

Daily Pilot

SATURDAY, JUNE 6, 2020 /// Now including Coastline Pilot and Huntington Beach Independent /// dailypilot.com

Calls for justice continue in O.C.

Protesters in Costa Mesa celebrate slain Kentucky woman's birthday during demonstration.

BY HILLARY DAVIS

On what would have been Breonna Taylor's 27th birthday, dozens of people sang for her on the side of a bustling Harbor Boulevard in Costa Mesa Friday.

Taylor, a black woman, was shot and killed in her home by Louisville, Ky., police during the service of a botched no-knock warrant in March. The demonstrators in Costa Mesa said her name, and George Floyd's name, and the names of other black men, women and children who have died at the hands of police.

"Say his name! GEORGE FLOYD!" called out a chant leader. "Scream his name! GEORGE FLOYD!"

Lesetja Mohlabane, who grew up in Irvine and owns a media-production company in Costa Mesa, said he hoped Taylor was looking down at the peaceful protest that drew up to 200 people to Triangle Square.

Mohlabane was planning on going to another protest that afternoon in his hometown, where he said people are paying attention even if Irvine hasn't been affected by the same level of brutality.

"This is my community, and I represent a large proportion of the people who have been persecuted for the color of their skin," said Mohlabane, 29, who is black.

Patrick Cahill, 25, of Garden Grove walked the route

See *Costa Mesa*, page A5



Kevin Chang | Staff Photographer

SUPPORTERS FOR the Black Lives Matter movement shout, "No justice! No peace!" as they march along Newport Boulevard during a peaceful protest against police brutality at Triangle Square on Friday in Costa Mesa.



Kevin Chang | Staff Photographer

DEMONSTRATORS RALLY during a peaceful protest against police brutality at Triangle Square in Costa Mesa.



Raul Roa | Staff Photographer

DOZENS OF Black Lives Matter/George Floyd protesters hold signs and chant at Main Beach Park in Laguna Beach.

Friday's protest at Main Beach was organized by a group of Laguna Beach High graduates.

BY LILLY NGUYEN

Up and down the sidewalk along Coast Highway, right up to the edge where the street and sidewalk meet, protesters stood shoulder to shoulder. Each carried signs that seemed to scream as loudly as they did, their chanting no more muffled by their masks and face coverings than the car horns that blared past.

"No justice!" One protester screamed.

Others shouted back, "No peace!"

Some had sunflowers in their hands. One protester burned sage.

Though Main Beach was reopened along with other city beaches in Laguna Beach for active recreation, the adjacent beachside parks have remained closed. Yet, on Friday, Main Beach Park was where a Black Lives Matter protest began and ended. People shouted names as cars passed through the intersection of Ocean Avenue and Coast Highway, many honking in solidarity.

Others driving past stuck their fists up in the air and some returned down Ocean Avenue, holding up signs out their windows or through their sunroofs. Protesters cried out names: George Floyd, Breonna Taylor, Ahmaud Arbery. They called for the conviction of the four officers involved in the death of Floyd, whose death while in Minneapolis

See *Laguna*, page A5

Orange County surpasses 7,000 coronavirus cases



Raul Roa | Staff Photographer

A JOGGER and a wildlife photographer wear masks while crossing a bridge at Bolsa Chica Ecological Reserve in Huntington Beach on May 20.

BY ANDREW TURNER

Orange County reported nine deaths due to COVID-19 and a single-day high of 296 additional cases of the coronavirus, per new numbers released by the Orange County Health Care Agency.

The jump in reported cases came on the same day that the county surpassed 7,000 cumulative cases of the coronavirus to date. That number now stands at 7,064. The death toll in Orange County due to the disease is 174, with 84 of the fatalities having been skilled nursing facility residents.

At present, there are 283 cases that require hospitalization, with 123 of those patients in an inten-

sive care unit. Over the past week, the average number of hospitalizations has been 279.

An estimated 3,021 people have recovered from bouts with the novel coronavirus. That number is calculated by taking the difference between the cumulative case count 28 days ago and current day mortality.

Orange County had seen protests for the reopening of beaches and the state prior to the current wave of demonstrations, seen across the nation, against racial inequality and police brutality that have followed the death of George Floyd.

Orange County officials expressed concern about the potential for the virus to spread among

large protests.

"Is it a concern? Absolutely. Do we respect their right to protest? Certainly," Orange County Executive Officer Frank Kim said at a news conference Thursday. "We would hope that they would do so and use as much caution and safety protocols as reasonably possible."

An additional 1,932 coronavirus tests have been administered, bringing the new total to 148,371.

The county has seen the age groups of 25 to 34 and 45 to 54 account for 18% of the cumulative coronavirus cases, respectively. People in the age ranges of 35 to 44 and 55 to 64 each come in at

See *Cases*, page A2

Judge refuses to drop Newport Beach surgeon's rape case

He said evidence in the case against Dr. Grant Robicheaux and Cerrisa Riley that the D.A. argued was too weak should be scrutinized at a trial.

BY HILLARY DAVIS

An Orange County Superior Court judge has declined to dismiss the charges against a Newport Beach surgeon and his girlfriend accused of a series of drug-fueled sexual assaults, rejecting not just the expected desire of defense attorneys but an extraordinary effort by the county's top prosecutor to toss the high-profile case.

The case now continues toward trial, possibly under new prosecutors.

Judge Gregory Jones said Friday that the evidence District Atty. Todd Spitzer argued was too weak to merit the lity of charges against Dr. Grant Robicheaux and Cerrisa Riley should be scrutinized by a judge and jury at trial.

Jones has not presided over such, or any alleged victim testi-

mony. "Victim credibility is generally the single most important aspect of any rape case," he wrote in his 25-page decision. "The prosecution is asking that this case be dismissed based upon victim credibility concerns when the alleged victims have never been given the opportunity to testify. The court finds this puzzling."

Furthermore, Jones said he has reservations about Spitzer's office continuing to oversee the prosecution, given how he has excoriated how his predecessor, Tony Rackauckas, handled it, previously calling it manufactured and a politically poisoned "travesty." He ordered the D.A.'s office to respond to his concerns and return to court June 12 for another hearing.

"I think the public confidence

See *Judge*, page A5

ALSO FROM THE DAILY PILOT:

LAGUNA BEACH CITY COUNCIL TO CONSIDER HOW IT SHOULD HOLD UPCOMING MEETINGS
PAGE A2

COMMENTARY: RACISM, CASUAL AND NOT, IS PRESENT AT O.C. HIGH SCHOOLS, BUT WE CAN DO SOMETHING ABOUT IT
PAGE A3

Pacifica Christian O.C. High sends off its graduates with message of loving others

BY LILLY NGUYEN

Cars arrived Thursday night at Pacifica Christian Orange County High School in a procession, just as the daylight started to dim.

There, in the school's parking lot in Newport Beach, each car carried a graduating senior in their caps and gowns, with some accompanied by their mothers, fathers and siblings, while some families chose to watch from afar as students took their places beside the stage.

Others — extended family members, alumni and community members — watched from home as the ceremony was streamed online. "Pomp and Circumstance" played and a photo and video montage of seniors began the celebration. Attending family members were guided to



Courtesy of Pacifica Christian High School

A GRADUATING senior stands at the top of the stage to watch a prerecorded video of a teacher talking about them as part of the school's tradition.

designated and distanced seating demic. Today, we acknowledge areas.

"Today is not about a pan-

See *Graduates*, page A5

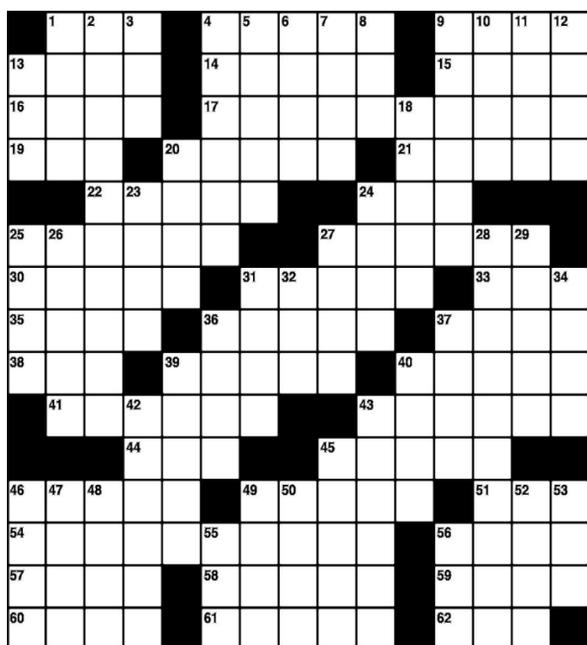
THE DAILY COMMUTER PUZZLE

By Jacqueline E. Mathews

ACROSS

- 1 Add cushioning to
- 4 Poker stakes
- 9 Singer James
- 13 Gift wrapper's need
- 14 Baggy
- 15 Before long
- 16 Feel put _; be resentful
- 17 Sympathy
- 19 Paint can size: abbr.
- 20 Walk along lazily
- 21 Corridors
- 22 Popeye's love
- 24 By the _; incidentally
- 25 20th-century U.S. vice president
- 27 European capital city
- 30 Large waterbirds
- 31 Kid
- 33 _-do attitude; self-confidence
- 35 Consumes
- 36 Board
- 37 The Bee Gees, e.g.
- 38 Do the slalom
- 39 Fill in cracks
- 40 Animal with antlers
- 41 Few and far between
- 43 Misgivings
- 44 Corn location
- 45 Garbo or Van Susteren
- 46 "On _ Boat to China"; Bing Crosby song
- 49 Passenger fees
- 51 Tricycle rider
- 54 Limits
- 56 Casual farewell
- 57 Yearning
- 58 Soupy _ of old TV
- 59 Not pleasant
- 60 Pegs on the links
- 61 Sled dog
- 62 Primitive transport

