov. 5 & 12  
See page 13A

**CARMEL**  
RESTAURANT AT MISSION RANCH presents  
**HALLOWEEN COSTUME CONTEST**  
October 31  
See page 13A

**MARINA**  
CA STATE UNIV. MONTEREY BAY presents  
**TOBIAS WOLFF AWARD-WINNING AUTHOR**  
November 1  
See page 2A

**SEASIDE**  
STELLA & DOT presents  
**Vendor & Craft Fair**  
November 3  
See page 23A

**BIG SUR**  
**BIG SUR FOOD & WINE FESTIVAL**  
November 3-5  
See page 13A

**CARMEL VALLEY**  
FATTORIA MUIA OLIVE GROVE presents  
**Craft Show and Sale**  
in an Olive Grove  
November 5  
See page 8A

**BIG SUR**  
POST RANCH INN presents  
**Youngbloods Wine Tasting**  
November 5  
See page 15A

**MONTEREY**  
MCVGA presents  
**BEST OF THE BLUE**  
November 12  
See page 12A

**CARMEL-BY-THE-SEA**  
SUNSET CENTER presents  
**UPCOMING EVENTS**  
November  
See page 12A

# LA PLAYA

From page 1A

legendary collection of historic artifacts and mementoes, which will remain on display.

"We've met with them and we're very encouraged they're going to keep things the way they are," said Mayor Sue McCloud.

She wasn't the only one reassured that the new owners would restore the hotel without changing its exterior or gardens, but the fact that it's closing for an extended period, with all its employees losing their jobs, was shocking to many.

"Forty-four of its 72 regular workers have been there more than 20 years," said Leonard O'Neill, secretary-treasurer of the local hotel workers union. "I've met with the new owners,

and told them the employees should have the right of first refusal to get their jobs back when the hotel reopens. But they just told me they weren't going to make that pledge."

He also criticized Cope for not giving some kind of severance to the workers when he fired them.

The union has picketed the hotel twice, and has another rally planned for Friday.

At Thursday's protest, councilman Jason Burnett showed his support for the aggrieved workers.

"I see them as much a part of the town as residents," Burnett said. "It's the worst time imaginable to be laid off."

He called for other local hotels to hire as many of the laid-off workers as possible, and said he was working with county agencies to help them find new jobs. And he said he told the new owners "they would be well advised to show a level of compassion to people who've been part of the community

for so long."

But Crow said it was impossible to make promises since he doesn't even have an idea how many workers the renovated La Playa Hotel will need.

"When we do go about hiring for the hotel, we would love to see former employees apply for jobs, and we would love to get to know them, but at this point we don't even have an operational plan," Crow said.

Burnett said he welcomed the renovation of La Playa and the increased tax revenue it would probably bring, and said the city should encourage other inns to do the same — but not at the expense of the employees.

"We have to figure out a way for it to be good for the hotels and good for the city without hurting the workers," Burnett said.

The city's program to encourage hotel renovations will be discussed at the city council's Nov. 1 meeting, which begins at 4:30 p.m. Burnett will also invite input on the subject at his town hall meeting Oct. 31 at 8:30 a.m. in Sunset Center's studio 105.

## SUNSET PRESENTS



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## Hamada to be honored Nov. 1 by city council

WELL KNOWN for his work as a broadcaster for KRML, Gary Hamada will be honored at Tuesday, Nov. 1, at the Carmel City Council meeting.

Mayor Sue McCloud will present Hamada with a proclamation for his contributions to KRML, which include hosting the show, "For Locals Only." In addition to his role with the radio station, in August Hamada filmed Carmel's Concours on the Avenue in 3D. The video will be screened at Sunset Center, although a date hasn't yet been set.

"Gary Hamada is a visionary," said Cara Wilson-Granat of her friend, who is battling serious health problems. "His dedicated work at KRML as a broadcaster and owner has endeared him to the entire community. Gary saw the popular station as fertile ground to grow his lifelong dream — to create worldwide communities in which people reach out and talk to and help each other."

The meeting starts at 4:30 p.m. city hall is located on Monte Verde between Ocean and Seventh.

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# ESTATE

From page 6A

periodically driving her to appointments, according to the lawsuit.

At some point, however, the Andrewses exercised a power of attorney for Gowell — who had memory problems — and gained control of her financial affairs. The couple also became partial beneficiaries of Gowell's trust.

"Prior to her death, Mrs. Gowell suffered physical, mental and emotional health problems, which made her susceptible to abuse and undue influence," according to the suit, which references several 2009 psychological evaluations of Gowell by local doctors.

According to Ulferts — who is described in the suit as being "very close" to his cousin — the couple isolated Gowell from her family and did not tell Ulferts or other family members of her worsening health conditions. Ulferts lives in Santa Cruz.

The Andrewses also did not provide proper medical care, food nutrition and sleeping arrangements for the mostly homebound Gowell, who was frail and had physical and mental health issues, he alleges.

During the last few years before Gowell died, Ulferts said, the couple thwarted family members' attempts to meet with Gowell in person and to speak to her on the phone.

They "quite simply did everything possible to keep Mrs. Gowell from having any meaningful contact whatsoever from her family," according to the lawsuit.

In June 2009, a conservatorship was established for Gowell in Monterey County Superior Court and a court-appointed conservator took control.

But the Andrewses continued to interfere in Gowell's life until the court ordered the couple to be removed as her employees and live-in caregivers, according to the suit.

Since then, the couple have been unable to account for more than \$150,000 of Gowell's cash, the lawsuit alleges.

Ulferts is seeking for the return of Gowell's property, exemplary and punitive damages, attorney's fees and other costs.

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found at [www.butterflychurch.org](http://www.butterflychurch.org)  
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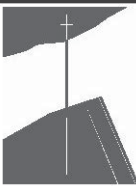
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# Calendar

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**Oct. 28 - Barry Marshall Gallery Last Art & Music Walk for the season**, Friday, Oct. 28, 6-9 p.m. Please come visit the new gallery at 213 Grand Avenue, Pacific Grove. Always new work, oil and acrylic Plein-air Landscapes and Seascapes. Studio prices. (831) 277-5445.

**Oct. 28 - The brilliant young Hungarian pianist, Péter Tóth** will open the **Music at All Saints'** inaugural series on Friday, Oct. 28, at 8 p.m., at All Saints' Episcopal Church, Ninth & Dolores. For tickets visit: [www.allsaintscarmel.org](http://www.allsaintscarmel.org), Bookmark Music in Pacific Grove, or call (831) 624-3883.

**Oct. 28-29 - Art Opening** for Visionary Artist, Arlene Stigum. Paintings range in size from miniatures of 5 inches square to 6-foot-square wood panels. Original works of art for sale from 10 a.m. to 7 p.m. at 2467 San Antonio Avenue. [www.stigum.com](http://www.stigum.com).

**Oct. 29 - Soprano Cyndia Sieden in Recital at Hidden Valley Music Seminars'** intimate theater in Carmel Valley Village on Saturday, Oct. 29, at 8 p.m. Recital tickets are \$30 per person and can be ordered online on the S.T.A.R. Foundation of Monterey County website ([starfoundationmc.org](http://starfoundationmc.org)), through Hidden Valley by calling (831) 659-3115 or purchased at the door the night of the concert.

**Oct. 29 - All Saints' Day School Fall Festival**, 11 a.m. to 3:30 p.m., 8060 Carmel Valley Road. Celebrating our 50th Anniversary! Join us for Fall Family Fun - Games, Food, Shopping, Handmade Crafts! Organic garden cooking demonstration by Myra Goodman and Sarah LaCasse of Earthbound Farm. Live music performed by The Wharf Rats. Free Entry. Games and attractions require wristband: \$20 per wristband for play all day, or 3 in one family for \$50. Children 3 and under play for free. Food/drink tickets purchased separately. For more info, visit [www.asds.org/fallfest](http://www.asds.org/fallfest).



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# MUSIC

From page 11A

Bob Basa on guitar.

Performing Saturday at 8 p.m. will be the Ashe (pronounced Ash-AY) Ensemble, an eclectic project that brings together music and dance traditions from around the world. In addition to Fann and Robertson, the group includes Djidé Koffa, Danjuma Adam, Abdoulaye Diallo, Nasambu, Mory Moussa Bangoura, Wawi Amasha and Jasmine Horan.

A musical melting pot, the Ashe Ensemble fuses African rhythms with jazz, soul and Caribbean musical influences. The group is preparing to launch an eight-week concert tour that will take them to the African countries of Ghana, Benin, Togo and Nigeria.

Opening for the Ashe Ensemble will be spoken word artist Persay Bryant, who Fann calls the "muse of the Big Sur Spirit Garden."

Proceeds from Saturday's show will benefit an orphanage in Kenya that serves over 300 youngsters.

Tickets to Saturday's and Sunday's concerts are \$15 each. The Big Sur Spirit Garden is located on Highway 1 about 27 miles south of Carmel. For more information, call (831) 238-1056 or visit [www.big-surspiritgarden.com](http://www.big-surspiritgarden.com).

## ■ Hotbox Harry lends a hand

To help raise money to aid longtime Big Sur resident Ned Callihan, Songs Hot Box Harry Taught Us will perform Thursday, Nov. 3, at the Big Sur River Inn.

Callihan, an architect who serves on the board of directors for the Coast Properties Owners Association, is suffering from Leukemia and is facing mounting medical bills.

Harry Hot Box, meanwhile, is a collection of Big Sur musicians with an affection for old-school country music. Also performing at the River Inn Thursday will be Rise Up Singing — a Big Sur vocal group — and Big

Sur poet Tiger Windwalker.

The fundraiser will feature a spaghetti dinner, a raffle, a silent auction and a live auction.

The event starts at 6 p.m. Tickets are \$25 and include dinner. The Big Sur River Inn is located on Highway 1, about 24 miles south of Carmel. For more information, call (831) 667-2700 or visit [www.bigsurriverinn.com](http://www.bigsurriverinn.com).

## ■ Two shows for one cover

Singer-songwriter Ric Taylor takes the stage Friday, Oct. 28, at Plaza Linda restaurant in Carmel Valley Village.

