Daily Pilot

WEDNESDAY, MAY 6, 2020 /// Now including Coastline Pilot and Huntington Beach Independent /// dailypilot.com



Don Leach | Staff Photographer

PEOPLE WALK the sands in Laguna Beach as Laguna opens its beaches on weekdays from 6 to 10 a.m. for recreational use.

Huntington Beach, Laguna begin phased reopening of beaches

H.B. gets approval from the state five days after Gov. Gavin Newsom ordered the beaches closed.

BY MATT SZABO AND ANDREW TURNER

The city of Huntington Beach announced Tuesday that it would be opening its beaches and beach bike pathways for active recreational use, effective immediately.

State officials approved plans for beaches reopening in Huntington Beach, Seal Beach and Dana Point on Tuesday.

The news came a day after Laguna Beach and San Clemente each reopened their city's beaches.

Gov. Gavin Newsom had ordered Orange County beaches closed on Thursday.

"We're delighted to be reopening our beaches for active recreation, which will allow our community to once again enjoy the recreational and mental health benefits from spending time at the Pacific Ocean," Huntington Beach Mayor Lyn Semeta said in a release. "The new active recreation rules that we're instituting will allow for continued beach access in a manner that emphasizes the need to practice safe so-

cial distancing."

Tuesday's decision was to reopen Huntington Beach beaches, including Huntington State Beach and Bolsa Chica State Beach but excluding beaches in Huntington Harbour, every day from 5 a.m. to 10 p.m. for active recreation.

That includes ocean activities as well as walking, running, hiking and bicycle riding. Beaches and the ocean will be closed to passive games, loitering, sunbathing and any gathering of people outside of those within their immediate household.

The Huntington Beach Pier and all city beach parking lots re-

See H.B., page A4

Laguna city beaches open to active sand and water use for weekdays only, from 6 to 10 a.m.

BY LILLY NGUYEN AND SARA CARDINE

Laguna Beach was all set to do a limited reopening of its beaches Monday, following a unanimous vote by its City Council at an April 28 meeting.

Then, Gov. Gavin Newsom ordered a "hard close" of all Orange County beaches.

On Monday, state officials announced that the cities of Laguna Beach and San Clemente would be allowed to reopen their beaches.

Both cities submitted their plans on how to safely provide public access to their beaches, which were determined to be consistent with the statewide stay-at-home order.

"We appreciate the governor's willingness to work with us to provide a responsible, gradual approach to reopening all beaches in Laguna Beach for ac-

tive recreation," Laguna Beach Mayor Bob Whalen said in a statement. "This will allow people the opportunity to walk, jog, swim and surf and get some fresh air and exercise on a limited basis, but not congregate or gather in large groups.

A letter sent to Laguna Beach from the Governor's Office of Emergency Services and the California Natural Resources Agency said vigilance would be necessary to support successful implementation of the four-part

City beaches opened Tuesday to active sand and water use and will remain open on weekdays only, from 6 to 10 a.m.

Approximately 5.5 miles of coastline operated by the city of Laguna Beach are open for walking, running, swimming, surfing and other individual wa-

See Laguna, page A4



Don Leach | Staff Photographer

A PERSON on the beach gives a peace sign to surfers as he runs along Cleo Street in Laguna Beach on Tuesday.

Muldoon files beach closure lawsuit on his own

Newport councilman, paying legal costs, sues Gov. Gavin Newsom in federal court.

BY HILLARY DAVIS

Newport Beach City Councilman Kevin Muldoon individually sued Gov. Gavin Newsom in federal court Monday over Newsom's hard beach closure targeting Orange County.

Muldoon, acting on his own behalf and footing his own legal costs, has been a vocal proponent of lifting the weeks-long lockdown to stem the coronavirus pandemic and re-

starting the flow of California's economy. called Newsom's directive, handed down on Thursday and put into effect the next day, unconstitutional.

Kevin Muldoon

The guberna-torial order only affects Orange County and the reopening date for Newport is unclear, although several neighboring cities have received permission from the state for limited beach reopenings this week.

"Defendants have shown by their actions a willingness to ignore and to violate the fundamental civil rights of California residents," the lawsuit reads. "Their actions ... are persistent and capable of repetition unless they are enjoined by this court."

The suit also lists California Attorney General Xavier Becerra, Governor's Office of Emergency Services Director Mark Ghilarducci and California Natural Resources Agency Secretary Wade Crowfoot as co-defendants. The suit seeks legal fees and that the closures be blocked.

