

Daily Pilot

WEDNESDAY, MARCH 17, 2021 /// Now including Coastline Pilot and Huntington Beach Independent /// dailypilot.com

County reopens businesses as it reenters the red tier



Photos by Scott Smeltzer | Staff Photographer

CUSTOMERS HAVE lunch at Baja Sharkeez in Huntington Beach on Monday after Orange County moved back to the red tier on Sunday.

The move for O.C. on Sunday from the purple tier makes it possible to reopen indoor dining at restaurants, in addition to gyms, movie theaters and more.

BY LILLY NGUYEN, SARA CARDINE, ANDREW TURNER, MATT SZABO

For restaurateur Darren Coyle, dining is about providing an experience — through the service of his staff and through the design and architecture of his Newport Beach restaurant, Fable & Spirit.

It's an experience he's glad to be able to provide again now that Orange County has advanced — along with Los Angeles, San Bernardino, Contra Costa, Sonoma, Placer, Mendocino, San Benito, Tuolumne, Siskiyou, Amador, Colusa, Mono, Riverside, Sacramento, Ventura and Santa Barbara counties — in the state's pandemic reopen-

ing guidelines to the red, "substantial" tier. That means restaurants like Coyle's are allowed to reopen indoor dining at 25% capacity or up to 100 people, whichever number is smaller. It also means indoor gyms and dance studios are allowed to reopen at

See **Tier**, page A3



Don Leach | Staff Photographer

A NEARLY 1,000-gallon sewage spill was reported on Monday in Newport Bay near China Cove, shown above looking north, according to the Orange County Health Care Agency.

Sewage spill shuts part of bay in Newport

The incident on Monday involving nearly 1,000 gallons of waste is being blamed on "operator error."

BY LILLY NGUYEN, FAITH E. PINHO

A section of Newport Beach waters is closed after nearly 1,000 gallons of sewage spilled Monday, the Orange County Health Care Agency said.

An "operator error" caused the spill during routine maintenance of a sewer main line, the agency said in a news release.

The closure, which is less than a mile long, affects a stretch of bay waters between Bayside Drive Beach and China Cove.

Newport Beach spokesman John Pope said the incident was caused by work crews with the Orange County Sanitation District.

Christine Lane, the director of environmental health at the Orange County Health Care Agency, said the backup occurred just after 1 p.m. at Bayside Drive and Carnation Avenue.

Officials think a piece of equipment was stuck during a routine line cleaning and caused backup and overflow.

See **Spill**, page A2

MICHAEL JOHSON, left, and Adrian Garzon have a drink at Baja Sharkeez in Huntington Beach.



DANIEL BORROEL, center, leads a workout class to Elise Tarango, left, Melissa Buchholz, back, and Turok Tarango at Functional 45 Training.

Man held in incident called hate crime

BY SARA CARDINE

A Costa Mesa man was being held in an Orange County jail Monday on charges of assault with a deadly weapon after allegedly beating a transgender woman with a skateboard during an incident Thursday that prosecutors are calling a hate crime.

The county district attorney's office said in a release issued Friday that Johnny Santos

Moreno, 23, is facing felony charges of assault with a deadly weapon, dissuading a witness by force and violation of civil rights through violent injury, in addition to a felony hate crime enhancement.

Charges stem from an incident Thursday, during which Moreno allegedly hurled derogatory and homophobic epithets at a transgender woman, disparaging her sexuality as he repeatedly hit her with his skateboard,

prosecutors stated in the release.

A passing motorist witnessed the incident and called the Costa Mesa Police Department to report the attack, at which point Moreno allegedly used his skateboard to threaten the motorist for calling the police, according to the release.

Orange County Dist. Atty. Todd Spitzer said in a statement

See **Hate**, page A2

H.B. City Council to assess ways to aid outdoor services

BY MATT SZABO

The Huntington Beach City Council on Monday night voted unanimously in favor of directing staff to analyze and assess zoning codes and parking requirements, a move aimed at facilitating ongoing outdoor dining and retail operations after the coronavirus pandemic ends.

The agenda item introduced by Mayor Kim Carr noted that the temporary emergency use permits issued during the pandemic have been successful, adding that she has been approached by business owners who have asked if they can continue operating outdoors on private property after

See **Outdoor**, page A2

Huntington's Fletcher the dog a Cadbury Bunny Tryouts finalist

BY MATT SZABO

Fletcher, a 2-year-old golden retriever, is a constant source of joy for Huntington Beach resident Ellen Kuhnert and the people in her life.

Kuhnert, the chief nursing officer at Orange County Global Medical Center in Santa Ana, brings her dog to work on Fridays. They call it "Fletcher Friday."

People come into her office to visit with Fletcher. Recently, he's spent time being a cheerful presence for people who are getting their COVID-19 vaccinations.

"[COVID-19] has been psycho-

logically and emotionally and physically so draining," Kuhnert said. "Everybody's so exhausted, so we try to do things to keep each other's spirits up. Having him there is definitely one of those things."

Fletcher was a great comfort to Kuhnert a year ago, when her father, Robert, passed away just as the coronavirus pandemic was beginning.