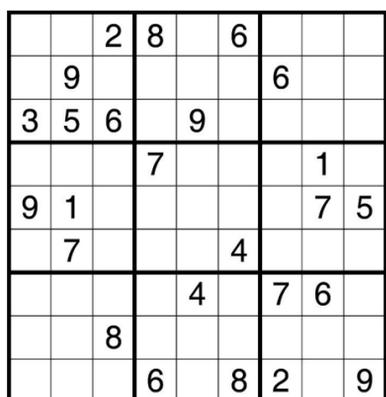
DOWN Important



SUDOKU

By The Mephram Group

Complete the grid so each row, column and 3-by-3 box (in bold borders) contains every digit, 1 to 9. For strategies on how to solve Sudoku, visit sudoku.org.uk.



For answers to the crossword and Sudoku puzzles, see page A3.

- family member
- 2 Expressing remorse
- 3 Scout group
- 4 Room recess
- 5 Lasso loop
- 6 Heavy book
- 7 Catch a glimpse of
- 8 Jacques Cousteau's realm
- 9 Prose writings
- 10 Hard work
- 11 Wrench or pliers
- 12 Curry & others
- 13 Towing boat
- 18 Glass fragment
- 20 Deep mud

- 23 Team woe
- 24 Stroll
- 25 Ice _; cold periods
- 26 Plumbing problems
- 27 _ at; flirt with
- 28 Gymnastics
- 29 Midsection
- 31 Crossword definition
- 32 Man's nickname
- 34 Negative replies
- 36 Walking speed
- 37 Talk up; promote
- 39 Horde
- 40 Namesakes of a Stooge
- 42 Makes amends
- 43 Like formal attire
- 45 European language
- 46 Lie alongside of
- 47 Achy
- 48 Racing sled
- 49 Bonn wife
- 50 Has a bug
- 52 Sturdy trees
- 53 Plaything
- 55 Bit of soot
- 56 U.S. intelligence svc.

Tribune Media Services



Courtesy of city of Laguna Beach

A SPARSELY ATTENDED Laguna Beach City Council meeting Tuesday is evidence of the social distancing in place throughout the region as a response to the coronavirus outbreak.

Laguna council to discuss how it should hold future meetings

BY LILLY NGUYEN

The Laguna Beach City Council will be considering options Tuesday on how to hold future council meetings as the coronavirus pandemic continues.

Since April 7, the city has held meetings on Zoom, where residents can call in and participate as part of public discussion.

The council meetings have also been live-streamed on the city's website and are available to view on Cox cable Channel 852. A staff report prepared for Tuesday's meeting said participation has tripled as the public becomes more familiar with the format.

The city previously closed City Hall, adjacent to the council chambers, to the public on March 16.

Residents have argued in recent meetings that discussion of contentious items likely to draw large crowds, such as the comprehensive update to the Downtown Specific Plan or, more recently, Promenade on Forest, should take place in person or be held until in-person meetings can take place.

Councilwoman Toni Ise-

man also previously requested city staff to look for a way to bring the public into council chambers safely.

Up for the City Council's consideration is deciding whether or not to continue holding meetings on Zoom through Sept. 7; holding hybrid Zoom and in-person meetings starting June 16 with face coverings and meeting social-distancing requirements; or relocating the City Council to another venue.

CITY HALL TO REOPEN

Starting Monday, Laguna Beach City Hall will reopen to the public between 9 a.m. and 4 p.m.

Drop-in services will be provided at all public counters, but city officials recommend that regular city business should continue being done virtually or by phone whenever possible.

In line with current state reopening guidelines, the city has adopted additional precautions such as a temperature-screening process for all members of the public and city staff with a no-contact thermometer; face-covering requirements; installation of Plexiglass guards at each public counter; the

addition of 6-foot distancing floor decals; and increased cleaning frequency.

Members of the public can visit the community development department between 9 a.m. and 4 p.m.

The department will no longer be accepting applications from the drop-off cabinets outside of City Hall, starting Monday.

This Tuesday's council meeting begins at 5 p.m. and can be viewed on Cox cable channel 852 or live-streamed through the city's website at lagunabeachcity.net/cityhall/citygov/cityclerk/mam.htm.

Residents are encouraged to send comments on agenda items to City Clerk Lisette Chel-Walker at lchel@lagunabeachcity.net.

All communications must be received by noon Tuesday.

Residents can also call in at (669) 900-9128 to listen to the meeting and comment during designated periods.

While calling, dial 93825234083# and press *9 to comment on an item. Time for remarks may be limited.

lilly.nguyen@latimes.com
Twitter: @lilibirds

CASES

Continued from page A1

15% of cases. Those ages 18 to 24 make up 10%, and

people ages 65 to 74 come in at 9% of the total cases.

Broken down by ethnicity, white people accounted for 36% of the county's deaths due to the coronavirus in the county, 31% were Hispanic or Latino, and 18% were Asian. African Americans and Pacific Islanders each accounted for 2% of deaths related to the virus within the county.

By age range, all patients who have died were:

- 85 and up: 56
- 75 to 84: 47
- 65 to 74: 31
- 55 to 64: 18
- 45 to 54: 13
- 35 to 44: 6
- 34 and younger: 3

Here are the latest case counts for select cities, with numbers per 10,000 residents:

- Santa Ana: 1,386 (41.0 cases per 10,000 residents)
- Anaheim: 1,248 (34.7 cases per 10,000 residents)
- Huntington Beach: 359

(17.6 cases per 10,000 residents)

• Irvine: 215 (7.7 cases per 10,000 residents)

• Newport Beach: 151 (17.3 cases per 10,000 residents)

• Costa Mesa: 137 (11.8 cases per 10,000 residents)

• Fountain Valley: 70 (12.4 cases per 10,000 residents)

• Laguna Beach: 46 (19.7 cases per 10,000 residents)

Updated figures are posted daily at occhealthinfo.com/coronavirus-in-oc.

For information on getting tested at one of the nearly two dozen public clinics around the county, visit occhealthinfo.com/covid-19-testing-and-screening.

Los Angeles Times staff writer Hailey Branson-Potts contributed to this report.

andrewturner@latimes.com
Twitter: @ProfessorTurner



\$200 OFF
ULTIMATE COOLING PACKAGE

WHOLE HOUSE FAN & SOLAR ATTIC FAN BUNDLE SAVINGS*

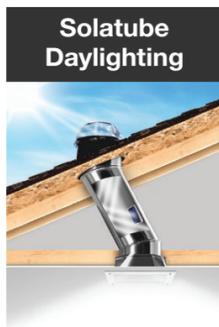
Get this powerful duo & save! Limited time only.

- Virtual & In-Home consultations available
- Save big on energy costs
- Quiet operation

Contactless Installation
CDC Safety Procedures



Ask us about our other Great Products



888-298-0786

SolatubeHome.com

*on select ventilation models
Offer ends 6/30/2020

Lic.# 847890 ©2020 Solatube International, Inc.

SELL ME YOUR CAR

Currently in need of BMW, Mercedes-Benz, Porsche, Lexus, Acura, Cadillac, Honda, Toyota vehicles under 100k miles.

Before you trade in, call me, Tim the owner, for a cash offer @ 949-752-2277 or email info to OCAW777@GMAIL.COM



1852 McGaw Ave. Irvine, CA 92614

LAA-429966-1

forum

COMMENTARY | JAYSON YASUKOCHI

Racism, casual and not, is present at O.C. high schools, but we can do something about it

When I attended Corona del Mar High School from 2014-18, a common phrase used to playfully insult a friend was “kook,” a term for a beginner surfer. Another common trend was to use racial slurs.