"Ric is one prolific songwriter who weaves stories and images that keep the lis-

tener hanging on to every word," said local music promoter Kiki Wow, a longtime friend of Taylor's. "His can say more words in a song than anyone I know. He's a guitar teacher, a canoe and white water instructor, and one hell of a baker!"

Taylor will be followed by Cuba Libre, a quartet with an affection for Spanish, Mexican and Cuban music. The ensemble features Hiram Fernandez on guitar and vocals, Tom Tessler on the Cuban tres, Steve Ucello on bass and Craig Jarstrom on trombone, percussion, harmonica and lap steel.

The music starts at 6 p.m. and the cover is \$10 for both performances. Plaza Linda is located at 9 Del Fino Place or call (831) 659-4229.

## Post Ranch Inn

- The Youngbloods Wine Tasting -

Please join us for an exceptional afternoon Saturday, November 5 at 12:00 noon

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## RICHARD KREITMAN

Carmel School Board - 2011

Experience and Dedication



With one son just graduated from Carmel High School and another at Carmel Middle School, I am a proud Carmel schools parent. In the 10 years our boys have attended Carmel schools I have been an active volunteer and participant dedicated to improving education in all our local public schools. Working together with our teachers, parents, the school board and the District administration, I have helped build the academic excellence we now enjoy. Please vote for me for Carmel School Board in the November 8, 2011 School Board Election. Thank you!

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SPECIALIZING IN interpretations of baroque, classical and contemporary music, coloratura soprano Cyndia Sieden will perform Saturday, Oct. 29, at Hidden Valley Music Seminars in Carmel Valley Village.

At Hidden Valley, Sieden will be accompanied by pianist Judith Cohen. Together, they will offer a program that features music by Franz Schubert, Arnold Schoenberg, Thomas Adès, John Musto and Richard Strauss.

The concert is presented by the STAR Foundation, a nonprofit group that offers grants to school and community theatrical organizations in Monterey County.

The music starts at 8 p.m. Tickets are \$30. Hidden Valley is located at Carmel Valley and Ford roads. For more information, call (831) 659-3115 or visit [www.star-foundationmc.org](http://www.star-foundationmc.org).

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# PUBLIC NOTICES • PUBLIC NOTICES • PUBLIC NOTICES

### FICTITIOUS BUSINESS NAME STATEMENT

File No. 20112207

The following person(s) is (are) doing business as:

**Boronda Manor, 2073 Santa Rita Street, Salinas, CA 93906**, County of Monterey  
CMP-1, LLC (a Delaware Limited Liability Company), 1745 Shea Center Drive, Suite 200, Highlands Ranch, CO 80129

This business is conducted by limited liability company

The registrant commenced to transact business under the fictitious business name or names listed above on 08/01/2006  
I declare that all information in this statement is true and correct. (A registrant who declares as true information which he or she knows to be false is guilty of a crime.)  
S/ Elaine A. Williams, Vice President - Property Operations  
This statement was filed with the County Clerk of Monterey on October 19, 2011.

NOTICE-In accordance with Section 17920(a), a Fictitious Name Statement generally expires five years from the date it was filed with the County Clerk, except as provided in Section 17920(b), where it expires 40 days after any change in the facts set forth in the statement pursuant to section 17913 other than a change in the residence address of a registered owner. A New Fictitious Business Name Statement must be filed before the expiration.

The filing of this statement does not of itself authorize the use in this state of a Fictitious Business Name in violation of the rights of another under Federal, State, or common law (See Section 14411 et seq., Business and Professions Code).

Original Filing  
10/28, 11/4, 11/11, 11/18/11

**CNS-2188940#  
CARMEL PINE CONE**  
Publication dates: Oct. 28, Nov. 4, 11, 18, 2011. (PC1031)

**FICTITIOUS BUSINESS NAME STATEMENT** File No. 20112219. The following person(s) is(are) doing business as: **STRANDS**, 5th & San Carlos, Carmel, CA 93921. Monterey County. **MONIQUE NOEL CHARLEBOIS**, 2 NE Corner of Mission St., Carmel, CA 93921; P.O. Box 222-832, Carmel CA 93922. This business is conducted by an individual. Registrant commenced to transact business under the fictitious business name listed above on: Oct. 20, 2011. (s) Monique Charlebois. This statement was filed with the County Clerk of Monterey County on Oct. 20, 2011. Publication dates: Oct. 28, Nov. 4, 11, 18, 2011. (PC1032)

### FICTITIOUS BUSINESS NAME STATEMENT

File No. 20112174

The following person(s) is (are) doing business as:

**ADM Canine Companions, 9541 Stone Oak Ct., Salinas, CA 93907**; Adriano D. Moises, 9541 Stone Oak Ct., Salinas, CA 93907. This business is conducted by an individual.

The registrant commenced to transact business under the fictitious business name or names listed above on N/A. I declare that all information in this statement is true and correct. (A registrant who declares as true information which he or she knows to be false is guilty of a crime.)  
S/ Adriano D. Moises

This statement was filed with the County Clerk of Monterey on October 14, 2011.

NOTICE-In accordance with Section 17920(a), a Fictitious Name Statement generally expires five years from the date it was filed with the County Clerk, except as provided in Section 17920(b), where it expires 40 days after any change in the facts set forth in the statement pursuant to section 17913 other than a change in the residence address of a registered owner. A New Fictitious Business Name Statement must be filed before the expiration.

The filing of this statement does not of itself authorize the use in this state of a Fictitious Business Name in violation of the rights of another under Federal, State, or common law (See Section 14411 et seq., Business and Professions Code).

Original Filing  
10/28, 11/4, 11/11, 11/18/11

**CNS-2196446#  
CARMEL PINE CONE**  
Publication dates: Oct. 28, Nov. 4, 11, 18, 2011. (PC1033)

### FICTITIOUS BUSINESS NAME STATEMENT

File No. 20112168

The following person(s) is (are) doing business as:

**A B Racing, 1204 Airport Drive, Building E, Monterey, CA 93940**; County of Monterey  
Mark Bayless, 333 El Dorado St., Monterey, CA 93940  
Tim Auger, 335 El Dorado St., #8, Monterey, CA 93940  
This business is conducted by a general partnership

The registrant commenced to transact business under the fictitious business name or names listed above on N/A. I declare that all information in this statement is true and correct. (A registrant who declares as true information which he or she knows to be false is guilty of a crime.)  
S/ Tim Auger

This statement was filed with the County Clerk of Monterey on October 13, 2011

NOTICE-In accordance with Section 17920(a), a Fictitious Name Statement generally expires five years from the date it was filed with the County Clerk, except as provided in Section 17920(b), where it expires 40 days after any change in the facts set forth in the statement pursuant to section 17913 other than a change in the residence address of a registered owner. A New Fictitious Business Name Statement must be filed before the expiration.

The filing of this statement does not of itself authorize the use in this state of a Fictitious Business Name in violation of the rights of another under Federal, State, or common law (See Section 14411 et seq., Business and Professions Code).

Original Filing  
10/28, 11/4, 11/11, 11/18/11

**CNS-2196434#  
CARMEL PINE CONE**  
Publication dates: Oct. 28, Nov. 4, 11, 18, 2011. (PC1034)

### FICTITIOUS BUSINESS NAME STATEMENT

File No. 20112146

The following person(s) is(are) doing business as:

**1. SPOKE CONSULTING**  
**2. SPOKE**  
3652 The Barnyard, Suite D43, Carmel, CA 93923, Monterey County. **SPOKE CONSULTING CORPORATION**, CALIFORNIA, 3652 The Barnyard, Suite D43, Carmel, CA 93923. This business is conducted by a corporation. Registrant commenced to transact business under the fictitious business name listed above on: Sept. 7, 2011. (s) Erin Fogg, President, Spoke Consulting Corp. This statement was filed with the County Clerk of Monterey County on Oct. 12, 2011. Publication dates: Oct. 28, Nov. 4, 11, 18, 2011. (PC1035)

### PUBLIC NOTICE

**NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Carmel-by-the-Sea will conduct a public hearing in the City Hall Council Chambers, located on the east side of Monte Verde between Ocean and Seventh Avenues, on Wednesday, November 9, 2011. The public hearings will be opened at 4:00 p.m. or as soon thereafter as possible. Note: one or more of the items may be on the Consent Agenda. Items on the Consent Agenda will be approved without discussion unless someone requests otherwise. For all other items staff will present the project, then the applicant and all interested members of the public will be allowed to speak**

or offer written testimony before the Commission takes action. Decisions to approve or deny the project may be appealed to the City Council by filing a written notice of appeal with the office of the City Clerk within ten (10) working days following the date of action by the Planning Commission and paying a \$295.00 appeal fee as established by the City Council. For those projects listed as appealable to the California Coastal Commission, appeals may be filed directly with the Coastal Commission for no fee, by filing a written notice of appeal with the Coastal Commission's Central Coast office in Santa Cruz. Such appeals must be filed within ten working days of the Coastal Commission's receipt of the City's Final Local Action Notice.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission or the City Council at, or prior to, the public hearing.

1. DS 11-90  
Jeffrey & Linda Momsen  
SW Casanova & 10th  
Block E Lot(s) 2

Consideration of Design Study, Demolition Permit and Coastal Development Permit applications for the demolition of an existing residence and the construction of a new residence located in the Single Family Residential (R-1), Beach and Riparian (BR), Archaeological Significance (AS) and Park (P) Overlay Districts.

2. DS 11-100  
Plum Holdings, LLC  
E/s Monte Verde 2 N 3rd  
Block 31, Lot(s) 14

Consideration of Design Study, Demolition Permit and Coastal Development Permit applications for a new residence located in the Single Family Residential (R-1), Beach and Riparian (BR), Archaeological Significance (AS) and Park (P) Overlay Districts.

3. DS 11-89  
Michael & Anna Szabados  
W/s Monte Verde 4 N 13th  
Block 134, Lot(s) 15 & 17  
Consideration of Design Study and Coastal Development Permit applications for the substantial alteration of an existing residence located in the Single Family Residential (R-1) District.

