



PENINSULA BUSINESSES

Accessibility can be beautiful, dogs don't have to smell like dogs, picking furniture that lasts, and more ... Inside this week!



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Bodycams show how fatal shooting happened

By MARY SCHLEY

JAMES MARSHALL, who died in a police shooting in Carmel Oct. 25, was not deterred by the numerous beanbag rounds and a set of taser darts fired at him as he faced off with police officers in the backyard of his Monte Verde home, according to bodycam footage made available to the media by the Monterey County District Attorney's Office Friday. Chief Assistant District Attorney Berkley Brannon, who is leading the investigation, also released the names of the officers involved and provided more detail on the fatal altercation.

Police were called to the area of Monte Verde and Eighth near the Golden Bough Playhouse after witnesses saw Marshall walking around the neighborhood "dressed in tactical gear, armed with pepper spray, a knife, a 3-foot-long crowbar and what later turned out to be a BB rifle" styled to look like an assault rifle, Brannon said. One of the 911 callers said Marshall had held him at gunpoint.

Backyard face-off

Police Chief Paul Tomasi, Sgt. Gerald Maldonado and officer Rene Guevara set up outside Marshall's home, though they didn't know where he was until they saw him on a nearby sidewalk shortly after 10 a.m., according to Brannon. After the 27-year-old Marshall, who was also wearing a helmet, moved to his driveway, Maldonado fired beanbag rounds to try to subdue him. They had no effect — other than to cause him to drop his BB gun, which the officers discovered later, Brannon said.

Guevara, the only officer to shoot Marshall, did so after the man lunged at Maldonado with a crowbar, Guevara's bodycam footage shows.

The three officers had chased Marshall into his backyard, where he started smashing objects with the crowbar

See **BODYCAMS** page 19A



PHOTO/BODYCAM SCREENSHOT

A still from an officer's bodycam footage shows Police Chief Paul Tomasi with his gun drawn as he attempts to talk James Marshall into dropping his crowbar. Tomasi did not fire his weapon.

Nick Smith wins P.G. mayor, council race tight

By KELLY NIX

PACIFIC GROVE voters Tuesday elected councilman Nick Smith to be their new mayor after incumbent Bill Peake decided not to run for reelection, while six city council candidates vying for three seats are in a tight race.

Smith, 44, won the mayor's race decisively, garnering 2,344 votes (43.46 percent) over former city councilmember Dan Miller, who received 1,715 votes, and nonprofit director Dionne Ybarra, who got 1,334 votes, according to semi-official results from the Monterey County elections department.

Smith, who was elected to the city council in 2016 and reelected in 2020, entered the race after Peake announced he wouldn't run for another term. Peake endorsed him. Smith — who had an election night gathering at restaurant Hops & Fog Brewing — talked to The Pine Cone

Big shakeup as council gets three new members

■ Dale Byrne wins mayor's seat

By MARY SCHLEY

THE CARMEL City Council will see a substantial shift Dec. 9, when Mayor-elect Dale Byrne and successful council candidates Hans Buder and Bob Delves are sworn



PHOTO/KERRY BELSER

Councilman-elect Hans Buder brought his young kids and other family members to hear the outcome and celebrate on election night at Carmel City Hall.

in. Byrne and Buder are newcomers to public office, while Delves has served on the city's planning commission and was formerly mayor and town councilor of a resort town in Colorado.

Byrne prevailed over councilman Jeff Baron — who was campaigning from a safe seat and has two more years in his term — and incumbent Mayor Dave Potter at the polls Nov. 5.

Based on returns reported on election night, Byrne won with 39 percent of the vote, compared with Baron's 33 percent and Potter's 27 percent. Byrne and Baron were separated by 90 votes.

In a field of five council contenders, none of whom were incumbents, Buder topped the list with 37 percent of the vote, followed by Delves with 30 percent. David O'Neil came in third with 19 percent, followed by Danny Hala (8 percent) and Parker Logan (6 percent).

Long list

The perennially busy Byrne, who founded the nonprofit Carmel Cares and has undertaken numerous civic projects during the past four years, said he's already scheduled a meeting with city administrator Chip Rerig and has spoken briefly with Buder and Delves, both of whom he's worked with on the Affordable Housing Alternatives committee, in an effort to figure out how to comply with state mandates.

See **ELECTION** page 14A

Odello, Patel, Glazer gain seats on CUSD board

By MARY SCHLEY

THE CARMEL Unified School District Board of Education will see Jake Odello, Rita Patel and Matt Glazer assume office Dec. 13, voters decided Tuesday.

Incumbent Jason RemyNSE was also elected to retain a seat on the board.

The only position not up for a vote this year — the first time school board members were elected by district — is held by Sara Hinds, whose term expires in December 2026.

Longtime board member Karl Pallastrini and board clerk Seaberry Nachbar will leave office next month, as will Carmel Valley resident Anne-Marie Rosen, who challenged RemyNSE in Tuesday's election and has been charged with elections fraud for allegedly lying about where she lives.

RemyNSE, who was appointed in late March 2023 to replace Tess Arthur after she resigned, was decisively elected by 60 percent of voters in Trustee Area 5, which roughly covers the area from Quail Lodge east to the west side of Carmel Valley Village.

Constituents in the entire district chose Odello to serve for a one-time, two-year at-large position, with 56 percent favoring him over Monica Tavakoli, while 54 percent of

those who voted in the trustee area covering Carmel-by-the-Sea and part of Pebble Beach selected Patel over Stevenson School administrator Molly Bozzo.

And 53 percent of voters chose Matt Glazer to serve on behalf of the area that includes Carmel Highlands and Big Sur, over attorney Jeannette Witten. Patel served on the board from 2011 to 2019 and was the only successful candidate in a three-person slate with Witten and Tavakoli.

What's next

RemyNSE, the board president, said Wednesday that his main goal in retaining his seat is "to make sure this is a cohesive team that drives the district to be better."

"We have a very specific role as board members, and that's watching the district from a high level and not getting in the weeds," he said.

RemyNSE wants to give new superintendent Sharon

See **CUSD** page 21A

NO CONTROVERSY OVER C.V. ROUNDABOUT



RENDERING/GHD

What's round, will be located on Carmel Valley Road and drew hardly any opposition at a recent public hearing? See page 12A for the answer.