

Daily Pilot

SATURDAY, JANUARY 16, 2021 /// Now including Coastline Pilot and Huntington Beach Independent /// dailypilot.com



Scott Smeltzer | Staff Photographer

MIKE PINO, left, and others participate in a "Let Them Play" rally at Edison High School on Friday, urging the return of high school sports.

'Let Them Play' rings out

Rallies, including at Edison and Corona del Mar highs, advocate for return of high school sports.

BY ANDREW TURNER, MATT SZABO

The last time that David Singer stepped on the court for the Edison High School boys' volleyball team, the Chargers walked away as winners of the Portola Tournament in March.

Ending the season on a win is a nice goal to have, but not when the reason is because the ability to play was ripped away by circumstances beyond anyone's control.

The rest of Singer's junior season was canceled because of the coronavirus pandemic, and it is still unknown whether he, and many seniors across California, might have played their last games in high school.

For that reason and more, about 200 people demonstrated on both sides of Magnolia Avenue in front of Edison High School, one of several "Let Them Play" rallies that were



HOCKEY PLAYER

Christian Brown participates in the "Let Them Play" rally at Corona del Mar High on Friday.

Don Leach
Staff Photographer

held on Friday afternoon.

"Not being able to play right now, it's really heartbreaking because sports are so important for me and they're a really big part of what I do," Singer, a senior setter, said. "They go beyond just playing a sport. They help

build friendships and keep me mentally stable."

Current guidance for youth sports dictates that competition between two teams will not

See **Play**, page A3

Status update of CIF fall sports still expected Tuesday

BY MATT SZABO

Those hoping for an update from the CIF Southern Section on 2020-21 high school sports will not have to wait much longer.

An announcement is still expected Tuesday on the status of the Southern Section's fall sports championships, Commissioner Rob Wigod said during Thursday's Executive Committee

meeting.

Wigod said he expects to release the update at 9 a.m. Tuesday, with a news conference to follow at 1 p.m.

Wigod noted that many rallies to bring back high school sports, under the banner of "Let Them Play," were scheduled for Friday.

Edison, Huntington Beach, Marina and Corona del Mar high schools were some of the locations where the rallies, organized

by parents, were scheduled to occur.

High school sports have not taken place since mid-March of 2020 due to the ongoing coronavirus pandemic. In July, the Southern Section announced a modified sports calendar for the 2020-21 school year.

"The conversations are a little more difficult right now, certainly with what we've seen the last few weeks, going backward

as significantly as we have," Wigod said. "With the stay-at-home orders and things like that, there are different conversations. Our hope is that we can see some things turning in the other direction."

Wigod said the Southern Section has been in contact with Gov. Gavin Newsom's office, as well as the California Depart-

See **Update**, page A2

Charges in 67 cases lowered

Evidence foul-ups lead the O.C. district attorney to drop or reduce charges against many defendants already convicted.

BY HANNAH FRY

Orange County Dist. Atty. Todd Spitzer reduced or dropped charges against 67 defendants — many of whom had already been convicted — after a series of audits revealed that sheriff's deputies booked evidence late or failed to book evidence completely, prosecutors announced this week.

The affected cases involve alleged battery, assault, drug possession and one incident in which a person was accused of smuggling a weapon into the county jail, according to the district attorney's office, which made the announcement on Wednesday. In 63 of the cases,

the defendants had already been convicted of the charges. In four, charges were dropped or reduced while the cases were still pending.

Spitzer's decision came after a series of lengthy reviews of thousands of Orange County Sheriff's Department cases in which deputies had potentially mishandled evidence.

The department's policy requires evidence to be booked by the end of each shift, but two internal audits found that deputies routinely booked evidence late or failed to book evidence at all despite having written in their reports that they had done so.

Sheriff Don Barnes said in a statement that his department took immediate measures to address the situation and implement safeguards to ensure it does not happen again. He added that the agency has "no tolerance for substandard performance or criminal behavior."