This sort of casual racism was something that I didn’t realize was especially prevalent in our area until I began college, where many people, when hearing that I came from Newport Beach or Orange County, asked: “Oh, isn’t that place super-racist?”

This forced me to think about how racism is normalized in Orange County communities. The death of George Floyd and the protests erupting across America should make us all reflect on racism in Orange County and create lasting change to prevent the next generation of students from having the same experience that I had.

There is an abundance of evidence of racism in Orange County, especially in high schools.

In 2018, for example, a picture of Newport Harbor High School students surrounding a table with Solo cups in the shape of a swastika made national news. At some point, examples like this stop becoming isolated incidents and start becoming indicative of a larger trend.

I also know that less-public acts of racism were frequent during my time at CdM. Several nonblack students would often use the “n-word” and racial epithets. As a Japanese American, “Hiroshima” and “Nagasaki” were used so frequently to playfully insult me that I stopped even seeing it as an insult.

I would bet that many



Photo by Ada Tseng

GISELA AND Arin Kelman of Yorba Linda brought their daughters to a protest for George Floyd on Tuesday.

other high school students from this area had similar experiences.

While there are many nonracist students at our schools, that does not mean that the O.C. community shouldn’t take more action to prevent racist acts.

So how do we create this change? Our school system can take immediate action to prevent future generations of students from falling victim to racism.

Schools are often reactive when it comes to racism;

they merely punish acts of racism when they hear about them, leaving countless other actions untouched.

Instead, our school districts should take proactive preventative action. I know that during my time at CdM, the vast majority of authors I read were white. Integrating indigenous writers and authors of color would be a start in having students hear nonwhite narratives.

This February, Estancia

and Costa Mesa high schools approved a “Diversity, Inclusion, and Racial Healing” program in conjunction with UC Irvine. This sort of action needs to be taken by the rest of the Newport-Mesa schools and beyond.

The protests across the United States demonstrate that we have not taken enough action to prevent racism. Our school system needs to think about how it can stop future generations from having the same issue.

Furthermore, antiracist dialogues need to be had with students at a younger age. Elementary schools can bring in school speakers to talk about racism to children, and teachers need to integrate antiracist conversations into their curricula.

Parents should be encouraged to have dialogues about racism with their children. While this may seem early to some, making children antiracist early on can make a big difference, and frankly, should not be a difficult conversation to have.

What children learn in

schools affects how they act as citizens for the rest of their lives. O.C. schools need to create a culture that actively discusses racism and prevents it from affecting students.

I think that many students who commit acts of racism or bigotry don’t do so out of malice. They haven’t been adequately taught about the issue of racism, and they simply do not understand the severity and wrongfulness of their actions.

Schools play an integral part in rectifying this issue. Additionally, some may argue that these are just examples of “kids being kids,” and that eventually they will learn from their

actions. But if children learn early on about the issue of racism, it can prevent normalization of this behavior.

It took 18 years for me to completely realize how prevalent prejudice against minorities is in our community. Recent events in Orange County schools should confirm that racism is something that requires more action from our community. While a countless number of steps need to be taken to adequately address this issue, enacting immediate action in schools can help.

JAYSON YASUKOCHI is a Newport Beach resident and attends Claremont McKenna College.

CROSSWORD AND SUDOKU ANSWERS

P	A	D	A	N	T	E	S	E	T	T	A		
T	A	P	E	L	O	O	S	E	S	O	O	N	
U	P	O	N	C	O	M	P	A	S	S	I	O	N
G	A	L	M	O	S	E	Y	H	A	L	L	S	
O	L	I	V	E	W	A	Y						
A	L	G	O	R	E	W	A	R	S	A	W		
G	E	E	S	E	C	H	I	L	D	C	A	N	
S	K	I	C	A	U	L	K	M	O	O	S	E	
S	C	A	R	C	E	D	O	U	B	T	S		
T	O	E	G	R	E	T	A						
A	S	L	O	W	F	A	R	E	S	T	O	T	
B	O	U	N	D	A	R	I	E	S	C	I	A	O
U	R	G	E	S	A	L	E	S	I	C	K	Y	
T	E	E	S	H	U	S	K	Y	A	S	S		

1	4	2	8	3	6	5	9	7
8	9	7	5	1	2	6	3	4
3	5	6	4	9	7	1	8	2
2	8	3	7	5	9	4	1	6
9	1	4	2	6	3	8	7	5
6	7	5	1	8	4	9	2	3
5	2	9	3	4	1	7	6	8
7	6	8	9	2	5	3	4	1
4	3	1	6	7	8	2	5	9

Daily Pilot

A Times Community News publication incorporating the Huntington Beach Independent, Coastline Pilot, Orange Coast Daily Pilot and the Newport Harbor News Press combined with Daily Pilot

CONTACT US

David Carrillo Peñaloza
City Editor
(714) 966-4612
Raymond Arroyo
Advertising Director
(714) 966-4608

TCN Legal Phone
888-881-6181
TCN Legal Email
LALegal@latimes.com

COMPANY INFO

Address
10540 Talbert Ave.,
Suite 300 West,
Fountain Valley, CA 92708
Business Office
(714) 966-4600
Newsroom
(714) 966-4699
Sports
(714) 966-4612
Email
david.carrillo@latimes.com
TCN Classifieds
800-234-4444

The Daily Pilot, established in 1907, is published Wednesday through Sunday by Times Community News, a division of the Los Angeles Times. Subscriptions are available only by subscribing to The Times, Orange County.

© 2020 Times Community News. All rights reserved.

Spring Sale Event

Our Lowest Prices of the Year

Now through June 22nd Only!



Tommy Bahama
HOME

FASHION ISLAND - NEWPORT BEACH

949.239.7112 | tbfurniturenewport.com | Atrium Court entrance between Whole Foods and Starbucks

MARKETPLACE

To place an ad, go to
<http://timescommunityadvertising.com/>



**CITY OF NEWPORT BEACH
 NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that on Thursday, June 18, 2020, at 6:30 p.m. or soon thereafter as the matter shall be heard, a public hearing will be conducted in the Council Chambers at 100 Civic Center Drive, Newport Beach. The Planning Commission of the City of Newport Beach will consider the following application:

Zoning Code and LCP Amendments Related to Corrections, Clarifications, and Inconsistencies – Amendments to Title 20 (Planning and Zoning) and Title 21 (Local Coastal Program Implementation Plan) to provide code clarification and corrections, and to resolve inconsistencies between the Zoning Code and the Local Coastal Program Implementation Plan. The amendments relate to minimum lot size and dimensions, overlay zoning districts, and public hearing notification requirements.

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the amendments are statutorily exempt from the CEQA in accordance with Section 21065 of CEQA and State CEQA Guidelines Sections 15060(c)(2), 15060(c)(3), and 15378. The proposed action is also exempt from the CEQA pursuant to State CEQA Guidelines Section 15061(b)(3), the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

All interested parties may appear and present testimony in regard to this application. If you challenge this project in court, you may be limited to raising only those issues you raised at the public hearing or in written correspondence delivered to the City, at, or prior to, the public hearing. Administrative procedures for appeals are provided in the Newport Beach Municipal Code Chapter 21.64. The application may be continued to a specific future meeting date, and if such an action occurs, additional public notice of the continuance will not be provided.

SPECIAL NOTICE REGARDING COVID-19
 Given the Declaration of a State Emergency and Proclamation of Local Emergency related to COVID-19, we recommend that you submit your questions and comments in writing for Planning Commission consideration by sending them to the Community Development Department at PlanningCommissioners@newportbeachca.gov. To give the Planning Commission adequate time to review your questions and comments, please submit your written comments by **Wednesday, June 17, 2020, at 5:00 p.m.** In addition, members of the public will have the ability to participate in this meeting telephonically. Please review the Planning Commission Agenda for further instructions. The Agenda, staff report and corresponding documents will be posted to the City's website at www.newportbeachca.gov/planningcommission, by end of business day on Friday, **June 12, 2020**. While the City does not expect there to be any changes to the above process for participating in this meeting, if there is a change, the City will post the information as soon as possible to the City's website. The City of Newport Beach thanks you in advance for continuing to take precautions to prevent the spread of the COVID-19 virus. If you are unable to participate in the meeting via the process set forth in the agenda, please contact the Planning Division at (949-644-3200 or CDD@newportbeachca.gov) and our staff will attempt to accommodate you.

For questions regarding this public hearing item please contact Jaime Murillo, Principal Planner, at 949-644-3209, jmurillo@newportbeachca.gov.