4. DS 11-105  
Adam & Anita Wray  
W/s Mission 2 S 1st  
Block 11, Lot(s) 7

Consideration of Design Study and Coastal Development Permit applications for the construction of a new residence located in the Single Family Residential (R-1), Beach and Riparian (BR), Archaeological Significance (AS) and Park (P) Overlay Districts.

5. DS 10-18  
Martin & Ramie Allard  
NE Camino Real & 8th  
Block 11, Lot(s) 20

Consideration of Design Study (Concept & Final), Demolition Permit and Coastal Development Permit applications for the demolition of an existing residence and the construction of a new residence located in the Single Family Residential (R-1) District.

6. UP 11-17  
Laurie Leidig (Lund)  
NW Mission & 7th  
Block 77, Lot(s) 15, 17, 19, 21

Consideration of a Use Permit application for a Specialty Food Store located in the Central Commercial (CC) District.

7. DR 11-21  
Mike Cobler  
NW Mission & 6th  
Block 57, Lot(s) 17 & 19

Consideration of a Design Review application for the replacement of a wood shake roof with composition shingles for a commercial building located in the Central Commercial (CC) District.

8. DR 11-18  
G. Erling Linggi  
S/6th St. San Carlos & Dolores  
Block 71, Lot(s) 7

Consideration of Design Review and Use Permit Amendment applications for exterior alterations, including exterior seating, for a restaurant located in the Central Commercial (CC) District

9. DS 11-112  
William & Laurie Masa  
NE end of Flanders off Rio  
Block MA, Lot(s) 9

Consideration of a Preliminary Design Concept for the substantial alteration of an existing residence on a property located in the Single Family Residential (R-1-C-20), Park Overlay (PO) and Archaeological Significance (AS) Overlay Districts

10. DR 11-22  
Diocese of Monterey  
3080 Rio Road  
Blk US, Lot(s) 38  
Consideration of a time extension for Design Review and Use Permit applications for alterations to the Carmel Mission located in the Single Family Residential (R-1) and Park Overlay (P) Districts.

11. DS 11-111  
San Carlos LLP

NW San Carlos & 12th  
Block 131, Lot(s) 11 & 13  
Consideration of a time extension for Design Review, Coastal Development Permit and Demolition Permit applications for the demolition of an existing residence and the construction of a new residence located in the Single Family Residential (R-1) District.

12. DS 11-113  
Pacific Repertory Theater,  
E/s Casanova bl. 8th & 9th  
Block C, Lot(s) 11-14

Consideration of a Design Study application (Track 1 Referral) for the installation of an electric transformer on a site located in the Theatrical (A-1) District.

\*Project is appealable to the California Coastal Commission  
Date of Publication: October 28, 2011

**PLANNING COMMISSION**  
City of Carmel-by-the-Sea  
Leslie Fenton, Administrative Coordinator  
Publication dates: Oct. 28, 2011. (PC1036)

**FICTITIOUS BUSINESS NAME STATEMENT** File No. 20112222. The following person(s) is(are) doing business as: **BERNEAD FAMILY TRUST, 52 Via Castanada, Monterey, CA 93940**, Monterey County. **JEAN SUSAN WORTHINGTON**, 52 Via Castanada, Monterey, CA 93940. **PATRICIA NASHICK**, 5908 Kentlandsst, Las Vegas, Nevada 89130. This business is conducted by a joint venture. Registrant commenced to transact business under the fictitious business name listed above on: Oct. 20, 2011. (s) Jean Susan Worthington. This statement was filed with the County Clerk of Monterey County on Oct. 20, 2011. Publication dates: Oct. 28, Nov. 4, 11, 18, 2011. (PC1037)



# Commissioners OK two long-planned housing projects

By MARY SCHLEY

THE PLANNING commission approved two new houses last week that have been the subjects of multiple hearings in city hall during the past year. Don Mackey finally received an OK for the two-unit house he wants to build on a vacant San Carlos Street lot near downtown, and Peter and Susan Lowey can now demolish their two fire-damaged apartments on Dolores Street and build new ones.

The brevity and positive tenor of the Oct. 12 discussion of Mackey's proposal, designed by Pacific Grove architect Eric Miller, came in stark contrast to previous hearings, in which commissioners criticized the Spanish-style building for being too large and inappropriate for its surroundings, for having garages facing the street, and for being too similar in appearance to the other home Mackey planned to build on the adjacent lot facing Mission Street. (He eventually received approval for the Mission Street house during an appeal to the city council, but the council upheld the planning commission's denial of his San Carlos Street project.)

After several previous attempts that

resulted in denial of their application in January, Miller and Mackey returned with new drawings that included parking at the rear of a wood-sided building containing upstairs and downstairs apartments. Miller also designed part of the building so it could accommodate a business if it were no longer used as a home — one of the issues commissioners raised during earlier discussions. The upper unit would be 2,170 square feet, while the lower would measure 1,070 square feet.

Associate planner Marc Wiener said the proposal met city guidelines except for the back of the building, which would exceed the 26-foot height limit by 6 feet due to the excavation required to locate parking at the rear of the property.

The new proposal elicited a rare compliment from former city councilwoman Barbara Livingston, who said she wanted to "applaud the architect" for listening to residents and planners and "coming up with a really nice design," that will fit well in a part of the city that contains residential and commercial uses.

Commissioner Victoria Beach, who also clashed with Miller during past hearings on Mackey's projects, spoke favorably as well.

"I think this project is so wonderful, now,

and for the facade, I think the most ingenious part is the way the parking is handled," she said, as the design and proportions of the porch effectively hide the driveway entrance on the south side of the lot.

"It's really fabulous — just a great move from the facade standpoint," she said.

After discussing whether to grant a variance for the height, and deciding to do so, commissioners voted unanimously in favor of Mackey's application.

Following the vote, he thanked commissioners for their consideration — and approval — of his San Carlos Street project.

"It was really pretty simple, you know,"

he said. "I should have asked you what I always ask my wife: 'Just tell me what you want.'"

## Demo and rebuild OK

Peter and Susan Lowey's two-unit Dolores Street building, located next to a couple of hotels near Third Avenue, has been vacant since a fire badly damaged it in November 2009. With the help of architect Robert Walker, they submitted preliminary plans last spring for the two-apartment building that would replace it, and they appeared

See **HOUSES** page 20A

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## HOUSES

*From page 17A*  
before the planning commission on three separate occasions, each time receiving comments and requests for changes.  
During the hearings, much of the feedback focused on how to accommodate three parking spaces on the property, which at 2,800 square feet is 1,200 square feet smaller than the average Carmel lot and also contains a significant tree that can't be removed.  
In addition, commissioners said earlier designs contained too much stone, and they wanted the two units to be more similar in size.

Last week, Walker returned with plans calling for two parking spaces in an underground garage and a

contemporary design with horizontal wood siding. Carmel stone would be on the ground floor only, and the two-bedroom apartment would be 1,309 square feet, while a one-bedroom unit would be 837 square feet. And the Loweyes sought a variance that would allow them to avoid installing a third parking space, due to the constraints of building on a small lot that contains a large oak tree.

Commissioner Steve Hillyard speculated that forcing them to include a third parking space would be pointless.

"If they try to shoehorn any more spaces than two in there, they won't be used as parking spaces in any case," he said.

Chair Jan Reimers said she appreciated the units were "more compatible in size."

"I think it's an important aspect of this project," she said.

"They have a good project, finally, and I would like to see it move along," Hillyard said, and commissioners unanimously voted in favor of the project.



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## BROCCHINI • RYAN

**Third Quarter Report Published Today.**

Go to today's real estate section for our Third Quarter 2011, Report. For the second straight quarter Carmel was the star, racking up impressive dollar gains. Please call us with your questions and comments.



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# Editorial

## Farewell, and thanks

WE ONLY gave the news a bit of space on the front page, because it's something she hasn't made a secret of for quite awhile. Nevertheless, Sue McCloud's announcement that she won't seek a seventh term is a very significant moment in Carmel's history and deserves a bit more reflection.

And that's not only because she will leave office as the town's longest serving mayor — by far. She achieved the distinction four years ago, when she was elected to her fifth term. Come April, she'll have served 50 percent more time in office than the mayor in second place (Ken White, who served eight years). Especially in a small town, anyone who is elected over and over again obviously has the voters' trust, and therefore deserves their heartfelt thanks. As she told us this week, the job is 24/7 and pays \$200 a month.

But there are a lot of things that McCloud and the council achieved during her time in office. We'd like to mention a few:

■ **Finishing the Local Coastal Program**

In 2004, something very important was achieved when the California Coastal Commission certified the city's Local Coastal Program, liberating the town's property owners from having to endure the coastal commission's permit process for even the smallest changes to their homes or businesses. Now, the coastal commission only gets involved with the biggest projects, which is the way it should be. McCloud made finishing the LCP a top priority when she took office, and she achieved it.

■ **Balancing the budget**

When she took office, 9/11, the Iraq War and the Great Recession were not even on the horizon. Each of those events took a tremendous toll on the economy, driving down tax revenues and devastating the budgets of many cities, but not Carmel's. There were cutbacks, of course, but no crisis. And the city even managed to pay off its park bond. McCloud had a lot of help from the rest of the council and the staff in keeping the city's finances in line. But she deserves a lot of the credit, too.

■ **Flanders Mansion**

Thanks to state law and the interference of the courts, McCloud and the council's decision to sell Flanders Mansion hasn't yet been fulfilled. But their determination to see it through — with the full backing of the majority of the citizenry — has been admirable.

■ **The water shortage**

One of the most difficult parts of being mayor is serving on outside committees, and McCloud has served on a lot of them. In particular, she has provided regional leadership in demanding that water officials get off their backsides and give the people of Carmel and the rest of the Monterey Peninsula an adequate water supply. This hasn't happened yet, either, but at least we're getting closer.

■ **Making council meetings more accessible**

When McCloud took office, you could not watch meetings of the city council on TV or online. Now, you can.