"Once this issue came to light, we determined the extent of violations, identified areas for improvement and held accountable those employees who were acting out of the scope of policy," Barnes said. "Randomized spot checks of booked evidence

See **Charges**, page A4

Hate crime, civil rights convictions overturned in attack on Black man

BY SARA CARDINE

A state appeals court has overturned a civil rights violation conviction and felony hate crime enhancement for a San Clemente man serving six years in prison for randomly attacking a Black grocery store worker in Laguna Beach in 2019.

Fernando Ramirez was 23 years old on June 15, 2019, when he entered a Whole Foods Market on Broadway Street and sucker-punched a 26-year-old employee who'd been on a lunch break, breaking the man's nose and severely damaging the victim's two front teeth, according to reports at the time of the incident.

Two witnesses saw the unprovoked attack and called 911 as Ramirez fled the scene. They followed Ramirez until police arrived and apprehended him,

according to the facts of the case outlined in a written opinion delivered Wednesday by the 4th District Court of Appeal.

Then-Laguna Beach police officer Randy Bitonti arrested the suspect and placed him in the backseat of his vehicle, where a video camera recorded a conversation between Ramirez and the officer.

During that conversation, Ramirez said the reason he attacked the victim — identified in court records by the initials M.R. — was, in part, because "M.R. was Black and he hated all Black people," the opinion states.

Ramirez inquired as to where he would be housed in jail and asked to be segregated, so he would not have to interact with Black detainees, according to

See **Attack**, page A4



Raul Roa | Staff Photographer

A COUPLE walks past Laguna Beach City Hall in October. The City Council voted to keep meetings virtual.

Laguna council meetings to stay virtual

BY LILLY NGUYEN

Meetings for the Laguna Beach City Council will continue virtually until Orange County is able to enter the third tier of the state's Blueprint for a Safer Economy framework, the council unanimously voted Tuesday.

The third tier, also known as the orange tier, requires new daily

case rates to drop between 1 and 3.9 cases for every 100,000 and for test positivity rates to be between 2% and 4.9%. The health equity quartile positivity rate must also fall between 2.2% and 5.2%.

At that time, staff will return with an update.

Orange County is currently in the purple tier, where it remains with much of the rest of Southern

California as cases continue to surge upward. The county was previously in the red, second-most restrictive tier until it was pushed back to purple in November.

Gov. Gavin Newsom likened it to pulling an emergency brake.

