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jazzes up KRML
— INSIDE THIS WEEK

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JUDGE ALLOWS EXTENSIVE EVIDENCE IN ARSON CASE

PINE CONE STAFF REPORT

A DEFENSE attorney's efforts to keep damaging evidence against his client out of court failed when Monterey County Superior Court Judge Terrance Duncan ruled in favor of prosecutors Feb. 22.

The evidence, which law enforcement officials say was found in suspected serial arsonist Lance Oliver Scott's home and cars, was illegally obtained, according to attorney Richard Rosen.

Scott, who lives on San Juan Road, is charged with setting fires on Jacks Peak. He faces 11 arson counts — including use of an incendiary device — and three counts of cultivating, manufacturing and selling marijuana and hashish. He has remained in Monterey County Jail since last summer, when he was arrested following months of investigation into suspicious blazes in the Jacks Peak area in 2006 and 2007. Law enforcement officers identified Scott as a suspect after reportedly catching his cars on video near several of the fires around the times they were set.

In court Feb. 14, Rosen argued investigators illegally installed a GPS surveillance tracker on Scott's car in order to trace his movements, which constituted unlawful search and seizure. He also said the search warrant was invalid and disputed officers' probable cause to search and arrest Scott.

Among the evidence Rosen wanted excluded were:

- all statements Scott made after he was arrested;
- a matchbook seized from his 1986 Toyota pickup truck;
- \$45 in cash, a plastic film canister containing a marijuana cigarette, and a brass pipe taken from Scott;
- items taken from Scott's Oldsmobile, including a Fourth-of-July-type sparkler and its box, a Bic lighter, a silver lighter and a firecracker; and
- items taken from his home, including a model rocket kit, sparkler, Piccolo Pete firework, roll of duct tape, carbon dioxide container, hand-held scanner, paper matchbook, two firecrackers, rental car receipts, a Monterey County Herald

**Sparklers,
lighters,
matches,
13 meth pipes,
14 syringes and
GPS navigation**

See EVIDENCE page 23A

African pop star plays Sunset



Angelique Kidjo

■ Grammy winner is a critical and commercial success in Europe

By CHRIS COUNTS

FOR THE past four decades, Sunset Center has hosted a remarkable array of creative talent. But it's doubtful the theater has ever presented anybody quite like African pop star Angelique Kidjo.

Kidjo, who took home a Grammy Award this year for

See KIDJO page 9A

Fire merger, condos, power poles define council race

By MARY BROWNFIELD

A FEW lines were drawn in the sand when candidates for mayor and city council of Carmel-by-the-Sea shared their views during a forum hosted by the Carmel Residents Association Feb. 21. Four-term Mayor Sue McCloud is facing nominal challenger Dogman McBill, while council newcomers Ken Talmage and Karen Sharp, both appointed to replace councilmen who left, have some competition from Michael LePage. Voters will choose their leaders April 8.

During the forum held at Sunset Center, candidates answered questions read by moderator Karen Ferlito.

"Thank you for having the courage and conviction to run for public office," she said before inviting them to make three-minute opening statements, during which they outlined their experience, values and views.

Speaking first, McBill pointed out a fifth term for McCloud would have her serving for 10 years — longer than the President of the United States is permitted to stay in office.

"I wouldn't have run for mayor if someone else had run against Sue this time," said McBill, who was also her sole challenger two years ago. His main theme was getting out the

See FORUM page 28A

Talmage tops fundraising in city race

By MARY BROWNFIELD

ACCORDING TO campaign disclosure statements filed last week by four of the five candidates for the upcoming Carmel City Council and mayoral election, incumbent councilman Ken Talmage has raised the most funds so far, followed by incumbent Mayor Sue McCloud, councilwoman Karen Sharp and council challenger Michael LePage. Dogman McBill, the only mayoral challenger, did not file a statement.

Talmage, who was appointed to replace Erik Bethel on the

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Do not disturb!



PHOTO/MARY BROWNFIELD

A baby elephant seal had to be relocated to Point Lobos Monday after it was repeatedly visited by dogs on Carmel Beach. See page 3A.

COUNCIL SEES HOPE IN REGIONAL WATER PLAN

By MARY BROWNFIELD

THE GREATEST obstacle to securing a viable water supply for the Monterey Peninsula is the failure of cities, the county and various agencies that have a stake in it to work together, Lyndel Melton told the Carmel City Council Tuesday.

At the March 4 meeting, Melton, principal of RMC Water and Environment, said his firm had been hired to develop a sustainable water supply program for the Monterey County Regional Plenary Oversight Group, known as REPOG. Melton and other representatives of the group, which was formed by the California Public Utilities Commission Division of Ratepayer Advocates, have been visiting cities and other agencies to describe their plan and generate support.

Using a combination of several different approaches — some long contemplated, others innovative — the regional plan would be "implementable, sustainable,

and publicly and politically acceptable," according to Melton, as well as less expensive than the Moss Landing desal plant proposed by California American Water Co.

"This solves many issues with the same investment," he said. "It's a multi-agency, multi-beneficiary solution."

The goal is to reverse seawater intrusion in the Salinas Valley, reduce to legal levels — if not completely eliminate — pumping from the Carmel River, and provide cities with the water they need for legal lots of record and municipal projects.

Multiple sources

The projects that could provide as much as 29,000 acre-foot of water include increasing conservation, capturing stormwater, storing excess water in the Seaside aquifer, treating recycled water for agricultural use, treating recycled water for urban use, diverting excess flows from the Salinas

See WATER page 8A