■ **Keeping the town quaint**

In the past, city politics have been dominated by groups who oppose any change, and who see nothing wrong with thwarting a property owner's right to build according to zoning if any neighbor objected. These groups are also always quick to predict that letting soup be sold at a coffee shop, loosening rules on tree removal a bit, allowing 1,800-square-foot houses on 4,000-square-foot lots, permitting music to be played where alcohol is served, or pretty much anything else that doesn't fit with their idea of the "good old days," will lead to the demise of the town. McCloud's administration proved that Carmel can remain charming, quaint and scenic without putting Draco in charge of the municipal code.

Obviously, Sue McCloud has not been without her faults, but she has been a very good mayor.

Even her political opponents should be grateful.

## BEST of BATES



"I hear they run it just like a town. They have a mayor and everything."

## 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

### A different assessment from school board members

Dear Editor,

We, the undersigned, are current and former members of the Carmel Unified School District Governing Board. Our terms stretch over the last two decades to the present. We disagree with the comments of our present and past colleagues in a letter to the Pine Cone last week regarding the candidacy of Annette Yee Steck for the school board. We would like to present a different view on Annette's value and service to the board over the past 18 years in the hopes that voters will be able to make an informed decision in the upcoming election.

Annette has provided valued service to the district and the voters over her entire tenure on the board. She understands the board's role in setting direction for the district and supporting the administration in

achieving those goals. She comes prepared to meetings, she solicits opinion and values input from the public on the issues involving our schools. She has a particular insight into issues at the state level that effect school financing. Last year, she brought to the board a proposal to refinance our bonds and took the lead role as the board's representative to that process. The refinancing effort saved the taxpayers of our district approximately \$2.4 million.

Annette has been particularly effective in supporting our teachers, administration, and students at a personal level. She has served for years as the board's representative to the contract negotiation process with our classified staff and for years served as the representative to the negotiation process with our teachers association as well.

We have heard again and again that Annette and others are "not qualified" to serve on the board if they do not have children in the schools. We disagree with this idea and believe that the elections of the past 20 years would argue that our local voters reject that argument as well. Annette has attended hundreds if not thousands of events at all of our local schools over the past 18 years and has always been a great listener and advocate for our students, families, and voters. What is obvious to most who have observed Annette over the past 18 years is not "superficiality" as last week's letter claimed, but dedication to our schools.

We feel that the letter in last week's Pine Cone in no way describes the Annette Yee Steck that we have worked with and known. We feel that CUSD has made great progress

Continues next page

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**The Carmel Pine Cone**

was established in 1915 and is a legal newspaper for Carmel-by-the-Sea, Monterey County and the State of California, established by Superior Court Decree No. 35759, July 3, 1952

**From previous page**

over the past 18 years. School boards work and officially take action as a single body. Singling out one member as not having contributed to the progress of the district rings to us as untrue and unfair.

**John Ellison, Matt Fuzie, Gary Gray  
Dan Hightower, Frank Pinney**

**Teachers endorse Patel, Pallastrini, Steck**  
Dear Editor,

As president of the Association of Carmel Teachers, I would like to announce that we endorse Rita Patel, Karl Pallastrini, and Annette Yee Steck to be our next school board members. We followed an equitable process that allowed each candidate to present his or her point of view. Afterward the committee spent a lengthy time evaluating each candidate. We were looking for board members who are passionate about Carmel Unified, who can "see the big picture" rather than a limited number of issues, and who complement

the existing make-up of the school board. We believe the slate we have endorsed will continue to grow Carmel Unified in a positive direction.

Last week, a letter was published in The Pine Cone that attacked Annette Yee Steck. Throughout her tenure, teachers have always felt Annette to be a dedicated, open-minded, and passionate board member. She attends nearly every major school event, she is fiscally responsible, and she truly holds the best interests of all CUSD students. While others may hold different opinions, we feel the letter was unreasonable and unfair.

**Tom Clifford, President**  
Association of Carmel Teachers

**Eastwood endorses Patel**

Dear Editor,

It is an honor to endorse Rita Patel in her bid to be elected to the Carmel Unified District School Board. Since meeting Rita in 2005, I have watched in amazement at how this mother of four observes, participates and creates positive change in our district. All four of the Patel children attend our Carmel public schools. Rita has been the president of the PTA and PTO at Carmel River and Carmel Middle Schools. Despite running a pharmacy with her husband, she volunteers relentlessly, in and outside of the schools, and I have never heard her complain about the workload. She is honest, intelligent, patient and warm. Rita's intentions are simply to create the best district for our children, and her goals include creating more vocational training and keeping class sizes "small." I had a gut feeling the day I met her, six years ago at PTA sign up, that she would one day be one of the leaders of this district. Let's make it happen!

**Dina Eastwood**  
Past PTA President, Carmel River School

**Rose endorses Peitso**

Dear Editor,

I am writing to endorse Mary Peitso for the Carmel Unified School District Board of Education. I have known Mary for many years and have found her to be exceptionally bright and commonly passionate for the causes she believes in. Fortunately, one of the latter is special education, a cause that makes her particularly well qualified for the position she seeks. Mary has spent many hours working as a volunteer, both at Carmel Middle School and at River School, and in doing so she has exhibited a commitment to hard work and a desire for excellence that will serve her well on the board of education. On Nov. 8, please join me in voting for Mary. Your children and all the residents of the Carmel Unified School District will be glad you did.

**Gerard Rose, Carmel**

**A CUSD parent picks Kreitman**

Dear Editor,

As a parent of Carmel Unified School District students, I am delighted and appreciative to see intelligent, thoughtful school district parents willing to volunteer their time in our parent-teacher organizations and to serve on the school board. Richard Kreitman has done his homework on the issues facing the school district by volunteering his time over the past ten years, attending board meetings, and being an active parent who trusted Carmel schools with the education of his children. As a bonus, he brings strong financial and business experience that will benefit our District as we move forward through challenging financial times. I encourage other CUSD parents to support a strong CUSD parent's voice for CUSD school board.

**Mitchel Winick, Carmel**

**Write-in recommendation**

Dear Editor,

Karl Pallastrini is running as a write-in candidate for the Carmel School Board. For those of you who are supporting

See **LETTERS** page 24A



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# REVERSED

From page 1A

a night of drunken carousing at a downtown bar.

He and the victim, known as Jane Doe, both testified that the sodomy had taken place on Bergstrom's living room couch after they went to his house for more drinking. He claimed she consented to it, while she insisted he refused to stop after she repeatedly told him to.

That left it to the jury to determine who was telling the truth. But in deciding whether to convict Bergstrom of forcible sodomy, the jury also was required by state law to find that she had not consented to the act, while Scott's instructions to the jury, the appeals court said, could have led the jury to convict him even if they believed she was too drunk to say, "No."

"There is a reasonable possibility that the jury's verdict was in fact attributable to the trial court's instructional error in that this error permitted the jury to return a guilty verdict without resolving the credibility contest between defendant and Jane Doe," said the two justices in the majority, Nathan Mihara and Patricia Lucas.

And while "the resolution of such a credibility contest in the defendant's favor seems unlikely," because Bergstrom's "trial testimony appears difficult to credit," the justices wrote, the instructional error violated Bergstrom's Constitutional rights and therefore "reversal is required unless we can conclude beyond a reasonable doubt that the jury's verdict was surely unattributable to the trial court's erroneous instruction."

In a pointed dissent, justice Patricia

Bamattre-Manoukian said she agreed that Scott's instructions were wrong, but that they made no difference to the outcome of the trial.

"Considering the instructions as a whole, and assuming that jurors are intelligent persons ... I find beyond a reasonable doubt that any error [in Scott's instructions] did not contribute to the verdict obtained," Bamattre-Manoukian wrote.

Bergstrom also asked the appeals court to throw out most of the evidence used against him at trial, including the testimony of two other women who said he assaulted them, a cell phone video showing him having anal sex and a tape recording of him at his medical office, "purchasing cocaine, offering to sell cocaine and/or exchange cocaine for sexual favors," according to court documents. All three judges said the evidence was properly used against Bergstrom at trial.

"While we weren't pleased the victim will have to go through another trial," Hulse said, "we were pleased all three justices found there were no issues with the admissibility of evidence."

After the appeals court decision is final in about 60 days, the case will be returned to Monterey County, and so will Bergstrom, who has been serving his six-year sentence in North Kern State Prison and Avenal State Prison.

Once he is back in Monterey County jail, he can also file a motion for bail. But even if it's granted he may have trouble making it.

In documents filed in connection with Jane Doe's civil suit against him, which is scheduled for trial March 12, Bergstrom said he is indigent and has only been able to pay for his continuing defense because of "generous family and friends."

# Traffic tickets to be doled out Oct. 28

COPS WILL be out in force Friday, Oct. 28, for the latest session of STOPP — the Strategic Traffic Offender Prevention Program — which brings in officers from Salinas, Monterey, Marina, Seaside, Carmel and the California Highway Patrol to blanket a particular area and write tickets to drivers for violating a wide range of moving viola-

tions. According to Carmel Police Cpl. Steve Rana, officers will be on the streets of Carmel from 8 a.m. to 1 p.m. that day, keeping an eye out for anyone who speeds, runs a stop sign, neglects to fasten a seat belt or breaks any other traffic law. For more information, call Rana at (831) 624-6403.

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Carmel reads The Pine Cone

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# Pine Cone *Prestige* Classifieds

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**Estate Sale**

Big Estate Sale  
Sat. & Sun., Oct. 29 & 30  
8 AM - 5 PM  
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10/28

**Caregiver**

CARE PROVIDER/CNA - Seeking work. Available 24 hours. Licensed, Bonded & Insured. Refs. (831) 809-0733 10/28

**Estate Sale**

Estate Sale in Pebble Beach  
1154 The Dunes Rd @ 17 Mile Drive & Birdrock  
October 28 - 30 Friday - Sunday 9:00 - 4:00

Franciscan Desert Rose China - nearly 200 pieces, Villeroy & Boch  
Holly Christmas China -12 sets, Wallace Baroque Silver-plate serving pieces, Holiday décor, Lexington "Weekend Retreat" Cottage  
Style Furniture: 17 pieces, Lane - Cedar chest, Wicker Teacart,  
Designer Clothing - sz 8-14, Ferragamo Shoes - sz 8-8 1/2, French Company - 6 piece herringbone luggage, 10 Fritz Hansen Chairs & 48" Knoll Saarinen white tulip table

**Bring ad or notify gate guard you are attending this estate sale**

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# LETTERS

From page 22A

him, I urge you to "single shot" your vote. There are six people running for three seats on the board. To "single shot" a candidate means to vote for only one candidate and not three. If you "single shot" Mr. Pallastrini it will help to give him enough votes in comparison to other candidates to overcome his not being on the ballot. If elected, Mr. Pallastrini will be a real asset on the board with his intimate knowledge of the district, the staff, and the students. Take the time to write in the name "Karl Pallastrini."