In Laguna Beach, data indicate

See **Laguna**, page A2

ALSO FROM THE DAILY PILOT

AROUND TOWN: LAGUNA BEACH LAUNCHES MATCHING GRANT PROGRAM FOR COVID-19 RELIEF dailypilot.com

THE DAILY COMMUTER PUZZLE

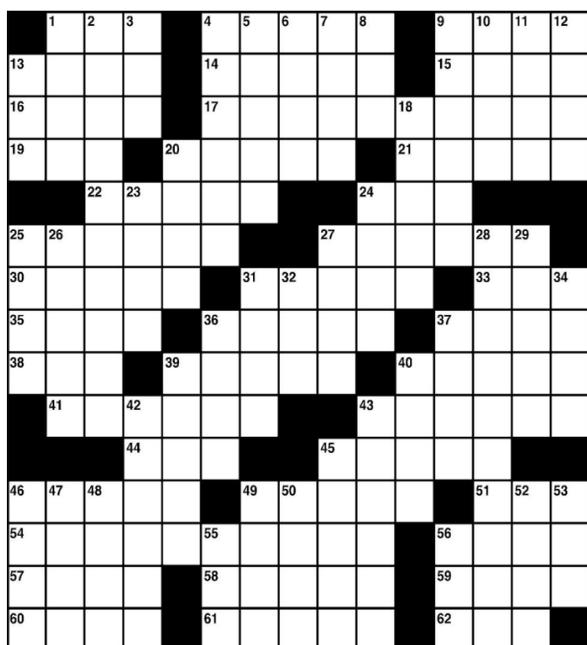
By Jacqueline E. Mathews

ACROSS

- 1 Can cover
- 4 Too heavy
- 9 Bridge crosser's fee
- 13 _ for oneself; go it alone
- 14 Advertising handout
- 15 "The Big One," to vets
- 16 Mantilla fabric
- 17 Short sleep
- 19 Family card game
- 20 " _ in Toyland"
- 21 Beginning
- 22 Dawns, for short
- 24 Furry friend
- 25 _ in on; visited unannounced
- 27 Most uncouth
- 30 Creek
- 31 Yellow Brick & others
- 33 Leave the single life
- 35 Claim against property
- 36 Picture cards
- 37 Man's nickname
- 38 "Thanks a _!"
- 39 Soupy of old TV
- 40 Beauty shop
- 41 Get comfy
- 43 Measly
- 44 Soil loosener
- 45 Hunter's weapon
- 46 Garden pest
- 49 Put on, as a play
- 51 Stadium cheer
- 54 Feeling sorry about
- 56 Favoritism
- 57 Long journey
- 58 Sidestep
- 59 Premed class
- 60 _ to; increases
- 61 Miles per hour
- 62 British cars

DOWN

- 1 Slender
- 2 Unfinished
- 3 Ike's initials
- 4 _ on; intermittently



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.

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

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

- 5 Drops of paint
- 6 Charlotte Brontë's "Jane _"
- 7 Beautician's offerings
- 8 Suffix for green or cream
- 9 Sudden stab of pain

- 10 _ up; admits guilt
- 11 Be fond of
- 12 Shopper's paper
- 13 Reason to take NyQuil
- 18 Tiger, for one
- 20 Writer _ Hart
- 23 Dentist's

- directive
- 24 Clothing
- 25 Aspirin or Advil
- 26 _ rings; fast-food side
- 27 Tattered cloths
- 28 Way too hot outside
- 29 Singing voice
- 31 Aggravate
- 32 _ of these days; eventually
- 34 Refuse to admit
- 36 Curly cabbage
- 37 Brazen boldness
- 39 Walked off with
- 40 Ump's cry
- 42 Disregards one's duty
- 43 _ out; binged
- 45 _ Rover; luxury SUV
- 46 Young lady of Spain; abbr.
- 47 Geek
- 48 Matured
- 49 Red street sign
- 50 Wave movement
- 52 Small batteries
- 53 FDR's successor
- 55 Steelers' goals, for short
- 56 Word from chef Emeril

Tribune Media Services



Screencap by Matt Szabo

CIF SOUTHERN Section Commissioner Rob Wigod addresses the Executive Council.

UPDATE

Continued from page A1

ment of Public Health, regarding its youth sports guidelines and the associated color tiers.

All but four of California's counties, including all of Southern California, are in the purple tier for reopening that indicates "widespread" risk.

The only Southern Section fall sport that currently can be played in the purple tier is cross-country, which could begin competing in a dual-meet format as soon as Jan. 25.

"What we asked for is not what we necessarily got," Wigod said. "There has been an ongoing dialogue."

Wigod said the factors in

Tuesday's announcement include if schools can have viable league play, as well as travel concerns among the seven counties in the Southern Section.

"If championships do have to be canceled, then what that does do is free up additional time for our schools to try to play games," he said. "We would run those seasons until the end dates that were there for championships."

GIRLS' BEACH VOLLEYBALL ENDORSED

The CIF Southern Section Executive Committee voted 22-0 at Thursday's meeting to endorse girls' beach volleyball as a Southern Section sport, beginning in 2021-22.

It would be a spring sport.

The recommendation moves on to membership schools to approve, before coming to a vote at the CIF Federated Council meeting on Feb. 4-5.

BASEBALL, SOFTBALL GAMES COULD BE CAPPED AT 28

By another unanimous vote, the Executive Committee voted to recommend that baseball and softball game numbers be capped at 28 for a season.

Tournament games would count toward that total.

The final vote on this item also comes in February.