Muldoon's suit alleged violations of the second-term councilman's freedom to travel, due

See Muldoon, page A2

ALSO FROM THE DAILY PILOT:

NEWPORT BEACH LIFEGUARDS CLEARED 2,700 BEACHGOERS FROM THE SAND SUNDAY

COMMENTARY: RELEASE NONVIOLENT JUVENILE OFFENDERS FROM CUSTODY TO PROTECT THEM FROM **COVID-19** *PAGE A3*

COVID-19 UPDATE: ORANGE COUNTY REPORTS 4 DEATHS AND 69 NEW CASES Read online

at dailvpilot.com

Hoag seeks to sever ties with Providence healthcare system

BY HILLARY DAVIS

Hoag Hospital is taking legal action to dissolve its relationship with the Providence St. Joseph Health system and regain local control.

Hoag, known formally as Hoag Memorial Hospital Presbyterian, filed suit Friday in Orange County Superior Court to get out of an eight-year partnership that it says has long not been as fruitful as it had hoped.

Hoag joined forces with the Orange County-based St. Joseph Health System in 2012 to form a regional healthcare delivery system and created the Covenant Health Network, with a sevenmember board, to integrate the two nonprofit partners. At the time, St. Joseph had 14 hospitals, five in Southern California.

In 2016, St. Joseph merged with Providence. The Catholic Providence St. Joseph Health, based in Seattle, has 51 hospitals in six western states.

Scott Smeltzer | Staff Photographer

LIFEGUARDS PATROL near the Huntington Beach Pier on Tuesday.

Hoag Hospital President and Chief Executive Robert Braithwaite said Tuesday that Providence's scale is more regional to national, while Hoag seeks to be intensely local.

He called it a "paradox of scale," where going bigger diluted and constrained local control. The benefits of syncing with a larger network, such as financial, staffing or branding boosts, were never what drew Hoag to join with St. Joseph, but rather a broader but still local "population health management" Braithwaite said — a "bold vision" that never got its footing, he said. According to the complaint, officials were frustrated by a lack of progress toward the population health model even before the Providence merger, but Hoag took the acquisition as a renewed op-

INSIDE

HOAG ORTHOPEDIC INSTITUTE RESUMES SOME ELECTIVE SURGERIES USING GUIDANCE FROM FEDERAL, STATE AND **LOCAL GOVERNMENT AGENCIES. PAGE A2**

"Those efforts fared no better than Hoag's prior efforts," the complaint states.

In 2017, the Covenant Health Network executive staff was formally abandoned. Then, this year, "Providence executives declared to Hoag's board that population health was no longer relevant," the complaint reads.

"As time has progressed, moreover, there have been increasing efforts by Providence to homogenize the system and to move focus away from a community-



Courtesy of Miguel Vasconcellos

DEBORAH PROCTOR, then-president and CEO of Orange County-based St. Joseph Health System, left, and Dr. Richard Afable, then-president and CEO of Hoag Hospital, announce their partnership in 2012.

based governance/engagement model, eliminating Orange County as a region and concentrating much of the decisionmaking in national corporate

management," the complaint says. "These efforts stand in direct contradiction to [the affiliation

See Hoag, page A2

Hoag resumes some elective surgeries after postponement for two months

BY HILLARY DAVIS

Hoag Orthopedic Institute resumed some elective surgeries Fridav.

The institute, which has a specialty hospital in Irvine and outpatient surgery centers in Newport Beach, Mission Viejo, Orange and Marina del Rey, postponed all elective surgeries in March and April in accordance with guidelines by the Centers for Disease Control and Prevention during the continuing coronavirus pandemic.

The institute said in a statement that it is proceeding "under a thoughtful and judicious protocol" using recent guidance from federal, state and local government agencies and in recommendations by the American

Academy of Orthopedic Surgeons and other clinical professional organizations.

Hoag Orthopedic Institute is one of the largest providers of hip and knee replacements in California.

"Many in our community have orthopedic issues that have been deferred for an extended period of time," Jennifer Mitzner, president and chief executive of Hoag Orthopedic Institute, said in the statement. "The conditions today are such that we may now increasingly meet those delayed essential health needs in a careful and safe manner."

All patients undergoing elective surgery procedures will be required to obtain COVID-19 testing three days prior to surgery, then quarantine at home prior to

arrival at the facility for their surgical procedure. Personnel and visitors will be limited and screened, and limited personnel will be allowed in the operating room.

Dr. Robert Gorab, the institute's chief medical officer, said the first patients will primarily be on an outpatient basis and those with fewer health-related issues that might increase surgical risk.

"We have an outstanding clini-

"We have an outstanding clinical care team and we are all very excited to resume orthopedic care for our patients, as many are quite limited by their musculoskeletal conditions," he said.

For more on the new protocols, visit *hoagorthopedicinstitute.com*.

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Twitter: @dailypilot_hd

HOAG

Continued from page A1

and] Hoag's mission."

Erik G. Wexler, chief executive for the Covenant Health Network and Providence St. Joseph Health in Southern California, said in a statement that Providence is disappointed by the "misguided and potentially costly legal actions by the Hoag leaders." Hoag's reasons for severing ties are "unclear," especially as healthcare systems are fighting the coronavirus pandemic.