Kuhnert isn't selfish with her pup, though. As a matter of fact, she hopes he will be on television screens across the country in just days.

Fletcher is one of 10 national fi-

nalists in this year's Cadbury Bunny Tryouts. He's vying against two other dogs, a cat, an alpaca, a goat, a frog, a horse, a cow and one actual bunny.

Voting runs through Wednesday at 9 p.m. Pacific time at bunnytryouts.cadburyusa.com.

The family of the winning "bunny" will receive \$5,000 and have their pet featured in this year's Cadbury Easter commercial.

The people at Cadbury must have seen something in Fletcher, like most who are around him do.

See **Bunny**, page A2



FLETCHER, a 2-year old golden retriever from Huntington Beach, is a finalist in the Cadbury USA 2021 Bunny Tryouts.

Raul Roa Staff Photographer



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BUNNY

Continued from page A1

“He’s extremely friendly,” Kuhnert said. “He’s loving, very sweet but he’s got a funny side to him, too. And he’s really competitive.”

Things have moved fast since Kuhnert, on the advice of a co-worker, entered Fletcher into the contest in late February. She submitted a picture of Fletcher wearing bunny ears, relaxing in the backyard of the house she shares with her friend, Luis Tirado.

They found out he was a semi-finalist on March 4, and had four days to pull together an audition video to send in.

They decided to put Fletcher behind the wheel of a purple Volkswagen Beetle owned by Tirado’s father for the video. The premise was that with everyone using food delivery more during the pandemic, Fletcher could de-

VOTING FOR
the Cadbury Bunny
Tryouts ends
Wednesday
night.

Raul Roa
Staff
Photographer



liver Cadbury eggs.

Just two days later, Kuhnert found out that Fletcher was a national finalist among more than 12,000 entries. Now, they’re in a campaign for the win. Kuhnert has signs in her yard and at work, as well as at a dog park in her community, encouraging people to vote for Fletcher.

With Wednesday being the last

day of voting, Kuhnert will find out soon if he wins.

“Obviously, we’re partial to him,” Kuhnert said. “He’s so special to us. We waited a long time to get him, did a lot of research. We put a lot of time in with him with training and everything, because that’s the life we want him to have. To think just from a photo, everybody else found that

kind of joy that he’s brought to our lives? It was emotional, for sure.”

Fletcher, who has an Instagram following at @golden_boy_fletcher, clearly works hard and plays hard. Kuhnert has a collection of more than 365 bow ties for him — one for every day of the year — and he wears them depending on mood, situation or holiday.

Since he was young, Fletcher has been taking training classes at Zoom Room in Huntington Beach. He also goes dock diving at The Bone Adventure in Costa Mesa. Fletcher won a silver medal at a competition there in December 2019, with a dive of 19 feet.

Breana Dorame, the pool manager at The Bone Adventure, has known Fletcher since he was a puppy. Kuhnert and Tirado typically take Fletcher and the household’s other dog, a border collie named Sydney, dock diving there on Sunday mornings.

Dorame said she was excited to hear that Kuhnert had entered Fletcher in the Cadbury Bunny contest, and even more thrilled that he is a finalist.

“I saw all of the pictures,” she said. “He looked so handsome in all of them. It’s just so adorable. I wouldn’t put it past him to win that. He’s just such a good boy, too.”

Kuhnert said winning the contest would be an honor. There is some precedent for one of Fletcher’s species to claim the prize: Last year’s Cadbury Bunny winner was a two-legged rescue dog from Ohio named Lieutenant Dan.

“It would be great to have everybody see the commercial and feel some love and joy from him,” Kuhnert said. “Even if it makes 10 other people happy, it’s so worth it.”

matthew.szabo@latimes.com
Twitter: @mjszabo

OUTDOOR

Continued from page A1

life has returned to normal following the pandemic.

“The parking ratio that we currently have in place for a lot of these small businesses would prohibit the ability to create an outdoor dining space that’s more permanent,” Carr said.

“I’m asking for staff to look at this a little bit more deeply, to see if there’s a way that we can revise or update our city zoning or parking standards to help out some of these small

businesses ... This is letting the private businesses decide if this makes sense for them or not.”

Carr noted that the parking ratios were established before ride-hailing companies like Uber and Lyft existed.

Councilman Mike Posey said he was “clearly and enthusiastically” in support of the idea.

“People are utilizing Uber more, bicycles more and walking more,” he said. “As we look into the housing element, this is going to come up too. Do apartments and houses need

two parking spaces, when that apartment building is going to have a 50- or 60-year lifespan after it’s built?”

Owners of local breweries Four Sons, Beachwood, Riip and Flashpoint also sent a letter to the City Council in support of the action.

NO CAP ON FOOD DELIVERY FEES

Council members voted 4-3 against establishing emergency limitations on third-party food delivery fees during the pandemic.

Council members Natalie

Moser, Dan Kalmick and Mayor Carr voted in favor, while Mayor Pro Tem Tito Ortiz, and council members Erik Peterson, Barbara Delgleize and Posey voted against the move.