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LAGUNA

Continued from page A1

there have been 628 cases in the city with less than five deaths recorded since the Orange County Health Care Agency began tracking data in March.

Laguna Beach has held its council meeting virtually through Zoom since April, initially discussing the possibility of resuming in-person meetings or to

allow for hybrid meetings that would allow for residents to enter council chambers to speak in person on items. Those discussions occurred in July and October.

The City Council also considered the possibility of holding in-person meetings for the council only, with staff and members of the public to participate by Zoom.

This option could include the installation of

plexiglass at a cost of about \$6,500.

Since April, city staff said that the council has held 20 meetings through Zoom and that participants have almost tripled as the community becomes more comfortable with the technology.

Meetings average 197 participants, including staff.

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PLAY

Continued from page A1

be allowed until at least Jan. 25, and even if it is allowed then, the sports that can compete will be subject to tiered designations.

In the CIF Southern Section, all of which is in the purple tier, only cross-country would be allowed to start among the fall sports.

Brayden Johnson, 18, a senior tight end and defensive end for the Edison football program, said he would be open to a shortened season if it meant they could get back on the field.

"It would be all right to have at least five games," Johnson said. "Since I was a little kid, me and my friends have always been talking about how our senior season is going to be, how we were all going to play together at Edison."

Chris Cervellone, 65, of Huntington Beach, has a son who plays football at Edison. He said he felt bad for the seniors because he feels their ability to get recruited is being inhibited.

He held up a sign that said, "Sports, not politics," with five American flags sticking from the top of it.

"I'm a devout American," Cervellone said. "I believe in all the laws that we have, but I believe that these restrictions are unrealistic."

The crowd was made up of mostly parents and stu-

dents, although Bradford and Sydne Betz of Huntington Beach came out in support as educators. Bradford, 59, said he is an eighth-grade science teacher in the Santa Ana Unified School District, and Sydne, 53, teaches in the Savanna School District.

The couple has had two graduates from Edison, but they said that they felt it was important for kids to be on campus for both their academic and social well-being.

At Huntington Beach High School, a few dozen people showed up with signs in hand, including healthy representation for the football program.

"We just wanted to show that to us, it's more than a game," Dylan Weber, a sophomore defensive lineman, said. "We love playing this game. It's what I eat, sleep and breathe."

Katie Wills, 45, of Huntington Beach asked why high school sports cannot be played in California when school-based athletics have resumed in other states.

"I've talked to friends of mine whose children are extremely depressed," Wills said. "They can't go out. They can't be with their friends. Their lives have stopped."

Orange County reported 82 new deaths due to COVID-19, the disease caused by the coronavirus, in updated numbers released by the Orange

County Health Care Agency on Friday.

That brings the total loss of life in the county as a result of the pandemic to 2,277.

The healthcare agency attributed Friday's high number of fatalities to delays in data transmission. There were also 3,158 new infections, bringing the cumulative case count to 205,911.

Hospitalizations because of the virus were at 2,101, with 534 of those patients being treated in intensive care units.

The county also reported 27,279 tests for the virus within the last day, which takes the total number of tests administered to 2,376,542.

About 50 parents and students gathered near Corona del Mar High School, organizing and picking up signs before heading to the corner of Jamboree and Ford roads. Many drivers honked their approval as they passed.

Jo Merriman, one of the organizers of the CDM rally, has had her sons J.J. and Trent affected by the sports stoppage. The stepbrothers are sophomores at CDM; J.J. plays baseball and wrestles, while Trent plays football.

"We're focused on getting kids back to their sports, whatever sport that may be," Jo Merriman said.

"They've been watching for months kids in other states do it and do it safely. We think that CIF and the

state need to figure it out. They needed to figure it out months ago, but we can't keep waiting. We have a lot of frustrated parents and even more frustrated kids."

David Razor is a sophomore quarterback for the CDM football team, and he showed up with many of his Sea Kings teammates. After splitting time between the freshman and varsity teams last season, he said he was hoping to make a mark on the varsity squad this year.