"Our relationship has been strong since 2012. The Hoag leaders' so-called 'realignment' plan would negatively impact patient care [and] diminish resources and medical expertise available to Orange County," Wexler stated. "In fact, this move could undo nearly a decade's worth of enhanced access to high quality, dependable, affordable and compassionate care to the communities we serve, especially to our most vulnerable members."

Hoag Hospital opened atop a bluff in West Newport in 1952, the product of a Presbyterian minister, several church members, and a doctor, and the largesse of the Hoag family, whose patriarchs amassed a fortune as early investors in the J.C. Penney Co. department store chain and eventually moved to Newport Beach.

The Hoag Family Foundation and the Assn. of Presbyterian Members of Hoag, known collectively as the founders, have been extensively involved in hospital affairs ever since.

"My grandmother, Grace Hoag, and my father, George Hoag II, had a vision, in collaboration with local Presbyterian leaders, for creating outstanding local healthcare in Orange County," said Melinda Hoag Smith, president and chief executive of the George Hoag Family Foundation, in a statement.

"Our family has carried that legacy of meeting the needs of this amazing community over the last 70 years. It is time to ensure we continue that work as Orange County grows and residents' healthcare needs continue to evolve. Full independence is the best path toward a sustainable and thriving Hoag."

In addition to the 434-bed flagship campus in Newport, Hoag has an 84-bed hospital in Irvine, 13 urgent care centers and nine health centers around Orange County along with a well-honed local identity.

The continuing coronavirus pandemic underscored Hoag's desire for independence and agility, Braithwaite said.

"I think the pandemic actually highlighted for Hoag and for the board and certainly for our physicians and nurses the need for very timely decision-making and unique decision-making," he said.

Last year, the Hoag hospital board attempted unsuccessfully to realign its relationship with Providence by breaking apart formally but maintaining a voluntary collaboration.

Braithwaite said he sees the value in collaboration, noting a relationship Hoag has with the pediatricians at Children's Hospital of Orange County. But neither Hoag nor CHOC cedes control, he said.

The Roman Catholic Providence and the Presbyterian Hoag also have "some fundamental and growing differences in values. Those differences directly impact the care of patients within the two systems," the complaint adds.

Hoag's fiduciary board, executive leadership team, physician leadership and founders agreed to keep pressing for independence

The litigation is a "last resort" to keep Hoag from being a "captive affiliate," the complaint says, although Braithwaite said he wants a split to be as amicable as possible.

The hospital says patients will not be impacted.

Braithwaite acknowledged that the pandemic's impacts on the courts will extend the case's time frame, which could go as long as two years, he estimated.

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Wally Skalij | Los Angeles Times

NEWPORT BEACH lifeguards and police clear the beach Saturday.

Thousands of people cleared from Newport Beach's sands

BY HILLARY DAVIS

Newport Beach lifeguards cleared 2,700 beachgoers from the sand Sunday as state-mandated hard closures continued, city officials said.

Lifeguards, with backup from police, reminded visitors who slipped around barriers of the pandemic-driven closure in a coordinated sweep starting at around 1:45 p.m. The operation stretched from the Newport Pier to the Santa Ana River jetty.

Police made no arrests or citations.

That's not to say that every beachgoer was asked to turn back: Lifeguards estimated an overall beach attendance of 4,500 people throughout the day on all seven miles of Newport shoreline from Corona del Mar to the Huntington Beach border, according to city spokesman John Pope.

Pope said the majority of the 2,700 people that lifeguards contacted complied after being told via public address systems, helicopters, boats and lifeguards and police officers on the sand.

Pope said crowds were lighter on Friday and Saturday but those beachgoers also mostly left after being told.

The beaches closed Friday on the order of Gov. Gavin Newsom, who targeted Orange County beaches after a bump in visitation the prior weekend, which he said threatened continuing efforts to stem the spread of the coronavirus.

Two lawsuits have already been filed challenging the closure — one by the cities of Huntington Beach and Dana Point along with four businesses in Huntington and Newport, and one by Newport Beach City Councilman Kevin Muldoon, acting as an individual

Meanwhile, Laguna Beach, which was early to adopt a city beach closure in March and was about to allow limited use before Newsom's directive, and San Clemente received state clearance Monday to reopen to limited "active use" only.

