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LIFEGUARD SEEN AS SOLUTION TO BEACH DROWNINGS

By CHRIS COUNTS

WHILE HE conceded there is no way to prevent every drowning at Monastery Beach — which is infamous for its deadly surf — a California State Parks official said the most effective way to combat the threat would be to hire more lifeguards and station one at the beach. But that, he said, would require money — something his agency lacks.

“The best thing we could do, if we had the funding, would be to put a lifeguard at Monastery Beach on weekends and holidays,” Monterey district superintendent for California State Parks Mat Fuzie told The Pine Cone. “We need somebody there to go up and down the beach and educate people. But we still could lose people because of the inherent dangers of that beach.”

The beach is not only risky for swimmers and SCUBA divers, it can even be deadly to people who stick to the sand, as was evident Feb. 28 when a woman visiting from Illinois, Linda June, and her daughter, were swept into the sea by a wave. The daughter survived, but June didn't.

The incident attracted both media attention and a public outcry — some of it critical of state parks' inability to stop such drownings. In response, Fuzie offered his perspective and dispelled some misconceptions.

Over the past nine years, three people have been swept into the ocean and drowned while walking along the beach, Fuzie said. An additional two people drowned while trying to save others. During the same time period, three divers died just offshore, for a total of eight deaths at the beach. (Another five divers died at nearby Point Lobos State Reserve.) Fuzie said the deaths of the divers are a separate topic

See **DROWNINGS** page 12A

CUSD takes legal action to oust student

■ Lawsuit: Student wants to “inflict pain” on classmates, staff

By KELLY NIX

HE HITS, kicks, pushes, slaps, spits and throws things at teachers, staff and students, and Carmel Unified School District officials have had enough of his violent outbursts.

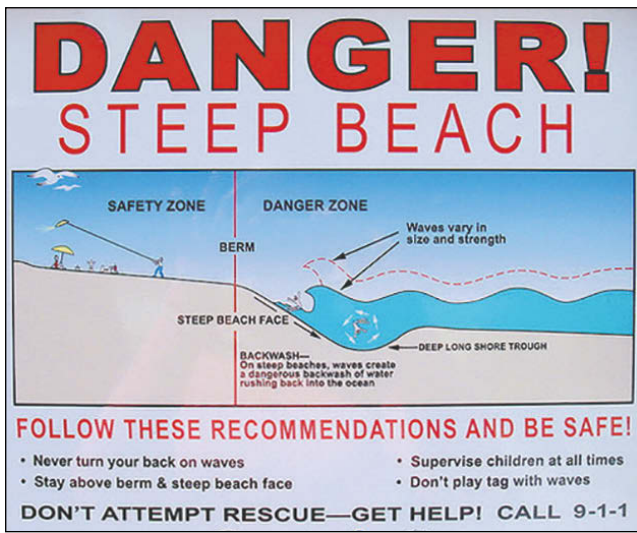
Though he's only 9 years old, CUSD contends that the behavior of one Carmel River School student is so awful — and dangerous — that it has been forced to take court action to get him booted from the district. The Pine Cone has decided not to name the student because of his age.

As recently as March 3, the fifth-grader threw a rock at his teacher and threatened to stab school workers with a pencil.

“It took three adults to wrest the pencil from the [boy],” according to a March 9 complaint filed in Monterey County Superior Court by CUSD that seeks a temporary restraining order from the student and his removal from the district.

Court documents paint a picture of a disturbed boy, who has amassed a whopping 58-page disciplinary record during just 21 months for behavior that also includes “throwing objects such as rocks and books, destroying property and threatening to hurt people.”

See **STUDENT** page 21A



A warning sign at Monastery Beach, where eight people have died since 2006.

Supreme Court to rule on water district ‘user fee’

By KELLY NIX

THE CALIFORNIA Supreme Court is expected to decide in the next few months whether Monterey Peninsula water customers will again incur a surcharge on their monthly water bills that they haven't been required to pay for five years.

California American Water customers paid a 8.325 percent “user fee” on their bills until early 2010, when a California Public Utilities Commission judge denied Cal Am's bid to collect the charge — which it forwarded to the Monterey Peninsula Water Management District to fund its Carmel River mitigation efforts.

“The last time the user fee was collected, it [raised] about \$2.9 million” in one year, water district general manager Dave Stoldt told The Pine Cone.

See **FEE** page 14A

Law would compel retirement homes to give back deposits

By KELLY NIX

A CARMEL Valley man's battle with a Pacific Grove retirement home to get back more than \$250,000 belonging to his late mother's estate has spawned the introduction of legislation designed to give more rights to seniors and their families.

On Feb. 26, Senator Bill Monning introduced SB 475, which would require retirement facilities to refund in full a resident's deposit for an apartment or other “living unit” within 14 days after it's been resold, or 90 days after a resident has vacated a unit — whether it's been resold or not. A lump-sum payment would go to heirs if a resident dies, according to the bill's language.

Under the current law, retirement facilities are not compelled to refund tenants or their estates for housing deposits until after a facility resells a unit, a process that can take years and tie up seniors' funds. It can also prevent heirs from

See **DEPOSITS** page 20A

Veterans cemetery at Fort Ord gets biggest donation

By KELLY NIX

A U.S. Marine Corps veteran and his wife, through their estate, donated more than \$1 million to the California Central Coast Veterans Cemetery at Fort Ord, which breaks ground Friday.

The \$1,129,480.46 donated by Robert and Elayne Stein, who died in 2014 and 2013, is the largest private donation since serious fundraising for the cemetery began about two years ago. The executors of the Steins' estate, Larry and Corrie Cardon, presented the check to Jimmy Panetta during a ceremony in Santa Cruz Wednesday afternoon.

“Robert Stein is a former Marine, and he and his wife wanted their remains to be interred at the Central Coast Veterans Cemetery,” Panetta, a Monterey County Deputy District Attorney, told The Pine Cone. “And they wanted to make sure it got built. This is a powerful donation.”

The check has been handed to the Community Foundation of Monterey County, the nonprofit that established the Central Coast Veterans Cemetery Fund.

The roughly 30-minute event at the Santa Cruz County Courthouse drew Carmel Mayor Jason Burnett, Congressman Sam Farr, former State Sen. Bruce McPherson, former Assemblyman Fred Keeley and others.

Burnett said Thursday that he was surprised by the amount of the donation.

“I didn't know the dollar amount until it was announced yesterday afternoon,” said Burnett, who, with Panetta, has led local fundraising efforts. “It's incredibly generous and will continue the [fundraising] momentum we need.”

The Steins, of Royal Oaks, made news in January when it was announced they had set aside more than \$400,000 for the Watsonville Public Library, a place where they spent lots of time.

Their \$1.1 million will probably be used for the second phase of the cemetery project, which is expected to cost about \$30 million. The first \$10 million phase, which will include 5,000 niches for cremation remains on 17 acres, is

See **DONATION** page 27A

Mission starring in car ad



The Carmel Mission was one of the locations for a Jeep commercial shot in January. This screen grab from TV advertisement shows a Jeep Cherokee driving through the courtyard. See page 3A.