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Mystery fire destroys car on Lincoln



PHOTO/CARMEL POLICE DEPARTMENT

FIREFIGHTERS DON'T know what caused the passenger compartment of a Honda Civic parked on Lincoln Street north of Fifth to catch fire just before 7 p.m. Wednesday, Monterey Fire Capt. Jeff Field said, or even where, exactly, it originated. But the engine crew doused the flames before they could spread to any nearby buildings or trees, and were done with the call in just 20 minutes.

Judge lets car vs. pedestrian criminal case go to trial

By MARY SCHLEY

THE CARMEL man who allegedly hit a pedestrian with his car twice and then drove away was arraigned in a Salinas courtroom Wednesday after Monterey County Superior Court Judge Andrew Liu ruled that there's sufficient evidence to put him on trial.

Besides facing criminal charges, Robert Budden is also the target of a lawsuit filed by his alleged victim, Amro Radwan, who claims Budden not only injured him, but that he hit him with his vehicle because of racism, violated his civil rights and committed a hate crime.

Both stem from a Feb. 17 altercation in which Budden, a 68-year-old Torres Street resident, allegedly hit Radwan with his Porsche Cayenne while Radwan was helping his wife into the back seat of his car on Mission Street.

Radwan told police that, after he was initially struck, he yelled at the driver to stop, but Budden only yelled back, "Get out of the middle of the road, asshole!" and kept driv-

ing, Carmel Police Cmdr. Luke Powell said at the time. Radwan chased after the SUV and caught up to it at an intersection, but "the driver's response was to stick his tongue out," and when Radwan stood in front of the Porsche, the driver nudged forward and "accelerated into the victim" as Radwan finally stepped out of the way, "causing him to roll over the left front corner of the hood," according to police. Radwan was treated for various injuries at the scene and then went to the hospital on his own.

The Monterey County District Attorney's Office charged Budden with three felonies: two counts of assault with a deadly weapon and one count of hit-and-run causing injury. At a July 13 preliminary hearing, witnesses for the prosecution and the defense testified, and evidence supporting each side of the case was submitted. Defense attorney Tom Worthington asked for a delay, which Liu denied. The judge found "sufficient cause to believe that the defendant has committed the offenses charged," and ruled the case could proceed against Budden.

Civil case

Following Radwan's filing of the civil case in April, Budden also filed a response May 31 denying Radwan's allegation of "unprovoked attack on the basis of his perceived race, color, religion, ancestry, national origin and/or immigration status," a crime with which the DA's office could have charged him but didn't.

In the suit, Radwan said his wife, mother, sister, daughter, brother, brother-in-law and nieces were all with him at the time. The women were dressed in hijabs, the traditional religious garb of female Muslims.

According to Radwan's account, Budden could see them from a distance, and as he

See **PARK** page 20A

See **TRIAL** page 17A

Plan offers peek of what long-awaited park will look like

By CHRIS COUNTS

FIFTEEN YEARS after state parks acquired the 1,300-acre Point Lobos Ranch for \$11 million of taxpayers' money, park officials this week released the clearest picture yet of how the public will be able to use the land.

But one thing still isn't clear: when the new park will open.

Other details are revealed in a general plan for Carmel area state parks. The plan, which also includes an environmental impact report, came out July 30, and the public has 60 days to comment on it.

The new park would not only offer trails for hikers, but provide land for a parking lot that could accommodate up to 200 vehicles. Several historic buildings on the property are being renovated for housing for state parks employees and other purposes.

A park with a parking lot

The parking lot would offer an alternative to having motorists leave their cars along Highway 1, where they block bicycle lanes, cause traffic hazards and, some say, impede emergency vehicles.

Those who park in the lot could also visit Point Lobos State Reserve, and the plan sug-

gests creating an underpass below the scenic route so people can get there safely.

The plan for the park is notable also for what it omits. Officials had originally suggested that amenities like camping and a zip line be allowed on the site, but during hearings on the park's future, the public soundly opposed such uses.

"What you see in the plan today is the culmination of all the public meetings we had," State Parks planner Steve Bachman told The Pine Cone. "It strikes a balance between the needs of the local and regional community,

Owners of Jeffers cabin ask council to intervene

By MARY SCHLEY

AS ANTICIPATED, Matthew and Stacey Roy are taking their fight over a rickety log cabin on Monte Verde Street to the city council.

The couple purchased the decrepit cabin in May for \$425,000, with plans to tear it down and build a new home. The city had declared the cabin uninhabitable 15 years ago, but the Carmel Historic Resources Board in July refused to re-

move it from the city's list of historic properties, which means it must be preserved in some way — even if that means building a facsimile.

The 116-year-old log cabin was inhabited by poet Robinson Jeffers and wife Una for a few years in the early 20th century, while Tor House, the Carmel Point home the poet made famous, was being built. The Simpson family owned the cabin, which was added to the historic list in 2002, for 75 years before selling it to the Roys.

Still has merit

After they bought it, the Roys asked for permission to tear the building down, pointing out that the city had declared it a hazard. But the fact that it's one of the oldest houses in the city, was built of logs, and is associated with Jeffers all make it important, the historic resources board decided, even if it's so badly deteriorated that it's unsafe to enter.

"If you let things go one by one by one, nobody is going to want to come here. It won't be unique — it will be just an ordinary beach town," HRB member Kathryn Gualtieri said at the July 16 meeting. "And that will be a terrible, terrible shame in this community. Rehabilitation may not be an option, but certainly reconstruction could be."

In their appeal filed July 25 at a cost of \$1,025, the Roys state they "believe the historic resources board's decision did not take into account all expert testimony and documentation," and that "there is no substantial evidence in the record to support the decision."

They said they will forward a formal letter of explanation and other information to support their assertions, which will be heard by the city council at an upcoming meeting.

If the council doesn't let them proceed, the Roys' next course of action would be to file a lawsuit.

The chick needs a name, and you have a vote



PHOTO/MONTEREY BAY AQUARIUM

THE MONTEREY Bay Aquarium wants your help to name its new African penguin chick born July 7. The poll is open to the public to choose among four name options for the female chick: Beck, after iconic local author John Steinbeck; Bixby, after the Bixby Bridge in nearby Big Sur; Cypress, after the tree native to Monterey; or Watson, after the community of Watsonville. The poll will end by the morning of Monday, Aug. 6, and can be found at www.fafarms.com/4688452.

The unnamed chick was in the penguin exhibit, but is being moved behind the scenes until she grows a little larger. When she was born, she weighed only 2.7 ounces.

Teen driver in DUI crash hit with multiple felonies

By MARY SCHLEY

MARGOT MCNALLY, the 18-year-old Carmel Valley resident accused of killing her 16-year-old passenger and seriously injuring another motorist while driving drunk on Carmel Valley Road, was formally charged Friday with three felonies.

McNally, who was allegedly DUI when the crash occurred about 7:40 p.m. July 12, is scheduled to be arraigned Aug. 21 on one count of gross vehicular manslaughter while intoxicated, and two counts of DUI causing great bodily injury.

The maximum prison sentence for the manslaughter charge is 10 years, while each count of DUI causing injury could get McNally up to six years. The three charges would also count as separate strikes under California's Three Strikes law.

McNally was informed of the charges in a letter signed by

See **FELONIES** page 17A