**Richard T. Wildon, Former member CUSD board**

## Chamber president picks Byrne

Dear Editor,

Peninsulans approximately use an average of 60 gallons per person per day, which is the lowest in the state by about 130 gallons. However, conservation alone will not save us from the water crisis we face.

Cal Am Water has been ordered to limit pumping from the Carmel River groundwater basin by more than 60 percent of what it currently pumps. If no replacement water is created by the end of 2016, everyone will suffer critical economic and quality of life hardships.

Less water means businesses such as hotels and restaurants will generate less revenue and will need to cut jobs. Less water means less tax revenue to support local police, fire, teachers and other services.

There has been too much talk and not enough action to develop a sustainable water source to solve the coming water crisis. A community leader who understands the issues and supports the future of our community is Jeanne Byrne, former Pacific Grove mayor, community volunteer and a long-

time architect running her own business. Jeanne Byrne deserves our vote for the water management board on Nov. 8.

**Henry Nigos, Chairman, Board of Directors  
Pacific Grove Chamber of Commerce**

## 'Unincorporation' of Carmel?

Dear Editor,

For the last 10 years Carmel's city administration has actively diminished the services provided for our village. Now our fire department is on its way to a merger with Monterey and a police department merger is being studied. Planning, forest and beach, the library and public works are not sacred either. Next step: We could be asked to share a city administrator with Pacific Grove or Monterey. If completed, these actions would constitute a de facto "unincorporation" of Carmel-by-the-Sea. Our residents' personal relationship with city staff and employees has always been an enormous factor in creating the small-town, friendly feeling of our village.

Yes, cities all across the country are merging services, but that comes at a very high price as cities start to lose their identity and unique characteristics. Surely there are ways to counter this movement and I, for one, am looking to our new city administrator to find the way. In the meantime, all of us Carmelites should be pressuring city hall to restore our lost department heads and services so that our village will remain one of the top 10 most livable small cities in the U.S.

**Barbara Livingston, Carmel**

## Villas de Carmelo wipeout

Dear Editor,

This big Kahuna is stoked and not from tokin'.

I am amped on due process, America, and apple pie!

The Bitchin' Dudes and Dudette on the Board of Supes really heard the vibes loud and clear from the Northeast Carmel Neighborhood.

Totally gnarlacious Molly Erickson shot the curl, sending NY Widewaters back to the bone yards of Gitcheeoomee! Hasta La Vista Baby!

Now maybe the MacDowells of Airborne feel-good fame will do something awesome and cool with their property stash in that Hood.

Be totally tubular ... make us smile just like the Supes did!

**Dante Costanzo, Big Sur**

## Carmel changing?

Dear Editor,

Couldn't believe my eyes. There were four Green peace members in green vests the other day, standing on four corners of Ocean Avenue, soliciting individuals walking by for their cause. This in a town where you need a permit and approval from our local government to do anything. What is happening to Carmel-by-the-Sea? Are we becoming San Francisco?

**Linda Borgman, Carmel**

# ART

From page 10A

tive director of the art center. "There are several from locally famous artists."

In conjunction with Friday's festivities at the art center, the Pacific Grove Chamber of Commerce will present a Wine, Music and Art Walk. About a dozen local businesses, galleries and nonprofits staying open until 9 p.m.

The art center, which is located at 568 Lighthouse Ave., will host a reception from 7 to 9 p.m. Gretchen Taylor will play the violin at the reception. The exhibits will be on display until Dec. 15. For more information, call (831) 375-2208 or visit [www.pgartcenter.org](http://www.pgartcenter.org).



## Seasons change, so can you.

### Use less, save more.

By limiting your outdoor water use this fall, you'll save money and water, while keeping your plants healthy and green. Shorter days and cooler temperatures decrease the amount of water your plants need. Change with the season and turn off your sprinklers. If needed, you can use a hose with a shutoff nozzle to water your yard during warmer weather.

California American Water is here to help you conserve. We offer free water saving devices to use in your yard, including hose nozzles, at our office at 511 Forest Lodge Road, Suite 100, Pacific Grove, CA 93950 or the MPWMD office at 5 Harris Court, Building G, Monterey, CA 93940.

**Cambie con la estación y apague sus aspersores. Si necesita, puede usar una manguera con boquilla de abrir y cerrar para regar su jardín cuando haga más calor.**

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More than 170 Open Houses this weekend!

# The Carmel Pine Cone

# Real Estate



■ This week's cover property, located in Pebble Beach, is presented by Sharon Matthams of Coldwell Banker Del Monte Realty. (See Page 2RE)



# About the Cover

The Carmel Pine Cone

# Real Estate

Oct. 28 - Nov. 3, 2011



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**Sharon Matthams**  
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## Real estate sales the week of Oct. 16 - 22

### ■ Carmel, P.B. and Carmel Valley all have big sales

#### Carmel

**Junipero Avenue, 2 NE of Third — \$650,000**  
Addington Trust to Kenneth and Tracey Pepper  
APN: 010-105-012

**24505 San Luis Avenue — \$932,500**  
McGowin Trust to Michael and Cheryle Merritt  
APN: 009-041-024

**26152 Ladera Drive — \$3,525,000**  
James and Gloria Didion to John and Erika Lockridge  
APN: 009-331-026

#### Carmel Valley

**18A El Cuenco — \$303,000**  
Bank of New York to Elizabeth Golden  
APN: 189-432-005

**2 White Oak Way — \$560,000**



3204 Palmero Way, Pebble Beach — \$3,000,000

James and William Gratiot to Matthe Kresner and Renee Lewis  
APN: 187-161-004

See HOMES SALES page 6RE



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4 short blocks to the beach.  
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**OPEN SAT 2:30-4:30**  
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# POLICE LOG

From page 4A

tim of a bee sting. Ambulance cancelled on arrival by Cal Fire.

**Carmel-by-the-Sea:** Fire engine dispatched to Perry Newberry for a female in her 90s who was disoriented and suffered from general weakness. Crew assisted with assessment and loading; patient transported to CHOMP by ambulance.

**Pacific Grove:** Officers responded to a barking dog complaint. Dogs could be clearly heard from outside the yard. Owner stated that she would make sure to close the doggie door at night in the future.

**Pacific Grove:** Female reported receiving harassing phone calls from boyfriend. Boyfriend admonished.

**Pacific Grove:** Male arrested for stealing a wallet and cell phone out of an unlocked truck. Property was recovered. He was booked and released with a citation for petty theft and probation violation.

**Pacific Grove:** Camcorder and remote-controlled race car stolen from an unlocked vehicle on Sinex Avenue. No leads.

**Pacific Grove:** Man arrested for marijuana

possession and sales. Officers conducting a traffic stop noticed the suspect's vehicle smelled of marijuana. A search revealed cash, almost 10 ounces of marijuana, and various other items suggesting drug sales.

**Big Sur:** Deputies responded to Bixby Bridge to a report of a suicidal subject. Deputies contacted the subject and detained him. The subject was transported to the hospital and placed on a hold pending a psychiatric evaluation.

**Carmel area:** An adult female was arrested for domestic violence and lodged in to the county jail.

**Carmel area:** Carmel resident reported her daughter's boyfriend was at her house refusing to leave. The suspect was gone upon deputies' arrival.

**Carmel Valley:** Man reported finding his friend deceased at a Nason Road residence.

**Pebble Beach:** Man reported his vehicle was broken into on Monday, Oct. 10, at 2311 hours. Taken was a camera valued at \$300.