The first football games were originally scheduled for last weekend in CIF's modified schedule; the section will make an announcement on the status of its fall sports championships on Tuesday.

"We've had practices on and off," Razor said. "We've lacked a routine a bunch. We'll get in a groove and we'll start doing well, and then we'll have to take two weeks off due to COVID. It really messes with our progress as a team."

Newport Beach City

Council member Will O'Neill, who served as the city's mayor in 2020, was another "Let Them Play" supporter who showed up to support the rally. He held a sign that read, "Support kids' mental health."

"It's really important for them to be outside exercising for their physical health, and sports is important for their mental health," O'Neill said. "If you talk to any parents — and I've talked to a lot of them this year — there are a lot of kids suffering with mental health issues. I think it's really important for the kids to get back."

Though the coronavirus numbers continue to spike in Orange County, CDM parent Kirsten Daffron is hopeful that her sons Jack Harty, a senior cross-country runner, and Cameron Harty, a sophomore quarterback, will have a season.

Daffron said she knows that the majority of the states in the country have participated in high school

sports in the 2020-21 school year, though California has not.

"They're losing out," she said. "They're losing a year of their lives, and you'll never get that back. I'm fine with the masks, whatever, we'll do what we have to do, but are you kidding me?"

CDM senior wrestler Emilio Franco has tried to keep busy and in shape on his own. Franco, who was the first CDM boys' wrestler to advance to the CIF State Meet since 1979 as a junior, hopes for an encore.

He said he's been training three times a week with his club team in Tustin. He also won the USA Wrestling pre-season nationals meet in Des Moines, Iowa, last October, he said.

"No one has gotten COVID in the gym, and no one has family and friends that have gotten COVID," Franco said. "It feels like everything has stopped for no reason."

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Twitter: @ProfessorTurner

CROSSWORD AND SUDOKU ANSWERS

L	I	D	O	B	E	S	E	T	O	L	L		
F	E	N	D	F	L	Y	E	R	W	W	I		
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6	5	7	3	8	2	4	1	9
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5	4	3	8	2	7	6	9	1
2	7	8	9	6	1	5	3	4
1	6	9	4	3	5	8	7	2
7	8	1	2	5	6	9	4	3
4	2	6	7	9	3	1	5	8
3	9	5	1	4	8	2	6	7

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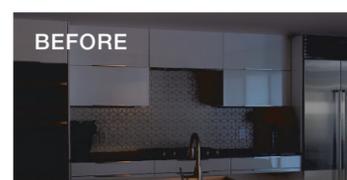
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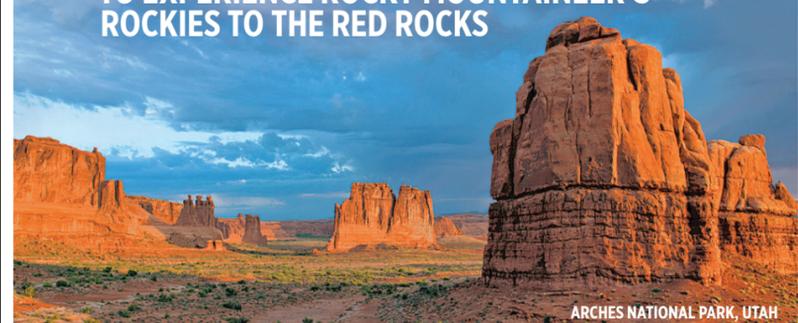


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CITY OF NEWPORT BEACH NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Thursday, January 28, 2021, at 10:00 a.m.** or soon thereafter as the matter shall be heard, a public hearing will be conducted online via Zoom. The Zoning Administrator of the City of Newport Beach will consider the following application:

Reynolds Residential Condominiums - A request for a tentative parcel map for two-unit condominium purposes. A duplex has been demolished and a new duplex is currently under construction pursuant to Zoning and Building Code requirements. The Tentative Parcel Map will allow each unit to be sold individually. No waivers of Title 19 (Subdivisions) are proposed.