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THE DAILY COMMUTER PUZZLE

By Jacqueline E. Mathews

ACROSS
1 Road _; selfish driver
4 Actress
Moorehead
9 "Father Knows

13 Goofs 15 1 of 7 deadly 16 Disgusting 17 Judge's order 18 Sudden extreme fear 19 Part of the leg 20 Deadlock 22 Catch _ z's; sleep 23 Ivory or Dial 24 Perish 26 19th-century U.S. president 29 with; making a pass at 34 Astonished 35 Pencil sharpener handle 36 By way of 37 Matures 38 Hauling into court 39 Bakery display 40 Feel sorry about 41 Destined 42 Jigsaw puzzle 43 Blow-by-blow 45 _ out; eliminates gradually 46 Prefix for heat or med 47 Appendicitis symptom 48 Command to a horse

65 _ lime pie **DOWN**1 Fell with an ax

51 Lad

state

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56 Check for the

57 Northeastern

58 Zoom skyward

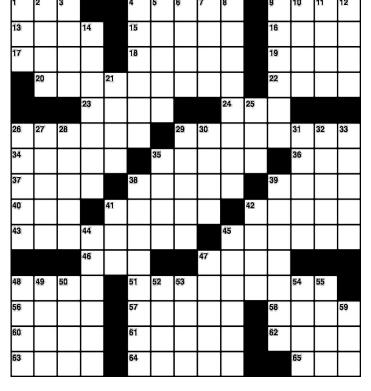
61 Toothed-leaved

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64 Has to have

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62 Oz visitor



SUDOKU

By The Mepham 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*.

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

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

2 Family of hockey's Bobby 3 "True _"; John Wayne film 4 Come into view 5 Dad's dad 6 One of Columbus' ships 7 Correct a manuscript 8 Withdrawing from a group 9 Actress Jacqueline 10 Repeated sound 11 Quickly glance through a book 12 Sharon's "Cagney & Lacey"

costar 14 Stows away 21 Deafening 25 Rile 26 Blue ribbon 27 Scoundrel 28 Twitter post 29 Cooked in oil 30 Come to shore 31 Crawling vines 32 Family tree member 33 Krypton & radon 35 Like anybody's grandbaby 38 Company rep 39 Liberace or Elton John

41 Christmas tree, often
42 Donahue or
Hartman
44 Indifference
45 AKC dog's proof
47 Yearned
48 Envelop
49 Munich señor
50 "__ in Love With Amy"

52 "A _ of Two Cities" 53 Hitchhiker's hope

Tribune Media

Services

54 Alcove 55 Fence opening 59 Trigger's rider

MULDOON

Continued from page A1

process, equal protection, right to liberty and a state-protected right to access navigable waters – even though Orange County has relatively low numbers of cases of COVID-19, the potentially fatal respiratory disease caused by the coronavirus, and related deaths, particularly compared to other coastal Southern California counties both where beaches are open and closed.

It is separate of a lawsuit the cities of Huntington Beach and Dana Point, along with four Huntington and Newport businesses, filed within hours of Newsom's announcement.

Newport did not join that case, filed in Orange County Superior Court, but the City Council, Muldoon included, voted Saturday to file a brief in support.

Muldoon's own suit argues there is "no rational scientific basis for the beach closures," citing studies on the virus' behavior and disease statistics from regional public health departments.

"Since the initial outbreak of COVID-19 in the United States in February and March 2020, the federal government's projections of the anticipated national death toll related to the virus has decreased substantially, by an order of magnitude, the complaint reads. "Despite such revisions, defendants have increasingly restricted — where not outright banned plaintiff's engagement in constitutionally-protected activities.'

The governor's office did not immediately respond to a request for comment on the latest lawsuit.

Beaches have become a flashpoint in sweeping statewide stay-at-home orders handed down in mid-March. Starting in late March, Newport officials closed several coastal amenities, including its piers, boardwalks and beach parking, but were hesitant to close the beach itself.

Then, on the weekend of April 24-26, a heat wave enticed lockdownweary residents to beaches around Orange County, where most cities had left the sand accessible and the Board of Supervisors had just reopened county-run beaches.

The turnout was well-documented. Widely circulated photos and videos of the shore in Newport and Huntington Beach appeared to show dense throngs not practicing physical distancing or wearing face coverings.

Los Angeles County's beaches remain closed. San Diego and Ventura counties, which had been closed until the same weekend, remain open with some restrictions.

Newport officials countered press images with their own taken by police from a helicopter during Saturday's peak appearing to show much looser crowds, and at Tuesday's City Council meeting, lifeguards said Friday and Saturday drew about 40,000 people each day. By contrast, the Fourth of July draws be-100,000 tween 130,000.

The suit also posits that studies show "that the closure of public beaches would not only be of no benefit to preventing the transmission of COVID-19 or death from it — it could actually be detrimental to such efforts."

This cites a Chinese study of COVID-19 clusters in Wuhan, China, the outbreak's epicenter, that concluded outdoor transmissions were few and rare and a U.S. Department of Homeland Security claim that sunlight and high temperatures could rapidly destroy a

COVID-19 particle. It also suggests that being cooped up can harm physical and mental health.

Further, the Centers for Disease Control and Prevention's official mitigation guidelines for COVID-19 make no mention of closing public parks or beaches, and World Health Organization and European CDC guidelines also advise against "internal travel restrictions" during a pandemic because they have little effect on reducing transmission, while imposing major social and economic costs.