The emergency ordinance, first proposed by Moser on Feb. 1, would have temporarily limited the delivery fees that could be charged by companies like Grubhub, DoorDash and Uber Eats to 15% of the cost of the food, with a 5% cap on nondelivery charges.

The ordinance, aimed at supporting local restaur-

rants, would have needed five votes to pass.

But the majority of the council rejected the premise of it, even as a temporary move.

“I get a little bit nervous when the city is dictating how a business is supposed to operate, and that’s what this really feels like to me,” Delgleize said.

Peterson said he didn’t believe the city should be restricting the food delivery services at all, while Posey agreed.

“Government shouldn’t be involved in modifying contracts or setting prices, whether it’s an emergency or a perceived monopoly,” Posey said.

2 COMMITTEES ELIMINATED

The Environmental Assessment and Subdivision committees, two staff-level committees, will be eliminated after a unanimous 7-0 vote by the council on

Monday night.

Kalmick, who introduced the agenda item, argued that the committees contributed to red tape for projects and their removal will streamline the entitlement process.

COUNCIL RETURNS TO IN-PERSON MEETINGS

The council will be switching from virtual back to in-person meetings at City Hall for its next meeting on April 5.

Carr said the city is still working through the details. In-person public comments will be allowed, but speakers will have to leave the council’s chambers after commenting. The meetings will continue to be streamed online.

The City Council meetings have been virtual on Zoom since January due to COVID-19.

matthew.szabo@latimes.com
Twitter: @mjszabo

MARKETPLACE

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Legal Notices

T.S. No.: 2020-1105 Loan No.: WILSON APN: 930-684-21 Property Address: 117 East Wilson Avenue #3, Costa Mesa, CA 92627 NOTICE OF TRUSTEE'S SALE YOU ARE IN DEFAULT UNDER A DEED OF TRUST DATED 8/10/2017. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER. A public auction sale to the highest bidder for cash, cashier's check drawn on a state or national bank, check drawn by a state or federal credit union, or a check drawn by a state or federal savings and loan association, or savings association, or savings bank specified in Section 5102 of the Financial Code and authorized to do business in this state will be held by the duly appointed trustee as shown below, of all right, title, and interest conveyed to and now held by the trustee in the hereinafter described property under and pursuant to a Deed of Trust described below. The sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by the Deed of Trust, with interest and late charges thereon, as provided in the note(s), advances, under the terms of the Deed of Trust, interest thereon, fees, charges and expenses of the Trustee for the total amount (at the time of the initial publication of the Notice of Sale) reasonably estimated to be set forth below. The amount may be greater on the day of sale. Trustor: IHAB ELZEINI, A SINGLE MAN Duly Appointed Trustee; WESTERN FIDELITY TRUSTEES Recorded 8/22/2017 as Instrument No. 2017-000354263 in book , page of Official Records in the office of the Recorder of Orange County, California, Date of Sale: 4/5/2021 at 1:30 PM Place of Sale: At the north front entrance to the county courthouse at 700 Civic Center Drive West, Santa Ana, CA 92701. Amount of unpaid balance and other charges: \$12,198.18 Street Address or other common designation of real property: 117 East Wilson Avenue #3 Costa Mesa, CA 92627 A.P.N.: 930-684-21 The undersigned Trustee disclaims any liability for any incorrectness of the street address or other common designation, if any, shown above. If no street address or other common designation is shown, directions to the location of the property may be obtained by sending a written request to the beneficiary within 10 days of the date of first publication of this Notice of Sale. NOTICE TO POTENTIAL BIDDERS: If you are considering bidding on this property, you should understand that there are risks involved in bidding at a trustee auction. You will be bidding on a lien, not on the property itself. Placing the highest bid at a trustee auction does not automatically entitle you to free and clear ownership of the property. You should also be aware that the lien being auctioned off may be a junior lien. If you are the highest bidder at the auction, you are or may be responsible for paying off all liens senior to the lien being auctioned off, before you can receive clear title to the property. You are encouraged to investigate the existence, priority, and size of outstanding liens that may exist on this property by contacting the county recorder's office or a title insurance company, either of which may charge you a fee for this information. If you consult either of these resources, you should be aware that the same lender may hold more than one mortgage or deed of trust on the property. NOTICE TO PROPERTY OWNER: The sale date shown on this notice of sale may be postponed one or more times by the mortgagee, beneficiary, trustee, or a court, pursuant to Section 2924g of the California Civil Code. The law requires that information about trustee sale postponements be made available to you and to the public, as a courtesy to those not present at the sale. If you wish to learn whether your sale date has been postponed, and, if applicable, the rescheduled time and date for the sale of this property, you may call (916) 939-0772 or visit this internet website www.nationwideposting.com, using the file number assigned to this case 2020-1105. Information about postponements that are very short in duration or that occur close in time to the scheduled sale may not immediately be reflected in the telephone information or on the internet website. The best way to verify postponement information is to attend the scheduled sale. NOTICE TO TENANT: Effective 1/1/2021 you may have a right to purchase this property after the trustee auction pursuant to Section 2924m of the California Civil Code. If you are an "eligible tenant buyer," you can purchase the property if you match the last and highest bid placed at the trustee auction. If you are an "eligible bidder," you may be able to purchase the property if you exceed the last and highest bid placed at the trustee auction. There are three steps to exercising this right of purchase. First, 48 hours after the date of the trustee sale, you can call 916-939-0772, or visit this internet website www.nationwideposting.com using the file number assigned to this case, 2020-1105 to find the date on which the trustee's sale was held, the amount of the last and highest bid, and the address of the trustee. Second, you must send a written notice of intent to place a bid so that the trustee receives it no more than 15 days after the trustee's sale. Third, you must submit a bid so that the trustee receives it no more than 45 days after the trustee's sale. If you think you may qualify as an "eligible tenant buyer" or "eligible bidder," you should consider contacting an attorney or appropriate real estate professional immediately for advice regarding this potential right to purchase. Date: 3/1/2021 WESTERN FIDELITY TRUSTEES 1222 Crenshaw Blvd., SUITE B Torrance, California 90501 Sale Line: (310)212-0700 Kathleen Herrera, Trustee Officer NPP0373248 To: ORANGE COAST DAILY PILOT 03/10/2021, 03/17/2021, 03/24/2021