## THURSDAY, OCTOBER 13

**Carmel-by-the-Sea:** Traffic stop on Rio Road for a vehicle code violation. The 35-year-

See POLICE page 7RE

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# HOME SALES

From page 2RE

## Carmel Valley (con't)

**27923 Berwick Drive — \$585,000**

Theresa Hare to Bernadette Keating  
APN: 169-232-011

**5459 Quail Meadows Drive — \$2,195,000**

Harold and Paula Barr to Steven and Elizabeth Huish  
APN: 157-171-042

## Highway 68

**Paseo Vista — \$2,500,000**

Fremont Bank to Robert and Laurie Cochran  
APN: 259-171-005

## Monterey

**416 English Avenue — \$231,000**

Christine Kashfi to James and Carol Duncan  
APN: 013-067-018

**1401 Withers Avenue — \$489,000**

James and Denise Stiles to Gary and Sandra King  
APN: 001-173-001

**738 Laine Street — \$575,000**

Craig Corning to Aleksander and Vera Goryatnina  
APN: 001-078-010

## Pacific Grove

**1020 Austin Avenue — \$238,000**

William Dwyer to Tom Barrera and Valerie Goelitz  
APN: 007-601-029

**1129 Buena Vista — \$356,000**

Barbara Manning to Marcus and Solnisha Schuetter  
APN: 007-591-041

**722 Forest Avenue — \$375,000**

Bank of America to Geary and Denise Engles  
APN: 006-547-005

**827 Pederson Court — \$420,000**

Robert Rambach and Mahir Agha to Judith Addington  
APN: 006-631-029

**361 Lighthouse Avenue — \$537,500**

Dennis Colopy to Dennis and Michaelle Stanford  
APN: 006-263-002



26152 Ladera Drive, Carmel — \$3,525,000

**1222 Del Monte Blvd. — \$637,000**

Deutsche Bank to David and Jo Murray  
APN: 006-016-010

## Pebble Beach

**1036 Broncho Road — \$737,500**

Kirk Allen to Eugene and Melahat Stranglo  
APN: 007-272-007

**3204 Palmero Way — \$3,000,000**

Philip and Yvonne Grinstead to Michael and Sydney Murphy  
APN: 008-351-017

## Seaside

**1633 Luzern Street — \$155,000**

Federal National Mortgage Association to Wynners Investment  
APN: 012-713-006

**1848 Luzern Street — \$245,000**

Son Star Enterprises to Patricia Johannsen  
APN: 012-856-007

**1738 Havana Street — \$261,500**

Wells Fargo Bank to Leslie Gath  
APN: 012-116-009

**1448 Noche Buena Street — \$284,500**

MREO LLC to Jason and Tracy Gordo  
APN: 012-251-013

**1706 Sonoma Avenue — \$329,000**

Aurora Loan Services to Grace Ayara  
APN: 012-672-001

**6 Valencia Court — \$400,000**

Haery trust to Helmut and Connie Trautmann  
APN: 012-682-041

## Foreclosure sales

### Carmel Valley

**3 Calle de la Paloma — \$225,001 (unpaid debt \$600,633)**

Reconstruct Company to O.S.B.T. Investments  
APN: 189-352-002

**25803 Flanders Way — \$472,500 (debt \$801,874)**

Reconstruct Company to Citibank  
APN: 015-092-006

### Highway 68

**12 Abinante Way — \$675,990 (debt \$851,268)**

Reconstruct Company to Bank of New York  
APN: 101-061-015

### Pacific Grove

**705 Timber Trail — \$350,000 (debt \$592,573)**

NDEx West to Bank of America  
APN: 007-711-033

### Pebble Beach

**4075 Sunridge Road — \$535,500 (debt \$843,527)**

FCI Lender Services to US Bank  
APN: 008-181-002

**1080 Indian Village Road — \$730,000**

**(debt \$804,616)**  
Regional Service Corporation to Mark Weber  
APN: 007-391-013

### Seaside

**1145 Ricardo Court — \$296,650 (debt \$661,715)**

Power Default Services to OSBT Investments  
APN: 012-451-033

*Compiled from official county records.*

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# POLICE

From page 4RE

old male driver arrested for DUI and possession of medication without a prescription.

**Carmel-by-the-Sea:** A citizen was playing with his dog when another dog came up and bit his dog on the neck. Both dogs did not sustain any injuries. The incident was later reported to the police department.

**Carmel-by-the-Sea:** Man was involved in an argument while on the telephone outside of his parent's residence on Dolores Street. All parties counseled. Verbal only — no threats were made.

**Carmel-by-the-Sea:** Fire engine and ambulance dispatched to a hotel on Ocean Avenue. Arrived on scene to find a female in her 30s who had experienced a possible syncopal episode and was dizzy and ALOC. She was transported to CHOMP.

**Pacific Grove:** Female found cutting plants at an ocean front park was cited for a municipal code violation.

## FRIDAY, OCTOBER 14

**Carmel-by-the-Sea:** Out-of-state resident reported she may have purchased a stolen watch from a store in Carmel that was no longer in business. The purchase occurred over 10 years ago. Nothing further.

**Carmel-by-the-Sea:** An intoxicated man was reunited with his spouse, and his clothing was located where he was found. Subject suffered minor cuts and scrapes but refused medical attention.

**Carmel-by-the-Sea:** Resident called in regards to a civil matter in which a representative for the homeowner allegedly entered the tenant's unit without sufficient notice. In the meantime, the tenant reported to the homeowner that there seems to be a moisture issue causing an interior portion the kitchen wall to bubble. The tenant did want the property manager to respond. The homeowner will be responding to meet with the tenant. All parties counseled.

**Carmel-by-the-Sea:** Report of a civil dispute over contractual matters — payment for consigned artwork. All parties were counseled.

**Carmel-by-the-Sea:** Store owner called to file a complaint about a nearby store owner whom she felt threatened her. Store owner was counseled what to do in the future. No merit.

**Carmel-by-the-Sea:** Found lunch cooler on Scenic.

**Carmel-by-the-Sea:** A hotel guest reported that she was missing a wine glass from her hotel room that was brought from home. The guest suspected that an agent of the hotel might have taken the glass. She contacted hotel management about the matter. Hotel guest wanted report for insurance purposes. No further investigation.

**Carmel-by-the-Sea:** Person witnessed what appeared to be a hit-and-run non injury collision with a parked car. Once all parties were contacted, they decided to exchange information.

**Carmel-by-the-Sea:** Fire engine dispatched to Camino Real south of 13th for a residential fire alarm activation due to cooking smoke. Canceled en route and followed up with a check of the residence from the street. All secure.

**Big Sur:** Woman reported that she was flagged down by an unknown WMA and told that another male had fallen off the Rocky Creek Bridge. SAR, fire and medical responded to the scene. SAR conducted an extensive

See LOG page 14RE



*Details welcome ...*

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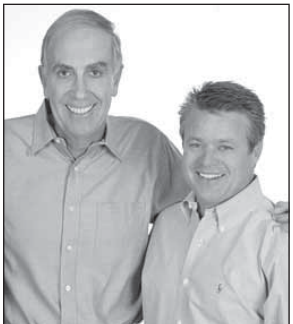
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# Carmel leads in an otherwise weak market



## House Talk

By Paul Brocchini and Mark Ryan

### Third Quarter Report

THERE WERE two big real estate stories in the third quarter. First, Carmel continued to rack up big increases in dollar volume over last year in spite of a large unsold inventory. Second, median sale prices were down in every market except Carmel and Del Rey

Oaks.

The really big surprise in prices was Pebble Beach, which turned in an unheard-of median sale price of just \$870,000. The Country Club area was especially hard hit, whereas the luxury end was slow, with only three properties sold for more than \$2 million in the quarter. There were no blockbuster sales; the top selling price was \$3,900,000.

#### Carmel

The most telling numbers in the Carmel performance are the dollar volume figures. In total sales, so far this year Carmel is up 46 percent over last year, selling \$215,716,590 in properties as opposed to \$147,657,750 last year. To understand the full magnitude of this increase, we compared it to the overall figures for the ten Peninsula markets.

The overall market was up 6 percent, including

Carmel's strong performance. Just for fun we subtracted Carmel's numbers for the first three quarters of 2010 and 2011 and found that the other nine markets were actually down by 5 percent this year. The only explanation we can offer for the disparity is that Carmel, in the minds of the many out-of-towners who dream of moving to the Monterey Peninsula, remains the local jewel.

The blemish in this rosy picture is the large unsold inventory in Carmel. Check the Market Barometer, a measure of the percentage of listings in escrow, and you will find Carmel close to the bottom of the heap with only 15 percent of the listings in escrow on October 1. On that date there were 177 unsold listings. That is a lot!!

The properties that sold during the quarter

See **BROCCHINI** page 15RE

## Monterey Peninsula Home Sales Market Barometer

Date	in escrow /listed	%
<b>Carmel</b>		
10/1/11	39/187	21%
7/1/11	30/155	19%
4/1/11	39/187	21%
1/1/11	30/155	19%
<b>Carmel Highlands</b>		
10/1/11	0/33	0%
7/1/11	4/33	12%
4/1/11	4/31	13%
1/1/11	1/31	3%
<b>Carmel Valley</b>		
10/1/11	31/127	24%
7/1/11	34/148	23%
4/1/11	29/119	24%
1/1/11	25/116	22%
<b>Del Rey Oaks</b>		
10/1/11	0/5	0%
7/1/11	1/4	25%
4/1/11	2/6	33%
1/1/11	4/5	80%
<b>Marina</b>		
10/1/11	34/55	62%
7/1/11	34/59	58%
4/1/11	29/66	44%
1/1/11	33/66	50%
<b>Monterey</b>		
10/1/11	47/113	42%
7/1/11	29/113	26%
4/1/11	28/114	25%
1/1/11	22/101	22%
<b>Pacific Grove</b>		
10/1/11	29/120	24%
7/1/11	27/117	23%
4/1/11	21/92	23%
1/1/11	16/93	17%
<b>Pebble Beach</b>		
10/1/11	15/130	12%
7/1/11	11/121	9%
4/1/11	21/92	23%
1/1/11	7/94	7%
<b>Slns/Mtry Highway</b>		
10/1/11	57/163	35%
7/1/11	50/166	30%
4/1/11	42/149	28%
1/1/11	43/135	32%
<b>Seaside</b>		
10/1/11	57/163	58%
7/1/11	50/166	55%
4/1/11	71/111	64%
1/1/11	63/121	52%

### Median sales prices vs. listing prices

	2010 (full year)	2010 (Q3)	2011 (Q3)	% of listing price revd
Carmel	\$1,045,000	\$805,000	\$1,212,500	93.6%
Carmel Highlands	\$1,600,000	\$1,442,625	\$1,281,250	88.8%
Carmel Valley	\$706,000	\$740,000	\$637,500	93.1%
Del Rey Oaks	\$390,000	\$381,000	\$400,000	101.0%
Marina	\$334,900	\$320,000	\$315,000	98.0%
Monterey	\$550,000	\$612,000	\$457,500	95.6%
Pacific Grove	\$630,000	\$635,000	\$565,000	94.8%
Pebble Beach	\$1,100,000	\$1,377,500	\$870,000	89.6%
Salinas Hwy	\$575,000	\$600,000	\$590,000	93.6%
Seaside	\$279,200	\$275,000	\$273,500	99.0%

### Average days on market

	2010 (Q3)	2011 (Q3)
Carmel	121	125
Carmel Highlands	142	415
Carmel Valley	209	144
Del Rey Oaks	41	22
Marina	37	70
Monterey	111	79
Pacific Grove	70	159
Pebble Beach	122	127
Salinas Hwy	141	108
Seaside	68	75