At the same Newport council meeting Tuesday - where the council considered but on a split vote rejected fully closing its beaches in response to the prior weekend's visitation — Mayor Will O'Neill cited Los Angeles County Department of Public Health figures showing that Malibu had 216 known cases of COVID-19 per 100,000 residents at the time and Santa Monica had 167 per 100,000 people. Newport had about 108 COVID-19 cases per 100,000 residents; neighboring Huntington Beach had 89 per 100,000 people, according to the OC Health Care Agency.

Similarly, Muldoon's suit points to death rates for Los Angeles, San Diego and Ventura counties out of populations overall—.0131% for Los Angeles, .0043% for San Diego and .0022% for Ventura as of Tuesday.

For Orange County, the rate is .0019% for 61 deaths out of 3.2 million residents.

Meanwhile, Huntington Beach faced an early setback Friday when a Superior Court judge denied its immediate request to block the closure. That case is set to return to court May 11 for another crack at lifting the restrictions.

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forum

COMMENTARY | ELIZABETH CAUFFMAN, LAURENCE STEINBERG

Release nonviolent juvenile offenders from custody to protect them from COVID-19

ocial distancing in places like nursing homes, cruise ships and jails is difficult if not impossible. And knowingly sending thousands of people into such dangerously cramped environments for several weeks, and then returning them to their communities, should be unthinkable.

Yet, this is exactly what is happening to juvenile offenders nationwide. On any given day, tens of thousands of juveniles are held in detention facilities across the country. Many are held for nonviolent offenses.

Given the growing number of confirmed COVID-19 cases in correctional facilities, a few weeks in a detention center is more than enough time for a young person awaiting a hearing to become infected, only to carry this infection back into the community upon his or her

The arguments for keeping children locked up for weeks, in virtual petri dishes, for drug possession, truancy, vandalism and other nonviolent offenses,

Over the past two decades, we have co-directed two large-scale studies designed to determine how variations in the way we respond to juvenile offending affect adolescents' likelihood of recidivating. Both studies

clearly show that releasing most juvenile offenders from institutional placement would protect public health without jeopardizing public safety.

Indeed, our ongoing research study, "Crossroads," has followed more than 1,200 male, first-time juvenile offenders who committed minor violations, such as theft, vandalism, drug possession and fighting for five years.

Our findings indicate that punitive responses to juvenile offending actually increase rates of repeated offending, compared with more forgiving ones (such as diversion or supervised probation).

In other words, there is research to support that diverting offenders away from the justice system (and, presumably, from settings in which they might be exposed to coronavirus) is safer for the juveniles, their families and the public.

Under the best of circumstances, the widespread detention of nonviolent juvenile offenders is bad public policy that in the long run makes our communities more, not less, danger-

But in the throes of a global pandemic, the unnecessary confinement of these youth in settings where they are likely to be exposed to COVID-19 com-



Nelvin C. Cepeda | San Deigo Union-Tribune

THE JUVENILE DETENTION facility in the Kearny Mesa neighborhood of San Diego, as shown in this 2012 photo.

pounds the public safety risk by exacerbating the spread of the virus.

In the face of the current COVID-19 threat, states should immediately move all but the most dangerous juveniles out of the facilities that now house them, and place them in athome quarantine, under GPS monitoring in their communi-

This is not just common sense but also a scientificallyinformed policy that would enhance public safety and reduce the number of young people infected with COVID-19, which, in turn, will diminish the likelihood that they will transmit the virus from a detention facility into the community,

endangering their families and neighbors. Doing so is consistent with both sound public health practice and juvenile justice policy.

ELIZABETH CAUFFMAN is a psychological science professor at UC Irvine. LAURENCE

STEINBERG is a psychology professor at Temple University.

MAILBAG

Thank you to our Hoag staff, who successfully treated state's first documented COVID-19 case

We want to express how proud we are of all our colleagues at Hoag Hospi-

Our team has been working tirelessly - and under extremely stressful and challenging circumstances — and we continue to provide the same compassionate and high-quality care for the Orange County community during the COVID-19 pandemic as we

have always provided. It was not widely known at the time, but back in January the Orange County Health Care Agency selected Hoag to care for California's first COVID-19 patient, who has since fully recovered.

OCHCA chose us for a simple reason: We were prepared. We were ready to provide comprehensive, lifesaving care for that first patient — and we remain prepared now.

But as we provide toptier care for our COVID-19 patients, we cannot emphasize enough that Hoag's facilities are safe, orderly and well-prepared to provide exceptional emergency care for all patients.

Sheltering in place does not apply to those with potentially life-threatening medical conditions, such as strokes and heart attacks, and we stand ready and able to safely care for anyone who comes through our doors.

Since our very first COVID-19 patient, our command center has meticulously tracked the number of available beds, ventilators, personal protective equipment (PPE), pharmaceuticals and more, on a daily basis.