Legal Notices

NOTICE OF PETITION TO ADMINISTER ESTATE OF: FRANK BEN BARCELLONA, JR 30-2021-01186490-PR-LA-CJC

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of: **FRANK BEN BARCELLONA, JR.**

A PETITION FOR PROBATE has been filed by **WILLIAM J. BARCELLONA** in the Superior Court of California, County of **ORANGE.**

THE PETITION FOR PROBATE requests that **WILLIAM J. BARCELLONA** be appointed as personal representative to administer the estate of the decedent.

THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

A HEARING on the petition will be held on **April 07, 2021 at 10:30 a.m. in Dept. C8** located at **700 CIVIC CENTER DRIVE WEST, SANTA ANA, CA 92701**

(1) If you plan to appear, you must attend the hearing by video remote using the court's designated video platform; (2) Go to the Court's website at <http://www.occourts.org/media-relations/probate-mental-health.html> to appear for probate hearings and for remote hearing instructions; (3) If you have difficulty connecting to your remote hearing, call 657-622-8278 for assistance.

IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code. Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.

YOU MAY EXAMINE the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

Attorney for the Petitioner:
SHERI L. HOFFMAN, ESQ
HOFFMAN & HOFFMAN
2600 E. BIDWELL ST., STE 240
FOLSOM, CA 95630
(916) 985-2753 Published in the NEWPORT HARBOR NEWS PRESS combined with the DAILY PILOT on: 3/11, 3/17 & 3/18/2021
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Legal Notices

NOTICE TO CREDITORS

NOTICE OF ADMINISTRATION OF ESTATE OF BRENT MAHON BRENT MAHON, DECEDENT.

NOTICE is hereby given to the creditors and contingent creditors of the above-named decedent, that all persons having claims against the decedent are required to submit them with the AGREN LAW FIRM, PC, 2600 Michelson, Suite 770, Irvine, California 92612. You are required to file your claim by mailing or delivering a copy to Shannon James as successor trustee of the trust dated May 4, 1987 wherein the decedent was Settlor, at 2600 Michelson, Suite 770, Irvine, California 92612, within the later of four months after 3/10/2021 (date of the first publication of notice to creditors) or, if notice is mailed or personally delivered to you, 60 days after the date this notice is mailed or personally delivered to you, AS PROVIDED IN Section 9100 of the California Probate Code, or you must petition to file a late claim as provided in Section 19103 of the California Probate Code. A claim form may be obtained from the court clerk. For your protection, you are encouraged to file your claim by certified mail, with return receipt requested.

Dated: February 24, 2021
AGREN LAW FIRM, PC
By: S/ Carl F. Agren, Attorney for Successor Trustee Shannon James
3/10, 3/17, 3/24/21
CNS-3447836#
DAILY PILOT

Legal Notices

NOTICE OF PETITION TO ADMINISTER ESTATE OF: ERIC SAMSON CASE NO. 30-2021-01188142-PR-PW-CJC

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the WILL or estate, or both of ERIC SAMSON.

A PETITION FOR PROBATE has been filed by PETER ROSENBERG, VICTOR R. SHAMES, BRIAN E. RAFTERY in the Superior Court of California, County of ORANGE.

THE PETITION FOR PROBATE requests that PETER ROSENBERG, VICTOR R. SHAMES, BRIAN E. RAFTERY be appointed as personal representative to administer the estate of the decedent.

THE PETITION requests the decedent's WILL and codicils, if any, be admitted to probate. The WILL and any codicils are available for examination in the file kept by the court.

THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

A HEARING on the petition will be held in this court as follows: 04/28/21 at 10:30AM in Dept. C08 located at 700 CIVIC CENTER DRIVE WEST, SANTA ANA, CA 92701

Notice in Probate Cases

(1) If you plan to appear, you must attend the hearing by video remote using the court's designated video platform; (2) Go to the Court's website at <http://www.occourts.org/media-relations/probate-mental-health.html> to appear for probate hearings and for remote hearing instructions; (3) If you have difficulty connecting to your remote hearing, call 657-622-8278 for assistance.

IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code.

Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.

YOU MAY EXAMINE the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

Attorney for Petitioner
JAMES M. A. MURPHY - SBN 80453, CELINE M. WYMAN - SBN 235307, DENTONS US LLP
601 S. FIGUEROA STREET SUITE 2500
LOS ANGELES CA 90017
3/17, 3/18, 3/24/21
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HATE

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Friday that differences in skin color, sexuality and religion should be causes for celebration of diversity, not targets for “haters” to mock, deride, harm and harass others.

“No one should have to live in the shadow of fear that they will be targeted and physically attacked because of the way they dress, speak, behave or who they love,” Spitzer said in the release. “Those who engage in hate-motivated crimes will be prosecuted to the fullest extent of the law here in Orange County.”

Moreno is currently being held at the Theo Lacy Facility in Orange on \$50,000 bail, according to prosecutors. He appeared

before a judge Friday, at which time he pleaded not guilty to the charges against him.

Information as to the condition of the victim or the extent of her injuries was not available Monday.

Court records show Moreno has been convicted of various misdemeanor offenses in recent years, including multiple charges of possession of a controlled substance and paraphernalia, trespassing and refusing to leave an area at an officer's request.

His next scheduled court appearance is March 26, court records indicate. The case is being prosecuted by Deputy Dist. Atty. Jake Jondle of the office's Special Prosecutions Unit.

sara.cardine@latimes.com
Twitter: @SaraCardine

SPILL

Continued from page A1

The Orange County Sanitation District is the leading agency on the spill, but Pope said Newport Beach and other agencies were cooperating to contain and clean up the spill.

The city is also assisting the county health agency with additional sampling to ensure the bay is safe for reopening.

The area will remain closed for ocean contact sports until water quality tests show acceptable lev-

els. Ocean waters in Orange County were already under a rain advisory following the light showers that soaked the region Monday.

The rains cause runoff from storm drains, creeks and rivers to seep into the ocean, leading to a sometimes dangerous rise in the ocean's bacteria level.

The Orange County Health Care Agency advises swimmers and surfers to stay out of the water for three days after rainstorms.

dailypilot@latimes.com
Twitter: @TheDailyPilot

Daily Pilot

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CONTACT US

Carol Cormaci
Managing Editor
carol.cormaci@latimes.com

Raymond Arroyo
Advertising Director
(714) 966-4608

Address
10540 Talbert Ave.,
Suite 300 West,
Fountain Valley, CA 92708

Business Office
(714) 966-4600
Newsroom
(714) 966-4699
Sports
(714) 966-4612
TCN Classifieds
800-234-4444

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

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Scott Smeltzer | Staff Photographer

ORANGE COUNTY last entered the red tier on Sept. 8 before it was pushed back to purple.

TIER

Continued from page A1

10% capacity and museums, zoos and aquariums at 25%. The shift in tiers also expands capacities for retail and libraries.

"[Fable & Spirit] is full of stories and the fairy tales of old Ireland," Coyle said. "It's the storytelling we do here. It's an experience. And to be inside again, it feels like we are a restaurant. We are the restaurant that we dreamed of and we have our dream back."

Orange County last entered the red tier on Sept. 8 before it was pushed back into the purple, "widespread" tier as a surge of coronavirus cases in California prompted Gov. Gavin Newsom to pull a statewide emergency brake in November.

At Taco Rosa in Newport Beach and Irvine, chef and owner Ivan Calderon said he could see the change almost immediately in customers Sunday once the transition was official.

"You could see people willing to come out," said Calderon on Monday. "You could feel they were excited to come out. That gives people encouragement to be able to go out and feel safer."

He said, at least for himself, that he feels a little more at ease about opening with the knowledge that he and his employees are now eligible to receive the vaccine and that customers are more aware of the safety precautions necessary, such as wearing masks, as compared to when Orange County was last in the red tier.

Calderon said sales revenue for Taco Rosa is down between 45% to 50%, and he feels at least part of the reason is because customers couldn't come inside or were afraid to dine out. At the more casual Taco Mesa, which Calderon also operates, sales are down about 20%.

Calderon said he feels that if revenue is able to stay steady or increase that his businesses will stay afloat, but he knows there are plenty of other restaurants that haven't made it.

For Costa Mesa resident Ryan Jensen, Orange County's shift to the less restrictive red tier means he can finally enjoy a full workout at 24-Hour Fitness, where he's been a member for the past 20 years.

Jensen, 41, usually works out about four or five times each week but has found it harder to maintain his exercise regimen during the pandemic. When outdoor workouts became sanctioned by the state, he looked to locations in Santa Ana and Irvine, which had limited offerings. It hasn't been the same.

"It was better than nothing," he said. "But you were

outside and there was limited equipment."