Project File No.: PA2019-055 **Activity No.:** CA2019-001 and LC2019-001
Zone: Various **General Plan:** Various
Coastal Land Use Plan: Various **Filing Date:** April 23, 2019
Location: Citywide **Applicant:** City of Newport Beach
 Lee Lowrey, Secretary, Planning Commission, City of Newport Beach



**CITY OF NEWPORT BEACH
 NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that on Thursday, June 18, 2020, at 6:30 p.m. or soon thereafter as the matter shall be heard, a public hearing will be conducted in the Council Chambers at 100 Civic Center Drive, Newport Beach. The Planning Commission of the City of Newport Beach will consider the following application:

Baja Sharkeez Remodel – A conditional use permit and coastal development permit to allow modifications to an existing food service eating and drinking establishment, Baja Sharkeez, with late hours and a Type 47 (On Sale General Eating Place) Alcoholic Beverage Control (ABC) license. The existing restaurant at 110 Mc Fadden (formerly Sol Grill) would be remodeled to serve as a new dining area for the existing Baja Sharkeez restaurant at 114 Mc Fadden. The 110 Mc Fadden space would close at 11 p.m. consistent with existing use permit conditions and the ABC License would change to Type 47 to match the existing Baja Sharkeez ABC License. The 114 Mc Fadden space would maintain late hours (i.e. after 11 p.m.) consistent with the existing use permit. Hours of operation in the morning would increase to allow breakfast service starting at 9 a.m. The project includes a continuation of historical parking waivers. If approved, this Conditional Use Permit would supersede Use Permit Nos. 1783 and 3034 which would be rescinded. Pursuant to Newport Beach Municipal Code (NBMC) Chapter 5.25, the operation as described requires the owner/operator to obtain an Operator License through the City because the business includes on-sale alcohol service in conjunction with late hours.

The project is categorically exempt under Section 15301, of the State CEQA (California Environmental Quality Act) Guidelines – Class 1 (Existing Facilities).

All interested parties may appear and present testimony in regard to this application. If you challenge this project in court, you may be limited to raising only those issues you raised at the public hearing or in written correspondence delivered to the City, at, or prior to, the public hearing. The project site is located in the coastal zone and within the California Coastal Commission appeals jurisdiction; therefore, final City action on the project is appealable to the California Coastal Commission. Administrative procedures for appeals are provided in the Newport Beach Municipal Code Chapter 20.64 and 21.64. No fee is required for appeals regarding coastal development permits to the California Coastal Commission. The application may be continued to a specific future meeting date, and if such an action occurs, additional public notice of the continuance will not be provided.

SPECIAL NOTICE REGARDING COVID-19
 Given the Declaration of a State Emergency and Proclamation of Local Emergency related to COVID-19, we recommend that you submit your questions and comments in writing for Planning Commission consideration by sending them to the Community Development Department at PlanningCommissioners@newportbeachca.gov. To give the Planning Commission adequate time to review your questions and comments, please submit your written comments by **Wednesday, June 17, 2020, at 5:00 p.m.** In addition, members of the public will have the ability to participate in this meeting telephonically. Please review the Planning Commission Agenda for further instructions. The Agenda, staff report and corresponding documents will be posted to the City's website at www.newportbeachca.gov/planningcommission, by end of business day on Friday, **June 12, 2020**. While the City does not expect there to be any changes to the above process for participating in this meeting, if there is a change, the City will post the information as soon as possible to the City's website. The City of Newport Beach thanks you in advance for continuing to take precautions to prevent the spread of the COVID-19 virus. If you are unable to participate in the meeting via the process set forth in the agenda, please contact the Planning Division at (949-644-3200 or CDD@newportbeachca.gov) and our staff will attempt to accommodate you.

For questions regarding this public hearing item please contact Liz Westmoreland, Associate Planner, at 949-644-3234 or lwestmoreland@newportbeachca.gov.

NOTICE OF POLICE DEPARTMENT DECISION

NOTICE IS HEREBY FURTHER GIVEN that pending approval of the Conditional Use Permit mentioned above, an operator license application is scheduled for review by the Chief of Police of the City of Newport Beach on or after **Thursday, July 02, 2020**. The Chief of Police of the City of Newport Beach will consider the following application:

Baja Sharkeez Operator License – A request for the issuance of an operator license pursuant to NBMC Chapter 5.25 (Operator License for Establishments Offering Alcoholic Beverages for On-Site Consumption in Combination with Late Hours, Entertainment and/or Dance) to allow Baja Sharkeez to operate a food service eating and drinking establishment with late hours (after 11:00 p.m.) and a Type 47 (On Sale General Eating Place) ABC License. No live entertainment or dancing is proposed. The Operator License is required in conjunction with a request for a conditional use permit and coastal development permit (UP2017-034, CD2019-054) scheduled for review by the Planning Commission on June 18, 2020.

The project applications are categorically exempt under Section 15301, of the California Environmental Quality Act (CEQA) Guidelines - Class 1 (Existing Facilities).

All interested parties may submit written comments regarding the requested operator license to Civilian Investigator, Wendy Joe, at 870 Newport Center Drive, Newport Beach, California, 92660. Comments will be accepted until **Thursday, July 02, 2020**. If you challenge this project in court, you may be limited to raising only the issues you or someone else raised in written correspondence delivered to the City, on, or prior to, the date of decision. The draft action letter and project file may be reviewed at the Community Development Department Permit Center (Bay C-1st Floor), at 100 Civic Center Drive, Newport Beach, CA 92660. For questions regarding details of the Operator License please contact Civilian Investigator, Wendy Joe, Special Investigations Unit at 949-644-3705 or by email at wjoe@nbpdc.org.

Project File No.: PA2017-255 **Activity No.:** UP2017-034; CD2019-054; OL2017-006

Zone: Mixed-Use Water (MU-W2) **General Plan:** Mixed-Use Water 2 (MU-W2)

Coastal Land Use Plan: Mixed Use Water (MU-W) **Filing Date:** October 25, 2019

Location: 110 and 114 Mc Fadden Place **Applicant:** Baja Sharkeez

Lee Lowrey, Secretary, Planning Commission, City of Newport Beach

Miscellaneous Merchandise

Vinyl Records Wanted
 \$\$\$ Top cash paid
 4 all or part of collection.
 Jazz, Classical,
 Psychedelic, Blues
 949-933-6777 Mike

Classified is CONVENIENT whether you're buying, selling, or just looking, classified has what you need!
To advertise in CLASSIFIED go to
timescommunityadvertising.com

FIND
 an apartment through classified

Advertise in CLASSIFIED Today
timescommunityadvertising.com



**CITY OF NEWPORT BEACH
 NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that on Thursday, June 18, 2020, at 6:30 p.m. or soon thereafter as the matter shall be heard, a public hearing will be conducted in the Council Chambers at 100 Civic Center Drive, Newport Beach. The Planning Commission of the City of Newport Beach will consider the following application:

Fire Station No. 2 – Site development review and coastal development permit to allow the construction of a new, replacement fire station, including accessory structures and paved parking. The project includes a waiver of the minimum amount of parking lot landscaping and an increase in height of the building up to a height of 32 feet for flat roofs and 34 feet 10 inches for sloped roofs. The project will consist of a two-story, 7,084-square-foot fire station building, including a 4,316-square-foot apparatus bay, a separate 147-square-foot public restroom building, and 10 surface parking spaces behind security gates. The site will be landscaped along Newport Boulevard and 28th Street. The proposed project will replace Fire Station No. 2 currently operating at 475 32nd Street.

The project is categorically exempt under Section 15332 of the State CEQA (California Environmental Quality Act) Guidelines - Class 32 (In-Fill Development).

All interested parties may appear and present testimony in regard to this application. If you challenge this project in court, you may be limited to raising only those issues you raised at the public hearing or in written correspondence delivered to the City, at, or prior to, the public hearing. Administrative procedures for appeals are provided in the Newport Beach Municipal Code Chapter 20.64. The application may be continued to a specific future meeting date, and if such an action occurs, additional public notice of the continuance will not be provided.

The agenda, staff report, and corresponding documents will be available by end of business day on the Friday preceding the public hearing, and may be reviewed at the Community Development Department Permit Center (Bay C-1st Floor), at 100 Civic Center Drive, Newport Beach, CA 92660 or at the City of Newport Beach website at www.newportbeachca.gov/planningcommission. Individuals not able to attend the meeting may contact the Planning Division or access the City's website after the meeting to review the action on this application. All mail or written communications (including email) from the public, residents, or applicants regarding an agenda item must be submitted by 5 p.m. on the business day immediately prior to the meeting. This allows time for the Planning Commission to adequately consider the submitted correspondence.