Keeping a close accounting of all available resources — including the human ones, the remarkable men and women of Hoag who provide such skilled and compassionate care — ensures that we are prepared if and when a surge arrives here in our community.

Hoag's readiness during the COVID-19 pandemic includes daily communication with OCHCA authorities in order to stay abreast of rapidly evolving best practices. This guidance allows us to ensure that we are keeping our patients and our healthcare workers safe as we face this challenge.

Our mission — to provide the highest-quality healthcare to the communities we serve - manifests itself in innumerable ways. For example, Hoag is one of very few hospitals selected as a clinical trial site for remdesivir, a possible therapeutic option for COVID-19.



Los Angeles Times

HOAG TREATED California's first COVID-19 patient.

We are also among the first hospitals to obtain Food and Drug Administration permission to use convalescent plasma in critically ill COVID-19 patients. As new testing and treatment options are deployed in the fight against COVID-19, we will deliver on our promise to make them available to our community.

Our passion, and our ability, to dare is made possible by the extraordinary men and women who belong to what we call the "Hoag family."

We take extra steps to make sure they are physically and emotionally healthy — from employee health clinics for staff and their families, to quality childcare, and with a deeply ingrained culture of esprit de corps.

This in turn permeates the care they provide our patients, and the touching interactions and genuine affinity that develop between staff and patients.

This powerful phenomenon was on full display this past Monday as members of our staff watched proudly — and with more than a few tears of happiness — as a married couple in their 90s left Hoag after being successfully treated for COVID-19.

As the COVID-19 pandemic continues, we couldn't be prouder of our staff's commitment to confront this public health crisis rationally, proactively and skillfully, united in a common goal of providing the best care possible to our community.

Hoag pride runs deep, and it makes a difference.

> **Robert T. Braithwaite** President & CEO, Hoag Hospital

Michael B. Hurwitz M.D. Chief of Staff, Hoag

George H. Wood

Chairman. Hoad board of directors

Respond to friends who live alone

I'd like to remind my married friends that when you receive a text, an email or see a Facebook post from a single neighbor or relative, try to reply in a timely

Sometimes a simple yes or no is all it takes. Other times, a sentence or two is necessary. Either way, your response is one more way we all can remain connected in these trying times.

If everyone does his or her part, then making lemonade out of lemons will be one of the easiest things we do during this unprecedented, national health

> **Denny Freidenrich** Laguna Beach

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1 dead in 405 crash

A Costa Mesa man was killed late Thursday night when the car he was driving crashed into a construction area on the 405 Freeway in Huntington Beach, according to the California Highway Patrol.

The driver, pronounced dead at the scene, was identified as Spencer Sandridge of Costa Mesa, Investigator Inez Chavez of the Örange County Coroner's Office said. Sandridge was 27 years old.

Sandridge was driving southbound on the 405 at 10:34 p.m. Thursday when his 2012 Dodge drove through cones entering a construction zone south of Newland Street, the CHP said in a statement.

Two Caltrans construction workers were injured; a 54-year-old male from Anaheim was taken to the Orange County Global Medical Center and a 46year-old male from Corona was taken to UC Irvine Medical Center.

The southbound 405 was closed until about 8 a.m. Friday, according to CHP traffic logs.

The collision investigation is ongoing, CHP spokesman Duane Gra-

ham said. Anyone with information is asked to call (714)

— Matt Szabo

H.B.

Continued from page A1

main closed, as they have been for weeks during the novel coronavirus pan-

Active use will not be a problem for Jim, 73, of Santa Ana, who was biking near the pier Tuesday. Jim, who declined to give his last name, said he was irritated when the beach path had been shut down, which interrupted his normal rides.

"It cuts my ride in half," he said of the bike path previously being closed. "I try to get out for a twohour ride every other day, and so I use this path every other day now, trying to build up my immune system and everything.'

He was pleasantly surprised that the "hard close" Orange County's beaches by Newsom was relaxed in short order, but he also felt that there were other ways to curb behavior rather than take away activities in the first place.

"I think if they're so worried about the distance, they would go and talk to the people that are getting too close to each other, and say, 'Hey, separate,'" he added. "If they don't separate, then give them a ticket." George Roudanez, 78, of

Corona del Mar was out for a walk with his wife, Linda. The couple has enjoyed some of the relaxed restric-



Scott Smeltzer | Staff Photographer

DARLENE DUNN, left, and Tom Pence sit on a bench at the Huntington Beach Pier Plaza on Tuesday.

tions of the stay-at-home orders of late, playing tennis at Racquet Club Irvine just this week.

He believes that people should have options to go outside and be active, as long as they remain vigilant about their social distanc-

ing.
"I think the big problem when you close too many things, there's the law of unintended quences," Roudanez said. "When you close too many things, you're making people congregate in those areas where they can congregate, and that's not a good idea. The more things that you have open, the better it is, as long as people remain vigilant and they observe their [spacing] and they stay apart.