Jensen came to the 24-Hour Fitness at Costa Mesa's Triangle Square Tuesday morning for the second time since its reopening Monday. Exercising indoors with a mask on leaves a little something to be desired, but he's happy to be back to his full routine. And, it seems, some things at the gym have improved since the pandemic began.

"I feel like people are taking more responsibility now," Jensen said, describing gym members avidly cleaning down equipment and sanitizing hands and surfaces. "I personally believe it's never been

cleaner."

So for now, he'll stick with masked workouts.

"I don't want to work out with a mask on, but if it keeps the gym open, I'll do it," he said.

And unlike many retailers, Road Runner Sports, off of Newport Boulevard in Costa Mesa, found sales improved during the pandemic as gyms shuttered and people tired of being stuck in their homes began to take up running, according to manager John Feeney.

"We opened back up in mid-June with a limited capacity, but it was crazy," Feeney said Tuesday in between customers. "A lot of



PEDESTRIANS walk down Main Street in Huntington Beach on Monday.

people were hiking and running. Everyone was stuck inside and were taking walks after work — everyone was going through their shoes quicker."

Now, the store allows up to 25 customers in at one given time. With high school athletes returning to tracks and fields and in need of gear, and as more people receive the COVID-19 vaccine, Road Runner Sports is seeing a welcome bump in sales.

"Two weeks prior we started seeing a lot more older customers," Feeney said. "They're getting vaccinated so they're more comfortable coming in. In the past month, we've seen an increase in business — every day we're going up 10%, at least."

Still, this is only a step in the right direction, said JC Clow, a founding partner of the Winery Restaurant & Wine Bar in Newport Beach on West Coast Highway.

Clow said the 25% capacity helps, but that the 50% capacity for the next lower tier would be a bigger boon for the hospitality industry.

"We have over 200 employees between the three locations and some of our employees are still on furlough," said Clow, who is hopeful the transition to the orange tier will be swift with the county's current data. "My heart just goes out to these people. We need to get people back to work and get our economy going again."

Susie Smith, who owns Makin' Waves hair salon in Huntington Beach, said she's glad the numbers are

See **Tier**, page A4



Barbara Brander Tate

September 5, 1933 - March 8, 2021

Barbara Brander Tate, better known as Baba by those who loved her, passed away peacefully and comforted by her faith on March 8th, 2021, in Newport Beach, California.

Barbara was born on September 5th, 1933, in Tulsa, Oklahoma. She and her brother, Stanley Alfred Brander, were the children of Stanley and Katherine (Kats) Brander. In Tulsa, Barbara was a loving mother who was active with the arts and serving her community. She moved to Newport Beach in 1980, where her connection to California and the beach flourished.

Barbara's love for her children and family flowed freely and was felt by all. She had a keen interest in everyone's life and well-being, and she stood solid as support through all occasions, from joyous to difficult. These traits also extended to her large group of friends both near and far, and those fortunate enough to be in her circle recognized her love as unconditional, pure, and infinite.

Barbara's faith was prominent in her life and she served as a devoted member of the Our Lady Queen of Angels congregation. Important to her was God's love, guidance, the power of prayer, and service. She volunteered with Share Our Selves in Costa Mesa for over thirty years, and she also gave her time to Hoag Hospital as a Eucharistic Minister. Her regular prayer group, "Friday Friends" served as a pillar in her life, and the women in this group celebrated, embraced, and prayed for each other's families and life events.

Among Barbara's many interests were her passion for nature, animals, and the OU Sooners. She spent hours in her garden which was filled with flowers year-round and provided a constant source of joy. She was a committed lifelong learner and talented painter. The back bay of Newport Beach was a special spot in her life where her faith, family, nature, kayaking, and art often came together and melded into an abundance of special times and memories.

Barbara is survived by her children: Beverly Iverson and her husband Michael Martella, Piper Jones and her partner Victoria Lynden, Leslie Shimazaki, and Peter Iverson and his wife Betsy Iverson; her six grandchildren; and her five great grandchildren; her dear friend Dan Brown; and her cherished Kitty, Abby.

Services will be held at Our Lady Queen of Angels Church on March 19th, at 12:00 pm. In lieu of flowers, the family is requesting donations to Share Our Selves (SOS), in Costa Mesa, CA.

THE DAILY COMMUTER PUZZLE

By Jacqueline E. Mathews

ACROSS

- 1 One of the Simpsons
- 5 Crab Louie or coleslaw
- 10 Shed feathers
- 14 Printer owner's purchases
- 15 Strong string
- 16 French girlfriend
- 17 Singer Redding
- 18 Part of a box cutter
- 20 Prefix for fiction or fat
- 21 Old Italian currency
- 22 Slugger Hank
- 23 Unreliable person
- 25 "Evita" setting; abbr.
- 26 Hostile intent
- 28 Leftover fragments
- 31 Oyl of the comics
- 32 Actress Bates
- 34 Plague carrier
- 36 Opening hour for many shops
- 37 Pass on, as a message
- 38 Grocery store section
- 39 Calendar pg.
- 40 Virile
- 41 Shanty
- 42 Schoolkid's compositions
- 44 Most boorish
- 45 Prefix for deed or demeanor
- 46 Conductor's stick
- 47 Now and _; at times
- 50 Costume shop supply
- 51 Bather's spot
- 54 Amassing
- 57 Add to the payroll
- 58 Kind; variety
- 59 Policeman's ID
- 60 Marshlands
- 61 Be impudent
- 62 _ up; accelerate
- 63 Individuals