The project is categorically exempt under Section 15315 of the State CEQA (California Environmental Quality Act) Guidelines - Class 15 (Minor Land Divisions).

All interested parties may appear and present testimony in regard to this application. If you challenge this project in court, you may be limited to raising only those issues you raised at the public hearing or in written correspondence delivered to the City, at, or prior to, the public hearing. Administrative procedures for appeals are provided in the Newport Beach Municipal Code Section 19.12.060 (Review of Tentative Parcel Maps). The application may be continued to a specific future meeting date, and if such an action occurs, additional public notice of the continuance will not be provided.

SPECIAL NOTICE REGARDING COVID-19

Given the Declaration of a State Emergency and Proclamation of Local Emergency related to COVID-19, we recommend that you submit your questions and comments in writing for the Zoning Administrator's consideration by sending them to the Community Development Department at CD@newportbeachca.gov. To give the Zoning Administrator adequate time to review your questions and comments, please submit your written comments by **Wednesday, January 27, 2021, at 12:00 p.m.** Please review the Zoning Administrator Agenda for participation instructions. The Agenda, staff report and corresponding documents will be posted to the City's website at www.newportbeachca.gov/zoningadministrator, by end of business day on **Friday, January 22, 2021**. The City of Newport Beach thanks you in advance for continuing to take precautions to prevent the spread of the COVID-19 virus. If you are unable to participate in the meeting via the process set forth in the agenda, please contact the Planning Division at 949-644-3200 or CD@newportbeachca.gov and our staff will attempt to accommodate you.

For questions regarding this public hearing item please contact Joselyn Perez, Assistant Planner, at 949-644-3312 or jperez@newportbeachca.gov, 100 Civic Center Drive, Newport Beach, CA 92660.

Project File No.: PA2020-185	Activity No.: NP2020-010
Zone: R-2 (Two-Unit Residential)	General Plan: RT (Two Unit Residential)
Location: 702 and 702 1/2 Poinsettia Avenue	Applicant: Forkert Engineering & Surveying, Inc.

AMENDED SUMMONS IN THE FIFTH JUDICIAL DISTRICT COURT OF THE COUNTY OF NYE, STATE OF NEVADA

CASE No.: CV20-0406
DEPT NO.: 2

NOTICE TO DEFENDANT:
THOMAS MARK SPURLOCK

YOU ARE BEING SUED BY PLAINTIFF:
ANTIONETTE NAOMI BELL

NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND IN WRITING WITHIN 21 DAYS. READ THE INFORMATION BELOW VERY CAREFULLY.

To the Defendant named above:
The Plaintiff has filed a civil complaint or petition against you. Read that document (or get a copy at the court listed below) to find out the specific relief requested. The subject of this case is a Complaint for Divorce.
If you want to defend this lawsuit, you must do all of the following within 21 days after this summons is served on you (not counting the day of service):
1. File a formal written answer to the complaint or petition with the Clerk of Court (whose address is listed below).
2. Pay the required filing fee to the court, or request a fee waiver by filing an Application to Proceed *In Forma Pauperis*.
3. Serve a copy of your answer on the attorney whose name and address is shown below. If you do not respond, Plaintiff can request a default against you. The court can then enter a judgment against you for the relief demanded in the complaint or petition.

The name and address of the court is:
FIFTH JUDICIAL DISTRICT COURT OF THE COUNTY OF NYE, STATE OF NEVADA
1520 E. Basin Rd.
Pahrump, NV 89060
The name, address, and telephone number of the plaintiff's attorney, or plaintiff without an attorney, is:
THOMAS J. GIBSON, ESQ.
Nye Legal, PLLC
1601 East Basin Ave., #302
Pahrump, Nevada 89060
Telephone: 775-209-1035
Facsimile: 775-624-9778
thomas@nyellegal.com