Beach Huntington spokesman Eric McCoy said that the beaches could be further opened in the coming days and weeks, depending on what Newsom does and how he opens up the economy. Newsom has said that Phase 2 of reopening the state could begin Friday with some retail, manufacturing and logistics businesses.

"As he makes those changes, we'll be following up as well," McCoy said.

Newsom had ordered Orange County beaches closed on Thursday. That night, the Huntington Beach City Council voted 5-2 to file a lawsuit against the state of California.

Huntington Beach City Atty. Michael Gates said the decision to reopen the beaches Tuesday was made at the city level, as was the decision to close them last

week. Gates said the lawsuit the city filed against the state, which is set for a hearing on Monday, has not been closed.

The City Council scheduled a special closed meeting for Wednesday at 5 p.m. to discuss the lawsuit against the state.

"It's our belief that the governor's verbal directive [to close the beaches] on April 30 was not constitutional, that it didn't have legally binding effect, and that it violated the city's rights to control its own beaches, its own police department and its own resources," Gates said. "None of that has really changed. The causes of action are still there; they're still alive."

After Newsom made the order Thursday to close the beaches, Assemblywoman Cottie Petrie-Norris (D-Laguna Beach) said she reached out to the mayors of local beach cities. She also worked Friday with the governor's office, the National Resources Secretary and the California Office of Emergency Services, she said.

"I was really pleased that we were able to work with the governor's office and able to put that [lawsuit] to one side and facilitate a good resolution," Petrie-Norris said.

"I'm really grateful for the way the City Council came to the table, the city manager and city staff came to the table and all of our state agencies did as well. We didn't let the lawsuit get in the way of solving this problem ... Particularly in the context of the threat of litigation, I think it is a great example of collaboration and problem-solving of our local and state governments."

Rep. Harley Rouda (D-Laguna Beach) said in a statement that he hopes all cities will follow the common-sense and multiphase blueprints put forward by Laguna Beach, San Clemente, Huntington Beach, Seal Beach and Dana Point.

"Orange County is best served when local, county, and state governments coordinate to protect residents' mental and physical health," Rouda said.

Eric Sundquist, 45, came down from Redondo Beach to surf Tuesday. He said he had yet to face opposition to surfing in Huntington Beach, although he was aware of surfers being ushered out of the water over the weekend.

"I just kind of travel the coastline to surf, but I love Huntington," Sundquist

"It's miles of great surf. It's Surf City USA, so I come here regardless of the situation. Luckily, they've been the only people that have treated it with some common sense, to be quite honest with you."

dailypilot@latimes.com Twitter: @TheDailyPilot

LAGUNA

Continued from page A1

ter activities during the new

weekday limited hours. Adjacent beach parks will

remain closed at all times. James Pribram, 49, said Tuesday that he had lived in Laguna Beach his entire life and added that he had been in support of the beach closures but that he would have liked to have seen a united front from the state, county and city levels on beaches.

"Everyone was smiling. Everyone was happy. Everyone was social distancing and it was just really incredible to see that," Pribram said.

"You'd never see it like this on a normal Tuesday morning at 8 a.m.," Bill Radke, a Laguna Beach resident, said.

A city media release Tuesday said that beachgoers were abiding by the regulations put forth by the plan, but those violating the closures outside of the permitted time frame or on weekends may be cited with a misdemeanor, fined up to \$1,000 or arrested.

Those violating the closures outside of the permitted time frame or on weekends may be cited with a misdemeanor, fined up to \$1,000 or arrested.

Under Phase 1 of the plan, beachgoers will continue to be prohibited from 5 a.m. each day.

playing recreational beach games, sunbathing, loitering and all other forms of public gatherings.

Separate points of oneway ingress and egress to and from the beaches will be established, and social distancing protocol will be enforced, Laguna Beach officials assured.

If the implementation of first-phase guidelines is successful, Phase 2 will extend a similar use to include weekend visits to the beach, with only active uses permitted.

Under Phase 3 of the city's plan, beaches would operate under regular municipal hours, with public areas closed from 1 to



Don Leach | Staff Photographer

PEOPLE WALK the sands between Cleo Street Beach and Main Beach as Laguna Beach opened its beaches on Tuesday for recreation use on weekdays between 6 and 10 a.m.