DOWN

- 1 Huge feline

1	2	3	4	5	6	7	8	9	10	11	12	13
14				15						16		
17				18					19			
20				21						22		
		23	24					25				
26	27						28			29	30	
31					32	33				34	35	
36					37					38		
39				40						41		
	42		43						44			
				45				46				
47	48	49				50				51	52	53
54					55	56				57		
58					59					60		
61					62					63		

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.

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

For answers to the crossword and Sudoku puzzles, see page A4.

- 2 Two _ four is two
- 3 Tightwads
- 4 Horse's cousin
- 5 Umpire's call
- 6 Open-eyed
- 7 "Cabaret" star
- 8 Year in Nicaragua
- 9 German article
- 10 Populous Spanish city
- 11 Five-star General Bradley
- 12 Italian beach resort
- 13 Adolescent
- 19 Goldwater or Gibb
- 21 19th-century

- Chantilly export
- 24 Not taped
- 25 Sore
- 26 Infectious illness, for short
- 27 Wonderland visitor
- 28 Remain
- 29 Healthy-lifestyle magazine
- 30 Realtor's goals
- 32 Berry & Norton
- 33 Laundry soap
- 35 Lean to one side
- 37 Charles & Liotta
- 38 Blockhead
- 40 "The Pine Tree State"
- 41 "Gilligan's Island" abodes
- 43 Looks happy
- 44 Tattered
- 46 Pig out
- 47 _ up; misbehaves
- 48 Spanish artist
- 49 Mount
- 50 Weisshorn's range
- 50 Far-reaching
- 52 Yen
- 53 Gershwin's "Porgy and "
- 55 NBC rival
- 56 Gene Kelly's dance style
- 57 "The Wire" network

Tribune Media Services



David Max Stone

August 25, 1932 - March 10, 2021

Be kind, everyone you meet is fighting a hard battle. (Plato) Question everything. We are only limited by imagination. (Einstein)

David Max Stone passed away peacefully at his Balboa Island home on March 10, 2021 at the age of 88, with his loving daughter Susan and caregivers Paulina and John by his side. David was born in Pasadena, California on August 25, 1932 to Elsie Pettitt Stone and John Henry Stone. David lived a long and full life. He lived his early years in Pasadena, frequently visiting the Balboa Peninsula, moving there at the age of twelve. He graduated from Newport Harbor High School in 1950. Following high school, David was drafted into the Army during the Korean War and did basic training at Fort Ord near Monterey. He married JoAnn Israelson on February 4, 1955, and while attending Cal State University Long Beach, David worked nights to support her and JoAnn as a licensed captain onboard the Balboa Island ferry. Soon, David and JoAnn started their family. Together they welcomed with love their three children: Jeffery Stone (Stacy), Susan Burt (Ed), and Sandra Larkin.

After graduating college, David started his long and successful real estate career initially as a real estate appraiser for the OC Department of Right-of-Way. He then worked as a real estate lender for Victoria Savings and Loan in Riverside, California, leading to a partnership in the development of his first apartment building in 1967. Along with two partners, David co-founded Income Property Services in Orange County, the predecessor company of Western National Properties, which he co-founded in 1981. WNP grew to be one of the largest apartment development and management companies in the nation.

His passion for boating lead to many wonderful years of day sailing and racing in regattas. With his son Jeff by his side, David had many successes on the family's Ranger 33 Puff, Islander 30 Flying Colors, and custom Britt Chance Design ¾ Ton Eclipse. Together with his crew, David won the Hugh Angleman series five consecutive years, the Humphrey Bogart series, and many other regattas. Over the years, David enjoyed his friendships and the comradery of yachting at Newport Harbor Yacht Club. David continued his passion for boating by building two power boats, Coaster and Crosser, later acquiring Solaia in 2007. David married Sandra Howarth in 2004. Together they shared many happy years traveling the world on Crosser and Solaia, visiting more than fifty-five countries on four continents and logging more than 130,000 miles at sea, the equivalent of five times around the earth.

Lovingly known as Grandpa Max, David was blessed with seven grandsons: Clayton Stone (Julie), James Bohan, Bradley Stone, Joseph Bohan, Gregory Stone (Jaimee), Scott Stone, and Jack Larkin, along with six great grandchildren: Charlotte, Elizabeth, Theodore, Grayson, Margaret, and Dallas Stone.

Throughout his business career and world travels, David had the opportunity to meet many interesting people. In his later years, he enjoyed sharing his travels with family and friends. David will be remembered for his great sense of humor, his generosity, his wisdom, and his skillfulness at defeating problems with quiet confidence.

He will be greatly missed by those who knew and loved him. Smooth sailing Dave, Dad, Grandpa Max!

