

In Your Dreams

A celebration of the Carmel lifestyle ... a colorful special section ... inside this week!



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Dolores Street pedestrian promenade proposed

By MARY SCHLEY

A DOLORES Street property owner and a downtown architect are floating the idea of closing down the block between Ocean and Seventh every day from 11 a.m. to 11 p.m., transforming it into a pedestrian promenade, and they are seeking feedback from the community and public officials on the proposal, which would have to be OK'd by the city council to become reality.



RENDERING/ADAM JESELNICK

Under a new proposal, plants and trees could be rolled into and out of the street, pavers would cover the existing concrete, and pedestrians would be free to stroll along one downtown block, free of cars, from late morning to late evening.

They've scheduled a community meeting for next month on the plan, which would involve installing new pavers over the existing asphalt, with vehicle access controlled by posts that could be raised and lowered as needed, according to architect Adam Jeselnick, who donated his time to design the plan, and Fred Kern, owner of the Seventh & Dolores event center. A 25-foot-wide fire lane would be maintained through the center of the street for emergency access, and landscaping would include movable planters of ornamental trees and drought-tolerant plants. Roof drains would be routed to a new underground storm drain, and the loss of 32 parking spots would be offset by valet parking, operated by a private company, to city-owned and privately operated lots in town.

"It would be a gathering place for the town, beneficial for the people who live here and to visitors, and oriented toward pedestrians," Jeselnick said Tuesday. And he said he had plenty of support, including that "the people who are

See **PROMENADE** page 10A

Violent student ordered out of River School

■ Judge grants CUSD request for restraining order

By KELLY NIX

A JUDGE has granted a request by Carmel Unified School District to remove a 9-year-old student from the district because his behavior is so violent, the district says, he poses a "clear and imminent danger" to staff and students.

On March 11, Monterey County Superior Court Judge Efrén N. Iglesia issued the restraining order against the fourth-grader, marking the first time CUSD has sought such an action against a student. Iglesia also granted the district's bid to have the boy removed from CUSD entirely and instead be placed into a county program for children with emotional problems.

"The district has a constitutional right to maintain a safe environment for its students," according to a complaint filed March 9 in court by CUSD, "and it cannot comply with that duty if [the boy] is allowed to remain in his current placement."

See **STUDENT** page 22A

Bernahl sues Weakley claiming sabotage of CLM's operations

By KELLY NIX

COASTAL LUXURY Management cofounder David Bernahl has filed a lawsuit against his former business partner, Rob Weakley, alleging he waged a malicious campaign to hurt the culinary business after being fired last year.

The claim, filed in Monterey County Superior Court, contends that Weakley, among other things, made highly critical comments about Bernahl and CLM that caused a major corporate sponsor to withdraw its support for one of the company's signature events, such as Pebble Beach Food & Wine.

Weakley's Monterey attorney, Andy Swartz, called the allegations in the countersuit "outrageous" and "spurious," and said their Los Angeles attorney is trying to circumvent an agreement they signed preventing the parties from suing each

See **CLM** page 11A



David Bernahl



Rob Weakley

Judge to weigh privacy rights vs. grand jury's power

By MARY SCHLEY

THE CITY of Carmel's efforts to stop the Monterey County Civil Grand Jury from examining the city's personnel files moved to a Salinas courtroom Wednesday, when Monterey County Superior Court Judge Lydia Villarreal heard arguments from city attorney Don Freeman and chief assistant county counsel Leslie Girard, representing the grand jury.

Before the lawyers spoke, Villarreal called the issue in the case "interesting and complicated," because it pits the State Constitution's provision of privacy rights, which Freeman has repeatedly invoked, against state law giving the civil grand jury unqualified power to examine any documents it desires.

Just officers?

According to Girard, the law empowering the grand jury as a watchdog unequivocally states that the jurors — who have taken an oath of confidentiality and are overseen by a judge — may examine any records they want. Specifically, the code reads, "The grand jury may at any time examine the books and records of any incorporated city or joint powers agency located in the county."

Therefore, the civil grand jury expected the city to provide the personnel files of 10 former and current workers so it could complete its investigation of the city's operations under former city administrator Jason Stilwell before its term ends June 30.

But, in his March 10 motion to quash the subpoena,

See **PRIVACY** page 12A

TJ's sued over death of 103-year-old mom

By KELLY NIX

THE DAUGHTER of a Carmel Valley woman filed a lawsuit against Trader Joe's last week, alleging that her mother's March 2013 fall outside the Pacific Grove store caused her death four months later at the age of 103.

In a wrongful death suit filed March 12, Mary Ann Hunter alleges that Trader Joe's failed to warn customers of construction in the parking lot, which caused her mother, Lile Ruse, to fall and break her hip while stepping off a curb to a disabled parking spot.

"While stepping off the curb using her cane, the cane sank, slipped and turned under [Ruse] due to the sandy soil excavation site," according to the suit, which seeks an unspecified amount in monetary damages exceeding \$25,000.

Hunter contends Trader Joe's did not provide warnings or barriers around the construction. The work was part of a parking lot renovation project.

'Weakened state'

Though Ruse survived the fall, she had to have surgery and "extensive recovery and nursing care" that put her in a "weakened state," requiring the use of a walker. Ruse fell again on July 30, 2013, and died at Carmel Valley Manor, according to the claim filed in Monterey County Superior Court.

Rachel Broderick, a spokeswoman for the Monrovia-based Trader Joe's, told The Pine Cone Tuesday that the company doesn't comment on pending litigation.

Ruse, who needed a cane to walk, was considered dis-

See **DEATH** page 23A