SPECIAL NOTICE REGARDING COVID-19
 Given the Declaration of a State Emergency and Proclamation of Local Emergency related to COVID-19, we recommend that you submit your questions and comments in writing for Planning Commission consideration by sending them to the Community Development Department at PlanningCommissioners@newportbeachca.gov. To give the Planning Commission adequate time to review your questions and comments, please submit your written comments by **Wednesday, June 17, 2020, at 5:00 p.m.** In addition, members of the public will have the ability to participate in this meeting telephonically. Please review the Planning Commission Agenda for further instructions. The Agenda, staff report and corresponding documents will be posted to the City's website at www.newportbeachca.gov/planningcommission, by end of business day on Friday, **June 12, 2020**. While the City does not expect there to be any changes to the above process for participating in this meeting, if there is a change, the City will post the information as soon as possible to the City's website. The City of Newport Beach thanks you in advance for continuing to take precautions to prevent the spread of the COVID-19 virus. If you are unable to participate in the meeting via the process set forth in the agenda, please contact the Planning Division at (949-644-3200 or CDD@newportbeachca.gov) and our staff will attempt to accommodate you.

For questions regarding this public hearing item please contact Chelsea Crager, Associate Planner, at 949-644-3227 or ccrager@newportbeachca.gov.

Project File No.: PA2019-098 **Activity No.:** CD2019-039 & SD2019-002

Zone: CV (Commercial Visitor Servicing) **General Plan:** CV (Visitor Servicing Commercial)

Coastal Land Use Plan: CV-A (Visitor-Servicing Commercial (0.0-0.75 FAR)) **FILLING DATE:** March 9, 2020

Location: 2807 Newport Boulevard **Applicant:** City of Newport Beach

Lee Lowrey, Secretary, Planning Commission, City of Newport Beach

Legal Notices

Legal Notices

Legal Notices

Legal Notices



**CITY OF NEWPORT BEACH
 NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that on Thursday, June 18, 2020, at 6:30 p.m. or soon thereafter as the matter shall be heard, a public hearing will be conducted in the Council Chambers at 100 Civic Center Drive, Newport Beach. The Planning Commission of the City of Newport Beach will consider the following application:

Shell Service Station Car Wash Addition – A general plan amendment and conditional use permit to construct an automated car wash in conjunction with an existing service station. A general plan amendment is requested to increase the maximum floor area limit for the site by 1,100 square feet to accommodate the proposed car wash. A conditional use permit is requested to allow the addition of the proposed car wash. This item was continued from the November 8, 2018, Planning Commission hearing. If approved, this Conditional Use Permit would supersede Use Permit No. UP2011-028.

The project is categorically exempt under Section 15303 - Class 3 (New Construction or Conversion of Small Structures) of the State CEQA (California Environmental Quality Act) Guidelines.

SPECIAL NOTICE REGARDING COVID-19
 Given the Declaration of a State Emergency and Proclamation of Local Emergency related to COVID-19, we recommend that you submit your questions and comments in writing for Planning Commission consideration by sending them to the Community Development Department at PlanningCommissioners@newportbeachca.gov. To give the Planning Commission adequate time to review your questions and comments, please submit your written comments by **Wednesday, June 17, 2020, at 5:00 p.m.** In addition, members of the public will have the ability to participate in this meeting telephonically. Please review the Planning Commission Agenda for further instructions. The Agenda, staff report and corresponding documents will be posted to the City's website at www.newportbeachca.gov/planningcommission, by end of business day on Friday, **June 12, 2020**. While the City does not expect there to be any changes to the above process for participating in this meeting, if there is a change, the City will post the information as soon as possible to the City's website. The City of Newport Beach thanks you in advance for continuing to take precautions to prevent the spread of the COVID-19 virus. If you are unable to participate in the meeting via the process set forth in the agenda, please contact the Planning Division at (949-644-3200 or CDD@newportbeachca.gov) and our staff will attempt to accommodate you.

For questions regarding this public hearing item please contact Melinda Whelan, Assistant Planner, at (949) 644-3221, mwhelan@newportbeachca.gov.

Project File No.: PA2016-093 **Activity No.:** GP2018-001 and UP2016-025

Zone: PC 8 (Big Canyon, Area 15) **General Plan:** CG (General Commercial)

Location: 1600 Jamboree Road **Applicant:** R & M Pacific Rim Inc.

Lee Lowrey, Secretary, Planning Commission, City of Newport Beach



**CITY OF NEWPORT BEACH
 NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that on Tuesday, June 9, 2020, at 5:00 p.m. or soon thereafter as the matter shall be heard, a public hearing will be conducted in the Council Chambers at 100 Civic Center Drive, Newport Beach. The City Council of the City of Newport Beach will consider the following item:

Approval of the Fee Study Update, which includes, but is not limited to, changes in subsidies, revised annual Consumer Price Index (CPI) formula, and updated Parking Citation Violation Penalty Schedule – The City Council will consider the establishment of cost-of-services fees, which include development review fees, amendments to Newport Beach Municipal Code Section 3.36.030, changing the formula for annual CPI updates, and updates to the parking fine schedule.

NOTICE IS HEREBY FURTHER GIVEN that this action is not subject to the California Environmental Quality Act ("CEQA") pursuant to Section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

NOTICE IS HEREBY FURTHER GIVEN that on February 13, 2020, the Finance Committee of the City of Newport Beach was presented the Fee Study Update as a receive and file with no action requested.

Given the Declaration of a State Emergency and Proclamation of Local Emergency related to COVID 19, this meeting may occur telephonically. Anyone wishing to attend the public hearing should check the June 9, 2020, meeting agenda on the City's webpage at newportbeachca.gov/agendas or contact the City Clerk at 949-644-3005 or cityclerk@newportbeachca.gov, during normal business hours, to receive information on how to attend this meeting. If you challenge the Fee Study Update in court, you may be limited to raising only those issues you raised at the public hearing or in written correspondence delivered to the City, at, or prior to, the public hearing. As required by Government Code Sections 66016 and 66018, prior to the public hearing data indicating the amount of estimated cost required to provide the services, which is the basis for the proposed fees, will be provided by the City Clerk to any interested person. Please contact the City Clerk at 949-644-3005 or cityclerk@newportbeachca.gov if you would like to receive a copy of the report.

For questions regarding this public hearing item please contact Theresa Schweitzer, Senior Accountant, at (949) 644-3140 or tschweitzer@newportbeachca.gov

Leilani I. Brown, MMC, City Clerk
 City of Newport Beach

CLASSIFIED
It's the solution you're searching for whether you're seeking a home, apartment, pet or new occupation!

NOTICE TO CREDITORS OF BULK SALE
 (Secs 6101-6107 U.C.C.)

Notice is hereby given to creditors having an interest in certain items of Improvements Pertaining to the Realty that a transfer is about to be made only to those certain items of Improvements Pertaining to the Realty (fixtures and equipment) and located ONLY at the business address set forth herein. This transaction is NOT concerned with any other address at which said Transferor might be located. Said list of Improvements Pertaining to the Realty is on file in the office of the Transferee and any and all inquiries should be made at said office, telephone number is: OFFICE (949) 724-3141, person of Contact Grace Kim. The name and business address of the intended transferee is: **CLEAN ENERGY, 3101 N. GATE ROAD, SEAL BEACH, CA 90740**

The location in California of the chief executive office or principal business office of the intended transferee is: **CLEAN ENERGY, 4675 MACARTHUR COURT, STE 800, NEWPORT BEACH, CA 92660**

The name and business address of the intended transferee is: **ORANGE COUNTY TRANSPORTATION AUTHORITY, 550 S. MAIN STREET, P.O. BOX 14184, ORANGE, CA 92863-1584**

The property pertinent hereto is described in general as Improvements Pertaining to the Realty of that certain business known as: **CLEAN ENERGY** That said transfer of the items of Improvements Pertaining to the Realty intended to be consummated, and all claims may be filed, at the office of: **COMMONWEALTH LAND TITLE INSURANCE COMPANY, 4100 NEWPORT PLACE DRIVE, SUITE 120, NEWPORT BEACH, CA 92660; OFFICE: (949) 724-3141; ATTN: GRACE KIM**

This transaction shall close on or after **JUNE 29, 2020**, and the last day for filing claims by any creditor of said items of Improvements Pertaining to the Realty, shall be: **JUNE 26, 2020**, which is the business day before the consummation date specified above. This transfer of Improvements Pertaining to the Realty is subject to California Uniform Commercial Code Section 6106.

This transfer of only those certain items of Improvements Pertaining to the Realty is not a normal bulk sale of the business. Said transfer does not include the transfer of any licenses, stock in trade, goodwill, or any other transfer relating to the business, other than the purchase of those certain items of Improvements Pertaining to the Realty, which are considered items through the purchase of the real property by the Transferee.