HIGH SCHOOL ROUNDUP

Edison boys' soccer defeats Fountain Valley

The Edison High boys' soccer team got first-half goals from Steven Garcia and Trenton Bellingher in beating Fountain Valley 2-1 on Monday in a nonleague match at home.

Luke Slavik and Fin Roghair each had an assist for Edison (2-1), which plays at Marina in another Sunset Conference crossover match on Wednesday at 3 p.m.

Sebastian Rus scored the goal for Fountain Valley (2-1).



Scott Smeltzer | Staff Photographer

CORONA DEL MAR'S Max Tetek and Edison's Luke Slavik race to a ball during a Surf League match on Jan. 31, 2020. Edison edged Fountain Valley 2-1 on Monday.

BOYS' TENNIS

Corona del Mar 12, Northwood 6: Jack Cross and Scott Thompson swept in doubles for the Sea Kings in Monday's nonleague match at Corona del Mar High.

Max Krykunenko swept in singles for the Sea Kings, who play at Laguna Beach in a Sunset Conference crossover match Wednesday at 3 p.m.

Laguna Beach 11, Los Alamitos 7:

Ian MacLaughlin won twice in singles for the Breakers in Monday's Sunset Conference crossover match at Los Alamitos High.

Casey Boehm and Matt Berk won twice in doubles for Laguna Beach (3-0).

— From staff reports

HIGH SCHOOL FOOTBALL

Laguna lines up new opener

BY ANDREW TURNER

The Laguna Beach High School football team will open its season this week, just not with the opponent it had originally scheduled.

The Breakers will play their first game of the season at Jurupa Valley on Friday at 7 p.m.

A schedule change became necessary after Segerstrom, which had been set to host Laguna Beach on Thursday, had a positive COVID-19 test in its program. Segerstrom football coach Joseph Tagaloa confirmed that the program had a positive test.

Laguna Beach coach John Shanahan said that even in a season defined by the coronavirus pandemic, which has now thrown yet

another wrinkle into the schedule, the team will continue to prepare for opponents on a "week-by-week basis."

The Breakers have a total of five games lined up, with contests also scheduled against Marina, Ocean View, Estancia and Westminster.

"If a game gets canceled or someone calls on a Thursday and says, 'Hey, we're ready to play tomorrow,' we'll go play them," Shanahan said of his team's readiness to play despite the change in opponent.

The Breakers are coming off a 2019 season in which they went 5-5 overall and 1-2 in the Pac 4 League.

andrew.turner@latimes.com
Twitter: @ProfessorTurner

TIER

Continued from page A3

moving in the right direction, but that doesn't

change anything for personal care services like hers upon the move from purple to the red tier or even the orange or yellow tiers.

Smith said she's only able

to use three of the eight chairs in her salon and she's seeking direction from either the state or the California Board of Barbering and Cosmetology. "Of course,

I'm happy that the rest of the world is progressing forward. I have so many clients coming in and saying they got their vaccine, so that's really exciting," she said, "but it's a little frustrating that we aren't getting any guidance as we go into new tiers. We don't know when we'll ever be able to be at full capacity again."

Meanwhile, bars are still waiting to reopen.

Industry guidance issued Saturday by the state calls for bars that do not provide meals to remain closed until the orange, "moderate" tier, and even then, bars like the Sandpiper in Laguna Beach would only be able to open outdoors with modifications.

Data indicates that the county currently meets at least two of the three metrics to move on in the state's

reopening guidelines. The last metric — the adjusted daily case rate — will need to drop just below the 4 cases for every 100,000 residents reported Tuesday.

Jeannie Harrell, whose husband, Chuck, owns the Sandpiper in Laguna Beach, said that the bar would be limited to serving a handful of tables outside next to Coast Highway in the orange tier. In the yellow tier, indoor operations can resume, but they will be capped to a capacity of 25% or 100 people, whichever is less.

Moving into that tier will require less than one new daily case for every 100,000 residents, a test positivity rate below 2% and a health equity quartile positivity rate of less than 2.2%.

Currently, data indicates that the testing positivity

rate nears qualification for the yellow tier at 2.2%.

"That's what we're hoping," Harrell said of the orange tier possibly being on the horizon. "But my personal concerns are the whole spring break and free-for-all kind of attitude. There might be another surge, which would maybe not take us back a tier but not allow us to get out of this tier."

"It's an unknown. We just have to wait and see. I may be overscrutinizing it, but it's hard not to. We're trying to figure out what the heck's going to happen next, and there's just no way. It's just not possible, and we're just sitting here waiting with our doors closed to find some kind of relief."

dailypilot@latimes.com
Twitter: @TheDailyPilot

CROSSWORD AND SUDOKU ANSWERS

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

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

THIS YEAR, THINK BIGGER.

For 2021, all of Southern California is invited. From Ventura to Orange County, across the South Bay to San Gabriel, from the LBC to the IE and all points between, we're celebrating the Southland's best businesses and restaurants.

NOMINATIONS BEGIN MARCH 29 | MORE DETAILS COMING SOON