### Number of real estate sales (by quarter)

	2010 (Q1)	2010 (Q2)	2010 (Q3)	2010 (Q4)	2011 (Q1)	2011 (Q2)	2011 (Q3)
Carmel	35	38	42	50	55	50	48
Carmel Highlands	3	3	3	4	2	3	4
Carmel Valley	32	35	32	32	29	26	38
Del Rey Oaks	4	4	4	3	3	6	2
Marina	28	36	23	32	28	29	27
Monterey	19	38	32	29	29	47	36
Pacific Grove	22	49	29	28	32	36	38
Pebble Beach	22	24	19	10	19	17	25
Salinas Hwy	28	53	43	47	32	47	58
Seaside	40	63	63	62	57	69	58
<b>Totals</b>	<b>233</b>	<b>343</b>	<b>290</b>	<b>297</b>	<b>286</b>	<b>330</b>	<b>334</b>

### Gross dollar volume

	2010 (Q3)	2011 (Q3)
Carmel	44,223,000	74,763,800
Carmel Highlands	5,342,625	5,712,500
Carmel Valley	35,085,650	27,464,450
Del Rey Oaks	1,547,000	800,000
Marina	7,587,150	8,936,388
Monterey	19,780,025	18,445,350
Pacific Grove	19,583,500	22,524,550
Pebble Beach	25,167,700	29,116,900
Salinas Hwy	35,792,079	43,181,550
Seaside	18,050,050	18,353,500
<b>Totals</b>	<b>212,158,779</b>	<b>249,298,988</b>

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"Las Fuentes" a stunning, private, gated Mediterranean  
estate sited on 20 pristine acres. 6,300 sq.ft main resi-  
dence, 800 sq.ft guest house. \$2,800,00

*Michele Guastello 831.214.2545*



**BIG SUR**

Beautiful 8+ acre property with 2BR/2BA offers privacy  
with access to Pfeiffer Beach. Lots of usable land,  
amazing mountain & ocean views. \$2,495,000

*Nancy Sanders 831.596.5492*



**MONTEREY/SALINAS HWY**

Beautiful ocean views of the Monterey Bay and city  
lights from this 3BR/3.5BA home. Spacious office and  
room to roam. \$2,395,000

*Sharon Swallow 831.214.2545*



**OPEN SUNDAY 2-4**

25864 Hatton Road, Carmel  
Newly built 4BR/3.5BA Craftsman home with gourmet  
kitchen, gardens, oak and redwoods. \$2,295,000

*David Bindel 831.238.6152*



**CARMEL VALLEY**

Nestled among landmark oaks with panoramic views  
of the valley and Garland Park. 4 year old 3BR/3.5BA  
home. Separate guest house. \$2,250,000

*Hallie Mitchell Dow 831.277.5459*



**CARMEL**

Ocean and Point Lobos views from this 3BR/2BA home.  
High ceilings, hardwood floors, fireplace and spacious  
rear view deck. \$2,295,000

*Richard Warren 831.277.9179*



**CARMEL VALLEY**

Panoramic views from this groomed 40 acre estate lot  
along the crest of the Asoleado subdivision. 2,200' eleva-  
tion, established hiking trails. \$998,000

*Sam Piffero 831.236.5389*



**OPEN SUNDAY 12-2**

24 Skyline Crest Drive, Monterey  
Top of the hill. Fabulous ocean views in one of the best  
locations in the complex. 3BR/2BA. \$699,900

*Mary Lew McCord 831.521.6796*



**PACIFIC GROVE**

Mid-century 3BR/2.5BA bungalow with new kitchen,  
bathrooms, fireplace, floors and doors. Separate 172  
sq.ft storage building. \$699,000

*Edward Hoyt 831.277.3838*



**CARMEL VALLEY**

Tastefully remodeled 3BR/2.5BA Quail Lodge condo.  
Hardwood floors, plantation shutters, kitchen with gran-  
ite and soaring redwood ceilings. \$698,000

*Nick Glaser & Tina Carpenter 831.596.0573*



**OPEN SATURDAY 3-5**

51 Via Castanada, Monterey  
Amazing bay views from this beautifully maintained  
3BR/2BA home. Remodeled master bath. \$649,000

*Sheila Wilson 831.594.5448*







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## OPEN HOUSES

From page 10RE

### CARMEL VALLEY

\$995,000	4bd 3ba	Sa 2-4
25430 Via Cincindela Carmel Valley 383-9105		
Sotheby's Int'l RE		
\$995,000	4bd 3ba	Su 12-2
25430 Via Cincindela Carmel Valley 601-5313		
Sotheby's Int'l RE		
\$1,049,000	4bd 3ba	Sa 1-3
19 El Caminito Road Carmel Valley 236-8571		
Carmel Realty Co.		
\$1,049,000	4bd 3ba	Su by Appt
19 El Caminito Road Carmel Valley 236-8571		
Carmel Realty Co.		
\$1,095,000	4bd 3.5ba	Sa Su by Appt
196 Laurel Drive Carmel Valley 236-8571		
Carmel Realty Co.		
\$1,190,000	3bd 2ba	Sa Su by Appt
39126 Tassajara Rd Carmel Valley 236-8572		
Carmel Realty Co.		
\$1,360,000	4bd 3.5ba	Sa 2:30-4
216 Vista Verde Carmel Valley 224-3370		
Sotheby's Int'l RE		
\$1,360,000	4bd 3.5ba	Su 12-2
216 Vista Verde Carmel Valley 224-3370		
Sotheby's Int'l RE		
\$1,495,000	4bd 3ba	Sa 2-4
27585 LOMA DEL REY Carmel Valley 626-2223		
Coldwell Banker Del Monte		
\$1,990,000	4bd 3.5ba	Sa by Appt
12 Oak Meadow Lane Carmel Valley 236-8572		
Carmel Realty Co.		
\$1,990,000	4bd 3.5ba	Su 2-4
12 Oak Meadow Lane Carmel Valley 236-8572		
Carmel Realty Co.		
\$2,495,000	3bd 2.5ba	Su 1-3
27208 PRADO DEL SOL Carmel Valley 626-2221		
Coldwell Banker Del Monte		
\$2,695,000	4bd 3.5ba	Sa Su by Appt
15340 Via Los Tulares Carmel Valley 236-8572		
Carmel Realty Co.		
\$3,200,000	5bd 5.5ba	Sa Su by Appt
8630 River Meadows Road Carmel Valley 236-8572		
Carmel Realty Co.		
\$3,200,000	5bd 5.5ba	Su by Appt
8630 River Meadows Road Carmel Valley 236-8572		
Carmel Realty Co.		
\$3,250,000	3bd 2ba	Sa by Appt
32829 E. Carmel Valley Rd Carmel Valley 236-8572		
Carmel Realty Co.		
\$3,250,000	3bd 2ba	Su 11-21
32839 E. Carmel Valley Rd Carmel Valley 236-8572		
Carmel Realty Co.		
\$3,275,000	5bd 5.5ba	Su 2-4
100 VIA MILPITAS Carmel Valley 626-2222		
Coldwell Banker Del Monte		
\$3,495,000	3bd 4ba	Su 1-4
25560 VIA MALPASO Carmel Valley 236-3164		
Sotheby's Int'l RE		
\$4,495,000	5bd 5.5ba	Su 1-4
27217 PRADO DEL SOL Carmel Valley 626-2221		
Coldwell Banker Del Monte		

### LOS GATOS

\$2,775,000	5bd 4.5ba	Sa 1-3
109 ALERCHE DR Los Gatos 626-2221		
Coldwell Banker Del Monte		

### MONTEREY

\$425,000	2bd 3ba	Su 2:30-4:30
70 FOREST RIDGE RD #20 Monterey 521-6796		
Sotheby's Int'l RE		
\$459,000	2bd 1ba	Su 12-2
1261 IRVING AV Monterey 626-2224		
Coldwell Banker Del Monte		

See HOUSES page 14RE

# ALAIN PINEL *Realtors*



### CARMEL

Not far from two beaches and a nice level walk to town. Situated on an oversized lot, this home is what is referred to as "Great Bones". Home has been updated not long ago and has great separation of space. Fourth bedroom near master makes wonderful office. Large backyard plus a two car garage!

26234CaminoReal.com

Offered at \$1,450,000

### CARMEL

South Carmel Hills ~ You'll love living so close to everything. The garage is large enough to have a dance or build a float for homecoming. Large picture windows let in the light and provide a comfy place to relax. The running track at Carmel High, the City of Carmel and sandy beaches are less than a mile away.

Offered at \$725,000



### CARMEL VALLEY

Live among the oaks in Sunny Carmel Valley. This super family home boasts a flexible floor plan with great living spaces. New kitchen cabinets and countertops, Master Suite with terrific bath and spacious walk-in closet, spacious wrap around deck and low maintenance yard.

172ChaparralRoad.com

Offered at \$625,000



### PEBBLE BEACH

One of the most charming and unique properties to hit the peninsula in years! Enter through an iron gate into a courtyard full of Pebble Beach history. Originally built in approximately 1931. This lovely single level hacienda sits on a full acre and built in the traditional style around a courtyard and even a bell tower. Wonderful home solidly built with a large basement.

1086TrappersTrail.com

Offered at \$2,150,000



### PEBBLE BEACH

Within a short stroll to the Lodge, this traditional yet extraordinary home is the perfect estate. Private, but inviting, gracious but comfortable, spacious but cozy. Incredible interior space with 12 to 14 ft. ceilings, 10 ft. windows and doors that bring the outdoors indoors from room to room. Southern exposure with views of the ocean and Pt. Lobos on park-like grounds of over an acre. Truly nice!

Offered at \$5,500,000



NE Corner of Ocean & Dolores  
Junipero between 5th & 6th

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**From previous page**

dog on the beach and brought it to the station for safekeeping — pending owner notification. Dog owner contacted through information listed on the microchip. Kennel fee paid and dog return to the owner.

**Carmel-by-the-Sea:** A 34-year-old suspect was arrested on Guadalupe Street for DUI.

**Carmel-by-the-Sea:** Ring found on Ocean Avenue.

**Carmel-by-the-Sea:** Ambulance dispatched to Highway 1 at Carmel Highlands. Ambulance arrived to find a boat anchored off shore one half mile with a dive flag up and no signs of anyone in distress.