Dated: **5-27-20**
 Transferee: **ORANGE COUNTY TRANSPORTATION AUTHORITY**
LA2536767-C DAILY PILOT 6/6/2020



A New Job Starts Here!
 Find local job listings daily in classified or on-line
www.dailypilot.com

got junk?
 Sell Your Items Fast in Classified

Place a classified ad on line at
www.dailypilot.com
 or call our advertising department at
(714) 966-5777

TOP BRANDS

BIGGER SAVINGS

latimes.com/Coupons

Clipping coupons online is easier than ever.

Now you can sort by brands, ZIP code and categories to save money on your favorite items.

FIND IT. LOVE IT. BUY IT. THE SHOP



A New Job Starts Here!
 Find local job listings daily in classified or on-line
www.dailypilot.com

COSTA MESA

Continued from page A1

with a trash pincher and a plastic bag to pick up litter. He urged the group to help form a collective to articulate a cohesive message on progressive police reforms.

"If everyone's screaming ACAB" — a widely used acronym for "All Cops Are Bastards" — "the cops aren't gonna listen."

Floyd's death last week under the weight of a now-fired and criminally charged Minneapolis police officer who knelt on his neck for almost nine min-

utes has been a catalyst to demand recognition that black lives matter.

Civil unrest has roiled several cities around the city. The scene in Orange County, which has had several demonstrations, has been overwhelmingly peaceful with some tension and a few skirmishes — a man pulling a gun on protesters during a verbal altercation and a car zipping through a crowd in Newport Beach, an assembly declared unlawful in Huntington Beach that led to several arrests for failure to disperse, and police firing pepper balls and property

damage in Santa Ana.

The Costa Mesa group was loud and clear in its demands for victims of racist police brutality but had a gentle energy, with its birthday wishes and attendees passing out free doughnuts and water before marching laps around the large shopping and entertainment complex.

They cheered at honking cars with upright fists popping out of the windows, and especially for an ambulance that chirped its siren in support.

hillary.davis@latimes.com
Twitter: @dailypilot_hd



GEORGE ALVARADO, 26, of Fountain Valley shouts, "No justice! No peace!" during a peaceful protest against police brutality at Triangle Square on Friday in Costa Mesa.

Kevin Chang
Staff
Photographer

LAGUNA

Continued from page A1

police custody on May 25 has sparked protests across Orange County, the state and the country.

All four officers involved in the incident have since been fired, arrested and charged. Officer Derek Chauvin was charged with second-degree murder. The other three officers — Tou Thao, J. Alexander Kueng and Thomas Lane — have been charged with aiding and abetting second-degree murder.

One protester held a sign that said Taylor's birthday was June 5 but that officers have not been charged in her death on March 13.

At least 100 protesters appeared at Main Beach, where smaller protests have been held since Floyd's death. Another is scheduled for Wednesday at Heisler Park.

The protest Friday brought out people from as far away as Los Angeles, including its 20-something-year-old organizers who said they grew up in Laguna Beach but had moved away for college.

All of them had gone to Laguna Beach High School together. Two of them, Caspian Brock, 23, and Kayla Pressley, 23, organized a die-in at the high school's quad when the Ferguson protests happened in 2014. Brock said she, Pressley and two other organizers, Allie Ricci-Fisher, 22, and Ethan Schlatter, 23, were inspired to act by local protests and the actions being taken by Black Lives Matter activists around the world and the country.

It was important, Brock



Raul Roa | Staff Photographer

DOZENS OF protesters hold signs and chant at Main Beach Park in Laguna Beach on Friday.

said, that Laguna Beach join their voices in the conversation as a predominantly affluent white community.

"We can't hide from the fact that there is systemic racism that exists here and all around this nation, all around the world," Brock said. "I think it's important to have this conversation here and to know that this community is not immune from that conversation."

"We wanted to make sure the voices of marginalized people are heard here [in Laguna Beach] and that we bring it to our hometown because we saw it happening in L.A. I think we all did," Pressley said.

Ricci-Fisher and Brock said word of the demonstration had spread predominantly by word-of-mouth and that organizers had avoided posting about it on social media to ward off unwanted attention and to keep protesters safe.

Ricci-Fisher said that because the community was "tight-knit," word traveled

quickly from one person to the next.

"I'm very pleased with our community coming together and coming down here and [it's] definitely more than we anticipated, but I'm very happy that it looks like this," Ricci-Fisher said.

Perry Skenderian, 18, said she grew up in Laguna Beach but felt it was a sheltered place and that people didn't "realize just how screwed up the world is outside of our bubble."

Skenderian said she felt it was important for her to participate in the protest to do her part in educating herself and others and make more of a difference than she would staying home and not saying anything.

She said she thought the turnout at the protest was "awesome," adding that she felt Laguna Beach as a whole was more progressive than neighboring towns.

"We are out here to support George Floyd to get his

rights and we want to make sure there's a change in the system because those guys getting prosecuted is not enough," said Los Angeles resident Naomi Onyambu, 28. "We just want to see there's a real change in the system. I think [the turnout] is really motivating. It shows that people are really looking for justice and we want change."

As of Friday afternoon, no curfew had been put in place in Laguna Beach. Two police squad cars were parked nearby, but officers were not present in the crowd.

Laguna Beach Police Chief Laura Farinella issued a statement on Thursday condemning the actions taken by the four officers involved in Floyd's death.

"We support everyone's right to free speech and the right to peacefully assemble. The safety of our community remains our top priority, and the Laguna Beach Police Department is closely monitoring the events occurring across the



LAGUNA BEACH resident Alexander Kvitsinski, 19, in a white shirt, holds a sign at Main Beach Park in Laguna Beach.

county and the country," Farinella said, adding that the department has contingency plans in place in the event there is unlawful protest activity.

"It's just time for change. We've seen enough injustice happen and by the time, you know, it's 2020. It seems like this, it's time for some serious change and it's not going to happen unless we stand up," Helen Kramer, 28, said.

"I think we've been silent for too long, especially people who are white, like myself. I think it's time for us, no longer to [just] not be racist but to be anti-racist

and really speak up and defend the people we say we don't have any problem with," said Bryn Valaika, 27.

Kramer said she previously attended a Thursday protest in Costa Mesa with Valaika, who attended another protest on Wednesday in Newport Beach. "I think it's important to speak up, and we're going to say the wrong thing, but it's better to say the wrong thing and learn from it than to not speak up at all," said Valaika, who lives in Laguna Beach.

lilly.nguyen@latimes.com
Twitter: @lilibirds

GRADUATES

Continued from page A1

God, who brought these brilliant individuals to this point. We, the class of 2020, possess a story unlike any other," school valedictorian Rebecca Li said in a pre-recorded video.

"When I wrote this speech during the shutdown, I, like my classmates, was clinging to the hope of this day," Li said.

"Yet, beyond this day, beyond this year, I am holding onto the hope that we will be defined not merely by

what happened to us, but what happens because of us."

Forty-one seniors graduated Thursday from the small private Christian school, each ascending a stage one-by-one to collect a medal and their diplomas.

Just before diplomas were handed out, the generator powering equipment briefly went out and students broke into song while others chatted with one another after months separated by online schooling.

Equipment for the commencement ceremony had

been provided by donations from Production Alliance Group in Tustin and Mariners Church in Irvine.

Once power was restored, prerecorded videos of teachers speaking about each graduate played, as part of the high school's tradition, on screens behind the stage.

Students traditionally ask teachers to speak about them and typically the speeches are done at senior events.

Those events had to be canceled because of the coronavirus pandemic and were "collapsed" into the

graduation ceremony.

"Every young person has great value and dignity that they don't always believe in themselves. Sometimes, we have to breathe that belief into them," David O'Neil, head of school, said Thursday afternoon.

"What makes us unique and different? We have 200 students. We know each kid," O'Neil said.

"What makes us special in some ways is that we have real intimate knowledge and love and care for our students, and we can meaningfully remind them who they are and their im-

portant work and to speak goodness and beauty over them as they head out."

The ceremony took about three to four weeks to plan and staff, and faculty had to consider current state and local health guidelines in addition to the question of how to provide graduates "the closest to normal experience," O'Neil said.

"I think it's been very difficult for schools across the country to think how to send young people into the world," O'Neil said.

"When I think about all that we're experiencing over

the last three months and especially over the last two weeks, I can't think of a more important thing to do than to safely and thoughtfully bring young people together to commission them into their first next step into adulthood," O'Neil said, "and, here [Thursday], into loving thy neighbor and to seek their flourishing, their good in the world."