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NOTICE OF PETITION TO ADMINISTER ESTATE OF: CHARLES SCOTT MALCOLM 30-2020-01139380-PR-LS-CJC

To all heirs, beneficiaries, creditors, contingent and persons who may otherwise be interested in the will or estate, or both, of: CHARLES SCOTT MALCOLM
A PETITION FOR PROBATE has been filed by TODD

SPITZER, OC District Attorney-Public Administrator in the Superior Court of California, County of ORANGE THE PETITION FOR PROBATE requests that TODD SPITZER, OC District Attorney-Public Administrator be appointed as personal representative to administe tate 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 authorit

A HEARING on the petition will be held on August 5, 2020 at 1:30 p.m. in Dept. C9

located at 700 CIVIC CENTER DRIVE WEST SANA ANA, CA 92702

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

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 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:

LEON J. PAGE, COUNTY COUNSEL and SAUL REYES, DEPUTY

333 WEST SANTA ANA BLVD., PO BOX 118 SANTA ANA, CA 92702 (714) 834-4664

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BSC 218202

Legal Notices





CITY OF NEWPORT BEACH **PUBLIC NOTICE** ORDINANCE SUMMARY

NOTICE IS HEREBY GIVEN that on April 28, 2020, the City Council of the City of Newport Beach, California, introduced an Ordinance entitled:

ORDINANCE NO. 2020-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, **AMENDING SECTION 6.04.170 OF CHAPTER 6.04** OF TITLE 6 OF THE NEWPORT BEACH MUNICIPAL CODE PERTAINING TO THE COMMERCIAL USE OF PUBLIC SOLID WASTE, RECYCLARIE MATERIAL OR DIVERTIBLE MATERIAL CONTAINERS/BINS

The Ordinance would authorize the underlying commercial property owners, in addition to businesses, to participate in Washington Street bin service, subject to City Council resolution establishing a fee and identifying the particular businesses or properties.

This Ordinance was introduced by the City Council of the City of Newport Beach, California, at a regular meeting thereof on the 28th day of April, 2020, by the following vote:

Mayor Will O'Neill, Mayor Pro Tem Brad Avery, Council Member Joy Brenner, Council Member Diane Dixon, Council Member Duffy Duffield, Council Member Jeff Herdman, Council Member Kevin Muldoon

NAYS: None

Second reading of Ordinance No. 2020-13 will occur at the May 12, 2020 City Council meeting. If adopted on May 12, 2020, the Ordinance shall become final and effective thirty (30) days after adoption.

Dated this 29th day of April, 2020. /s/ Leilani I. Brown, City Clerk

City of Newport Beach

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bathing, passive recreational sports and loitering would still be prohibited under this phase.

Phase 4 — which would essentially see beaches return to "normal" use would only be enacted in conjunction with a state order lifting restrictions on large gatherings and allowing passive uses of beach lands, according to the plan.

City Manager John Pietig said that there are no definitive time frames for moving from one phase to the next.

The city will monitor each phase to see how people are complying with physical distancing and if large gatherings are developing in town.

Each phase will be conducted on a trial basis, and areas will be reclosed if activities and uses do not comply with current directives on physical distancing and large gatherings.

"This is an adaptive management plan and each phase will be enacted on a trial basis," a media release by the city said. "The city will move to the next phase only if it believes the activities can be managed to comply with current directives regarding physical distancing gatherings." and

On a call Monday morning, Assemblywoman Cottie Petrie-Norris (D-Laguna Beach) said she reached out to state agencies and local mayors immediately after the announcement to shutter beaches in Orange County was made Thursday.

Rep. Harley Rouda (D-Laguna Beach) also said he'd spoken with Secretary Wade Crowfoot of the state National Resources Agency and Director Mark Ghilarducci of CalOES on Friday. His office had been in contact with the cities of Seal Beach and Laguna Beach and relayed information to officials there.

Petrie-Norris called the Laguna Beach plan "progressive," adding that the phasing will provide residents and visitors safe and responsible access beaches.

She pointed to the initial closures of the city's beaches on March 23, describing proactive measures taken by Mayor Bob Whalen and City Council members as "judicious and very thoughtful."

"Our beaches are a respite for many of us and provide our community with an invaluable outlet for outdoor recreation and mental health," Petrie-Norris said in a statement. "This progressive plan will reopen Laguna beaches in the most responsible way, ensuring public safety and a continued flattening of the curve."

"As we navigate this unprecedented crisis, we will continue to be led by science and facts, not by politics and not by fear," Petrie-Norris continued.

This limited reopening does not include a 2-mile stretch of South Laguna beaches, which are controlled by the county and will remain closed until the county submits a plan to the state and receives approval.

Some South Laguna residents, speaking in public comments at the April 28 City Council meeting, said Aliso Beach, which was open that weekend though its parking was closed, was inundated with visitors.

This weekend saw an organized protest at Main Beach Park, which is closed.

"As COVID-19 cases and deaths continue to increase throughout Orange County, we know our battle against the coronavirus is far from won," Rouda said in a statement.

"Other cities and the county should consider copying Laguna Beach's blueprint and submit a detailed beach reopening plan to ensure all local residents' physical and mental health is protected during this difficult time."

"I will continue to work with the governor's office and coastal Orange County leaders as we transition to a 'new normal' in the weeks and months to come," Rouda said.

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CROSSWORD AND SUDOKU ANSWERS

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