**Carmel-by-the-Sea:** Ambulance dispatched to Whalers Cove Point. Ambulance arrived at scene. Waited for the patient

to arrive by boat to the Whalers Cove. Patient arrived at 1200. Care was transferred.

**Carmel Valley:** Woman reported that a male violated an emergency protective order by calling her several times.

**Carmel area:** A 32-year-old male was the driver of a vehicle that was stopped at Highway 1 and Ocean Avenue for vehicle code violations. A 21-year-old female was a passenger in the vehicle. A search of the vehicle was conducted and he was found to be transporting a controlled substance, and she was found in possession of drug paraphernalia. Both were found to be violating the terms of their probation.

**Carmel Valley:** Male contacted during a vehicle check at Carmel Valley Road and Martin Road. He was in possession of more than one pound of marijuana and marijuana-growing equipment. He admitted to growing the marijuana at home.

**Pebble Beach:** Woman called to report that her husband had

passed away.

**Pebble Beach:** Victim reported theft of several pieces of electronic equipment from a residence on Valdez Road.

**Pebble Beach:** At approximately 2232 hours, a woman reported arriving home and noticing her front door had significant pry marks and was bowed out from its frame.

**Carmel Valley:** Daughter came home intoxicated and yelled at her elderly mother. Deputies responded and had the daughter's fiancé take her to his house for the night.

**Carmel Valley:** Victim reported her brother battered her on her back and side of head. No prosecution desired.

**MONDAY, OCTOBER 17**

**Carmel-by-the-Sea:** A 41-year-old male driver was stopped on Ocean Avenue for a traffic violation and was found to be intoxicated. He was also on DUI probation. He was arrested and submitted to breath test. The subject posted bond and was released to a sober friend.

**Carmel-by-the-Sea:** Report of a citizen attempting to reserve a parking stall for a family member while another motorist was on scene attempting to park his vehicle in the same stall. Upon arrival, the pedestrian had left. The reporting party (motorist) was contacted and counseled.

**Carmel-by-the-Sea:** Ambulance dispatched to Santa Rita for a female in her 60s with general weakness. Patient transported to CHOMP by ambulance.

**Carmel area:** Resident reported being pushed by her brother during an argument. No prosecution was desired.

**BROCCHINI**

*From page 8RE*

received 93.6 percent of asking price, not close to the 98 percent to more than 100 percent of asking prices the lower cost markets achieved, but still pretty good. It appears that houses remaining unsold after being offered for a long time are over-priced. This is nothing new in real estate, but more critical in difficult times. Properties need to have perceived value to get sold. The successful sales in Carmel are a tribute to the sellers and agents who were able to nail an attractive price range and get their places sold.

**Unit sales**

All of the markets except Del Rey Oaks and Seaside had more sales this year than last. Over all, the market had 44 more sales in the quarter, an increase of 15 percent. The fact that dollar volume had only modest gains shows again how prices have slipped across the board with the exception of Carmel, which had only six more sales than last year, yet increased its dollar volume by more than \$30 million dollars. We find that stunning.

**A Look at approach**

We approach these reports with open minds. We forget what people have been whispering in our ears about the

market and bury our own impressions. What is so amazing is that every report ends up with unique information and new twists. This is what makes it fun and always illuminating to us. We hope it is the same to you, and we welcome your comments.

*The charts are based on data supplied by the Monterey County Association of Realtors' Multiple Listing Service (MLS). Neither the Association nor the MLS guarantees or is responsible for their accuracy. Data maintained by the Association or its MLS may not reflect all real estate activity in the market.*

*Paul Brocchini and Mark Ryan are real estate agents with Coldwell Banker Del Monte Realty, Carmel-by-the-Sea office at Junipero, 2 SW of Fifth. They can be reached at (831) 601-1620 or (831) 238-1498.*

**Distribution of home sales — 3rd quarter 2011**

	up to \$399	\$400-\$699	\$700-\$799	\$800-\$899	\$1M-\$1,299	\$1.3M-\$1,699	\$1.7M-\$1,999	\$2M and up
<b>Carmel</b>	0	8	2	8	7	12	2	9
<b>Carmel Hghlnds</b>	0	0	0	1	1	1	0	1
<b>Carmel Valley</b>	9	14	3	2	5	3	1	1
<b>Del Rey Oaks</b>	1	1	0	0	0	0	0	0
<b>Marina</b>	22	5	0	0	0	0	0	0
<b>Monterey</b>	15	16	3	1	0	0	1	0
<b>Pacific Grove</b>	7	24	2	2	2	1	0	0
<b>Pebble Beach</b>	1	6	2	4	6	2	1	3
<b>Salinas Hwy</b>	6	30	6	8	3	2	1	2
<b>Seaside</b>	46	12	0	0	0	0	0	0
<b>Total</b>	<b>107</b>	<b>116</b>	<b>18</b>	<b>26</b>	<b>24</b>	<b>21</b>	<b>6</b>	<b>16</b>

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**House for Rent**

**CARMEL POINT** — 2bd / 2ba, bonus room. Single garage. \$2850/mo. (562) 884-2839, www.serenitycorner.webs.com 11/4

**Cottage for Rent**

**CARMEL COTTATGE**  
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**624-1221 or 224-0404**

**Vacation Rentals**

**CARMEL** - beach front, 2bd/2ba, beautiful, historic, close in. See website firstcarmelbeachcottage.com TF

**CARMEL** - furnished rentals. Walk to town/beach. Fouratt Simmons RE. Call (831) 659-8230 TF

**Furnished Rental**

**CARMEL BY THE SEA** fully furnished 3bd/2.5ba. Must see. \$4500 / month. Call (707) 333-1007 11/14

**CARMEL** - 2 blocks to beach. 2bd / 2ba. 1 month minimum. www.carmelbeachcottage.com. (650) 948-5939 TF

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**CARMEL, RANCH STYLE** charmer on a large and beautifully landscaped corner lot. Enjoy an easy stroll to the beach and Mission Ranch. **\$950,000.**



**CARMEL, BUTTERCUP COTTAGE.** Single-level 3BR/ 2BA, with hardwood floors, gourmet kitchen and private patio. Located on a quiet walk-to-town lane. **\$1,195,000.**



**CARMEL, VILLAGE LIFESTYLE** in the heart of town. Across from the Sunset Center. Two blocks from shops. Remodeled & thoroughly updated. **\$1,195,000.**



**CARMEL, "STONEHEARTH"** home is just one block to the beach! Rolled roof, stone fireplace, and lush gardens. Bright & sunny 4BR/ 3BA. **\$2,699,000.**



**CARMEL, TUSCAN** beach retreat with "BIG" ocean views. Features a lovely kitchen, hardwood floors and a Carmel stone fireplace. **\$2,950,000.**



**CARMEL, CLASSIC** 4BR/ 2 full BA, 2 half BA home featuring an expansive kitchen, 2 master suites and artist studio on almost double lot. **\$2,995,000.**

## CARMEL CRAFTSMAN

**Carmel**  
**\$4,595,000**

Restored to the era of Arts and Crafts, but deftly including the contemporary qualities of light and space, this 3200 square foot home originally built in 1915 has recently been meticulously remodeled from the foundation up. Situated on a lushly landscaped large corner lot, between Carmel's Golden Rectangle and Carmel Point, this 2-story home enjoys the sounds of surf from Carmel beach.

We have many open houses this weekend and they are all listed by city in today's Real Estate section, "Open House Directory."  
Visit our website: [www.CAmoves.com](http://www.CAmoves.com) for photos and details of open house properties.



**PEBBLE BEACH, EASY** to entertain floor plan wraps around a sunny private courtyard with floor to ceiling windows and sliding glass doors. **\$929,000.**



**PEBBLE BEACH JEWEL.** The property has its own well, granite and maple kitchen, 3BR/ 3BA, and a master suite. The location is superb! **\$998,000.**



**PEBBLE BEACH, UNIQUE** entertainer's villa. Features include 8-sided rooms, vaulted ceilings, skylights, rock fireplace, and hot tub. **1,200,000.**



**CARMEL, ULTIMATE** 5BR/ 4BA beach house boasting cathedral ceilings, hardwood floors, gourmet kitchen, private rear entrance and ocean views. **\$3,199,000.**



**CARMEL VALLEY, 2.3 ACRE** lovely lot close to The Village. It is a completely buildable parcel with a 35 gallon per minute private well. **\$699,000.**



**PEBBLE BEACH, NEWLY** remodeled 4BR/ 4BA, single-level home with fantastic views of the forest and golf course. Over 2600 sq. ft. of living space. **\$1,395,000.**



**CARMEL MEDITERRANEAN** with 4BR/ 4BA, beamed ceilings, tile floors, wine cellar and a staggering master suite with a marble bath. **\$4,250,000.**



**CARMEL VALLEY, SPECIAL** 4BR/ 3BA property. View decks. Zoned for horses: tack barn, workshop and fencing. Jerusalem gold travertine. **\$1,495,000.**



**PEBBLE BEACH, 4BR/ 4BA** updated and remodeled Ranch home. Situated on 1.23 acres, the home enjoys 3,000+ sq. ft. Decks, gardens, and outdoor BBQ **\$1,695,000.**



**CARMEL, AT YOUR FEET.** This 1,800 sq. ft. oceanfront home clearly exemplifies the vision we all conjure up when we dream of Carmel. **\$5,475,000.**



**PEBBLE BEACH, 3BR/ 3BA** top-floor unit featuring forest vistas and easy access to Carmel. Home away from home. Furnishings negotiable. **\$899,000.**



**PEBBLE BEACH, 6BR/ 6.5BA** classic Mediterranean villa on 1.65 acres above The Lodge with views of the bay. Wine cellar and 3-car garage. **\$9,995,000.**

**CARMEL-BY-THE-SEA**  
Junipero 2 SW of 5th & Ocean 3 NE of Lincoln  
831.626.2221 831.626.2225

**CARMEL RANCHO**  
3775 Via Nona Marie  
831.626.2222

**PACIFIC GROVE**  
501 Lighthouse Ave & 650 Lighthouse Ave  
831.626.2226 831.626.2224

**PEBBLE BEACH**  
At The Lodge  
831.626.2223