In the dark of the night, bagpipes played and seniors threw their caps high into the air.

lilly.nguyen@latimes.com
Twitter: @lilibirds

JUDGE

Continued from page A1

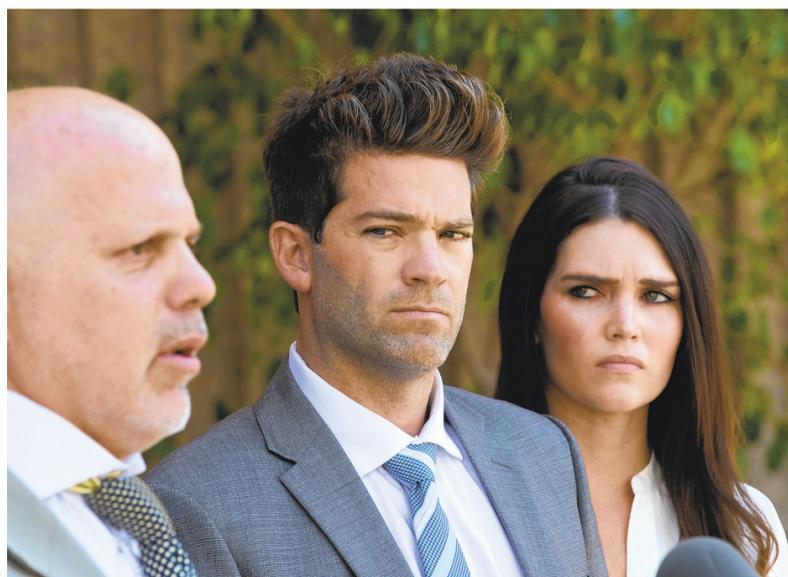
in justice being pursued on this case would be seriously undermined if the Orange County district attorney's office continues on the matter," Jones said during a short hearing Friday at the Harbor Justice Center in Newport Beach.

Neither the defendants nor Spitzer had immediate comments Friday.

Jones said in his ruling that he was not weighing in on the evidence or resolving a dispute with this ruling but determining if there was even a dispute to resolve.

Jones said at a Feb. 7 dismissal hearing that the case had been "infected" by politics, and he acknowledged again Friday that "the political aspirations of district attorneys, past and present, and their thirst for media attention have created a minefield of legal hazards in this case."

The case became an instant sensation when Rackauckas, announced charges in September 2018 — at the time, Rackauckas said investigators had "thousands of videos" in evidence that showed there could be "hundreds" or "more than a



Allen J. Schaben | Los Angeles Times

DR. GRANT ROBICHEAUX, center, and girlfriend Cerissa Riley, right, listen to his attorney Philip Kent Cohen during a break in their October 2018 arraignment hearing.

thousand" victims of a handsome young doctor and one-time minor reality TV personality who, with his striking girlfriend, allegedly prowled for victims to incapacitate with drug and drink before taking them back to his Balboa Peninsula beach house to violate them.

Robicheaux and Riley

have previously pleaded not guilty and repeatedly denied having nonconsensual sex with their accusers.

Spitzer, who defeated Rackauckas in November 2018, says those videos don't exist. In February, the current D.A. dropped a bombshell, saying that, because of insufficient evidence, he wanted to drop all charges

against the pair. Those covered 17 charges, including five counts of rape against Robicheaux, and three counts of rape among 13 charges against Riley.

He claimed Rackauckas was motivated to embellish the case in his unsuccessful attempt at reelection to his longtime position as the county's lead prosecutor.

Defense attorneys have taken the same tack.

In an at-times explicit and detailed summary of the charges filed May 29, Spitzer and the two senior deputy district attorneys he commissioned last year to do a thorough review of the case said Jones must reach the same "inescapable conclusion" that the evidence is insufficient. The defendants were simply swingers who partied hard with consenting like-minded people, and the initial lead investigator within the D.A.'s office was bent on returning an inaccurate depiction of events "for reasons still unknown."

"The People fully grasp the gravity of such a motion, especially in light of the vast amount of publicity and other events surrounding this case," wrote Spitzer and deputies Richard Zimmer and Karyn Stokke. "Although this sentiment would likely be greeted by many in the public as less than sincere, in this case, it actually takes more courage to face the public scorn and outcries that accompany this motion to dismiss, than to have ignored our ethical duty and simply pressed forward with the trial."

Jones called the actions of both Spitzer and Rack-

cauckas "problematic" but reserved much of his criticism for Spitzer, questioning his turnaround when he had appeared to side with the accusers before taking his current office. Jones also questioned Spitzer's unsuccessful attempt to have the case passed off to the state attorney general because of Rackauckas' alleged misconduct if he thought the case was "terminally ill."

"The public has heard from the politicians," he said in his ruling, referencing several news conferences hosted by both Rackauckas and Spitzer. "The public has never heard from the alleged victims. Any objective analysis of this case leads to the conclusion that these charges should be put before a jury. A back room dismissal by prosecutors without the alleged victims ever having the opportunity to be heard is contrary to the core values of our legal process, and the interests of the public."

Jones was slated to issue his ruling in April, but he put off his decision in light of the coronavirus pandemic, which largely shuttered the courts until late May.

lilly.nguyen@latimes.com
Twitter: @lilibirds

CITY OF COSTA MESA
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Costa Mesa City Council at the regular meeting on **Tuesday, June 16, 2020 at 7:00 P.M.**, or as soon as possible thereafter, regarding Reauthorization of the Business Improvement Area (BIA) assessment of three percent (3%) for certain Costa Mesa hotels and motels for Fiscal Year 2020-21, Resolution 2020-22 attached.

Public Comments:

Zoom Webinar: Information to sign in will be provided on the agenda.

Members of the public who wish to make a comment may submit your public comment via email to the City Clerk at cityclerk@costamesaca.gov and they will be provided to the City Council, made available to the public, and will be part of the meeting record. Any written communications, photos, or other materials for copying and distribution to the City Council that are 10 pages or less, can be e-mailed to cityclerk@costamesaca.gov. Please note that records submitted by the public will not be redacted in any way and will be posted online as submitted, including any personal contact information. All materials, pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. Kindly submit to the City Clerk **AS EARLY AS POSSIBLE, BUT NO LATER THAN 12:00 NOON THE DAY OF THE MEETING**. If you should need further assistance, please contact the City Clerk's Office at (714) 754-5225. The City Council agenda and related documents may also be viewed on the City's website at <http://costamesaca.gov> 72 hours prior to the public hearing date. **IF THE FOREMENTIONED ACTION IS CHALLENGED IN COURT**, the challenge may be limited to only those issues raised at the public hearing described in the notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing.

Brenda Green, City Clerk, City of Costa Mesa
Published on June 6, 2020

RESOLUTION NO. 2020-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AN ANNUAL ASSESSMENT FOR FISCAL YEAR 2020-21 FOR A BUSINESS IMPROVEMENT AREA COVERING CERTAIN COSTA MESA HOTELS AND MOTELS AND SETTING THE TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSAL

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, in adopting the Parking and Business Improvement Area Law of 1989 (Streets & Highways Code §§ 36500 *et seq.*), the California Legislature authorized cities to levy assessments on businesses in order to promote economic revitalization and tourism, create jobs, attract new businesses, and prevent erosion of business districts; and

WHEREAS, on July 5, 1995, by Ordinance No. 95-9, the City Council adopted a business improvement area, commonly known as the Costa Mesa Tourism & Promotion Business Improvement Area (the "BIA"), the purpose of which is to promote tourism to the City and to fund programs and activities that benefit the hotel and motel businesses within the City; and

WHEREAS, the eleven (11) hotels and motels listed in Exhibit A, attached hereto and incorporated herein by this reference, are currently subject to the assessment; and

WHEREAS, the City Council appointed the general managers of the 11 hotels and motels subject to the assessment to serve as the advisory board as required by California Streets and Highways Code Section 36530; and

WHEREAS, said advisory board is known as Travel Costa Mesa ("TCM"); and

WHEREAS, the City Council has voted to continue the special assessment for the BIA each year since its inception, and it has been levied upon the 11 hotel and motel businesses listed in Exhibit A; and

WHEREAS, in January 2000, the City Council approved an increase in the assessment, raising the assessment from one percent (1%) to two percent (2%) based on the sale of overnight room stays; and

WHEREAS, in November 2010, the City Council approved an increase in the assessment, raising the assessment from two percent (2%) to three percent (3%) based on the sale of overnight room stays; and

WHEREAS, this Resolution of Intention will commence proceedings under the Parking and Business Improvement Area Law of 1989 to levy the annual assessment of the Costa Mesa Tourism & Promotion Business Improvement Area for the 2020-21 fiscal year; and

WHEREAS, the Agenda Report and its attachments for the June 2, 2020 City Council meeting filed with the City Clerk set forth a detailed description of the activities to be provided in the 2020-21 fiscal year, the boundaries of the Business Improvement Area, the benefit zone of the area, and the proposed assessments to be levied upon the businesses within the area for the coming fiscal year.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Costa Mesa as follows:

Section 1. Intention: Assessment. The City Council hereby declares its intention to levy and collect assessments in the Costa Mesa Tourism & Promotion Business Improvement Area for Fiscal Year 2020-21 pursuant to Streets & Highways Code §§ 36500 *et seq.* The boundaries of the Costa Mesa Tourism & Promotion Business Improvement Area are the 11 motels and hotels listed in Exhibit A. The proposed amount of the annual assessment is three percent (3%) based on the sale of overnight room stays. New hotel and motel businesses commenced after the effective date of the resolution levying the assessment will be exempt from the levy of assessment, pursuant to Streets & Highways Code § 36531.

Section 2. Annual Report. An annual report on the Costa Mesa Tourism & Promotion Business Improvement Area has been prepared by TCM, acting as the advisory board, as required by Streets & Highways Code §§ 36533 and 36534. Said report is on file in the City Clerk's Office.

Section 3. Types of Activities to Be Funded. The proposed type or types of activities to be funded by and through the annual levy of assessments on businesses within the Costa Mesa Tourism & Promotion Business Improvement Area are specified in the referenced annual report and Exhibit B, attached hereto and incorporated herein by this reference.

Section 4. Method and Basis of Levy. To allow each business owner to estimate the amount of the assessment to be levied against his or her business, the proposed method and basis of levying the assessment is set forth in the TCM's annual report relative to the Costa Mesa Tourism & Promotion Business Improvement Area.

Section 5. Time and Place of Public Hearing. The time and place of the public hearing on the levy of an annual assessment for Fiscal Year 2020-21 shall be 7:00 p.m. on June 16, 2020, in the City Council Chambers located at 77 Fair Drive, Costa Mesa, California, which hearing may be conducted electronically if the City Council Chambers remain closed due to the COVID-19 pandemic. At the public hearing set forth above, the testimony of all interested persons for or against the annual levy of the assessment for the Business Improvement Area, the extent of the area, and/or the furnishing of specific types of improvements or activities will be heard by the City Council.

Section 6. Protests. Consistent with Streets & Highways Code §§ 36524 and 36525, the following rules shall apply to all protests:

- (a) A protest may be made orally or in writing by any interested person. Any protest pertaining to the regularity or sufficiency of the proceedings shall be in writing and shall clearly set forth the irregularity or defect to which the objection is made.
- (b) Every written protest shall be filed with the City Clerk's Office, Costa Mesa City Hall, 77 Fair Drive, Room 101, Costa Mesa, California 92626, at or before the time fixed for the public hearing as set forth above.
- (c) The City Council may waive any irregularity in the form or content of any written protest, and, at the public hearing, may correct minor defects in the proceedings.
- (d) Each written protest shall contain a description of the business in which the person subscribing the protest is interested sufficient to identify the business and, if a person subscribing is not shown on the official records of the City as the owner of the business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the business. A written protest which does not comply with this section shall not be counted in determining a majority protest.
- (e) If written protests are received from the owners of businesses in the proposed Business Improvement Area which will pay fifty percent (50%) or more of the assessments to be levied and protests are not withdrawn so as to reduce the protests to less than the fifty percent (50%), no further proceedings on the proposal to continue to levy the Business Improvement Area assessment, as specified by this Resolution, shall be taken by the City Council for a period of one year from the date of the filing of a majority protest.
- (f) If the majority protest is only against the furnishing of a specified type or types of improvement or activity within the Business Improvement Area, those types of improvements or activities shall be eliminated.

PASSED AND ADOPTED this 2nd day of June, 2020.

/s/ Katrina Foley

Katrina Foley, Mayor

ATTEST:

/s/ Brenda Green

Brenda Green, City Clerk

APPROVED AS TO FORM:

/s/ Kimberly Hall Barlow

Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 2020-22 and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 2nd day of June, 2020, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS: CHAVEZ, GENIS, REYNOLDS, MANSOOR,
MARR, STEPHENS, FOLEY

NOES: COUNCIL MEMBERS: NONE

ABSENT: COUNCIL MEMBERS: NONE

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 3rd day of June, 2020.

/s/ Brenda Green

Brenda Green, City Clerk

EXHIBIT A

The Business Improvement Area ("BIA") benefit zone encompasses the entire City of Costa Mesa boundaries. It is anticipated that the entire City, including businesses and residents, will benefit from increased revenues generated by the activities financed by the BIA assessment.

The following businesses will be included in the BIA that is established pursuant to Streets & Highways Code §§ 36500 *et seq.*, the businesses commonly known as:

Ayres Country Inn & Suites

Property Address: 325 and 345 Bristol Street, Costa Mesa

Business Owner: Newport Country Inn & Suites, Inc.
355 Bristol Street, Suite A
Costa Mesa, CA 92626

Property Owner: Newport Country Inn & Suites, Inc.
355 Bristol Street, Suite A
Costa Mesa, CA 92626

Best Western Plus Newport Mesa Inn

Property Address: 2642 Newport Boulevard, Costa Mesa

Business Owner: James Hsuen
Shang-Pu Lee
2642 Newport Boulevard,
Costa Mesa, CA 92627

Property Owner: James Hsuen
Shang-Pu Lee
2642 Newport Boulevard,
Costa Mesa, CA 92627

Hilton Costa Mesa

Property Address: 3050 Bristol Street, Costa Mesa

Business Owner: Ashford Hospitality Trust
14185 Dallas Parkway, Suite 1100
Dallas, TX 75254

Property Owner: Remington Lodging & Hospitality LP
14185 Dallas Parkway, Suite 1100
Dallas, Texas 75254

Crowne Plaza

Property Address: 3131 Bristol Street, Costa Mesa

Business Owner: Brighton Management
1901 Main Street, Suite 150
Irvine, CA 92614

Property Owner: 3131 Bristol Property UC, LLC
2711 Centerville Road, Suite 400
Wilmington, DE 19808

Holiday Inn Express Hotel & Suites

Property Address: 2070 Newport Blvd., Costa Mesa

Business Owner: Narendra B. Patel
2070 Newport Blvd.
Costa Mesa, CA 92667

Property Owner: Narendra B. Patel
2070 Newport Blvd.
Costa Mesa, CA 92667

Costa Mesa Marriott

Property Address: 500 Anton Boulevard, Costa Mesa

Business Owner: Starwood Capital Group
591 West Putnam Avenue
Greenwich, CT 06830

Property Owner: HEI Hotels & Resorts
101 Merritt 7 Corporate Park, 1st Floor
Norwalk, CT 06851

Ramada Inn & Suites Costa Mesa

Property Address: 1680 Superior Ave., Costa Mesa

Business Owner: B.D. Inns Inc./Ramada Ltd.
1680 Superior Ave.
Costa Mesa, CA 92627

Property Owner: B.D. Inns Inc./Ramada Ltd.
1680 Superior Ave.
Costa Mesa, CA 92627

Residence Inn by Marriott

Property Address: 881 Baker Street, Costa Mesa

Business Owner: Marriott International
10400 Fernwood Rd.
Bethesda, MD 20817

Property Owner: ING Clarion Partners
2650 Cedar Springs Road, Suite 850
Dallas, TX 75201-1491

The Westin South Coast Plaza Hotel

Property Address: 686 Anton Boulevard, Costa Mesa

Business Owner: Host Hotels & Resorts
6903 Rockledge Dr., Suite 1500
Bethesda, MD 20817

Property Owner: CJ Segerstrom & Sons
c/o South Coast Plaza
686 Anton Boulevard
Costa Mesa, CA 92626

Avenue of the Arts Wyndham Hotel

Property Address: 3350 Avenue of the Arts, Costa Mesa

Business Owner: Rosanna Inc.
3350 Avenue of the Arts
Costa Mesa, CA 92627

Property Owner: Rosanna Inc.
3350 Avenue of the Arts
Costa Mesa, CA 92627

BLVD Hotel

Property Address: 2430 Newport Blvd, Costa Mesa

Business Owner: Hollywood Corner Inc.
2430 Newport Blvd.
Costa Mesa, CA 92627

Property Owner: Shyamal Patel, CA 92782
16609 Honeybee Dr.
Tustin, CA 92682

EXHIBIT B

The BIA assessment will be used to fund Travel Costa Mesa ("TCM"). TCM will fund activities to promote tourism in Costa Mesa and will sponsor related tourist events that benefit the hotel and motel businesses within the City. The specific improvements and activities to be funded by this assessment are outlined in the TCM's 2019-2020 Annual Report.

Revenue

A three percent (3%) levy will be assessed against each of the 11 hotels listed in Exhibit A, based on the net revenue from the sale of overnight room stays.

Business owners shall pay the assessment to the Costa Mesa City Finance Department on a monthly basis. A penalty and interest shall be assessed on late payments.

Note: New hotel and motel businesses commenced after the effective date of this resolution will be exempt from the levy of assessment.