Date: 12/18/2020
B. Smith Deputy Clerk
1520 E. Basin Rd
Pahrump, NV 89060

Published in the DAILY PILOT
1/9, 1/16, 1/23, 1/30/2021



CITY OF NEWPORT BEACH PUBLIC NOTICE ORDINANCE SUMMARY

NOTICE IS HEREBY GIVEN that on **January 12, 2021**, the City Council of the City of Newport Beach, California, introduced an Ordinance entitled:

ORDINANCE NO. 2021-3

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, AMENDING TITLE 17.10 MARINE ACTIVITIES PERMITS OF TITLE 17 (HARBOR CODE) OF THE NEWPORT BEACH MUNICIPAL CODE AND OTHER RELATED PROVISIONS

The Ordinance, among other things, would revise Newport Beach Municipal Code Title 17.10 (Marine Activities Permit) and Title 1.05.020 (Authority and Administrative Citation Fines) related to businesses on the harbor.

This Ordinance was introduced by the City Council of the City of Newport Beach, California, at a regular meeting thereof on the 12th day of January, 2021, by the following vote:

- AYES: Mayor Brad Avery, Council Member Noah Blom, Council Member Joy Brenner, Council Member Diane Dixon, Council Member Will O'Neill
- NAYS: Mayor Pro Tem Kevin Muldoon
- RECUSED: Council Member Duffy Duffield

Second reading of Ordinance No. 2021-3 will occur at the January 26, 2021 City Council meeting. If adopted on January 26, 2021, the Ordinance shall become final and effective thirty (30) days after adoption.

Dated this 13th day of January, 2021.

/s/ Leilani I. Brown, City Clerk
City of Newport Beach

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NOTICE OF PETITION TO ADMINISTER ESTATE OF:

MAN SIK KIM AKA MANSIK KIM
CASE NO. 30-2021-01177974-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 MAN SIK KIM AKA MANSIK KIM. A PETITION FOR PROBATE has been filed by JAE HEE CHUNG in the Superior Court of California, County of ORANGE. THE PETITION FOR PROBATE requests that KI SUNG KIM 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 with limited authority. (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: 02/11/21 at 2:00PM in Dept. C06 located at 700 CIVIC CENTER DRIVE WEST, SANTA ANA, CA 92701

Notice of Public Cases

(1) If you plan to appear, you must attend the hearing by video remote using Microsoft Teams; (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
ERNEST J. KIM, ESQ. - SBN 181280, CATHERINE KIM, ESQ. - SBN 243811, LAW OFFICES OF ERNEST J. KIM
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LEGAL NOTICE



CITY OF NEWPORT BEACH NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Tuesday, January 26, 2021, at 4:00 p.m.** or soon thereafter as the matter shall be heard, a public hearing will be conducted in the City Council Chambers at 100 Civic Center Drive, Newport Beach. The City Council of the City of Newport Beach will consider the following application:
Short-Term Lodging on Newport Island LCP Amendment. Amendment to the Local Coastal Program Implementation Plan to update coastal zoning regulations prohibiting the issuance of new short-term lodging permits on any property located on Newport Island. Any existing short-term lodging unit located on Newport Island will be permitted to remain provided it is located on an owner-occupied parcel and managed by the owner of the owner-occupied unit within one-year of the effective date of the ordinance adopting the amendment.

The LCP Amendment is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 21065 of CEQA and State CEQA Guidelines Sections 15060 (c)(2), 15060 (c)(3), and 15378. The proposed action is also exempt pursuant to State CEQA Guidelines Section 15061(b)(3) because it has no potential to have a significant effect on the environment.
NOTICE IS HEREBY FURTHER GIVEN that on December 3, 2020, by a vote of 6-1, the Planning Commission of the City of Newport Beach recommended that the City Council deny the LCP Amendment.

All interested parties may appear and present testimony in regard to this application. If you challenge this project in court, you may be limited to raising only those issues you raised at the public hearing or in written correspondence delivered to the City, at, or prior to, the public hearing. Administrative procedures for appeals are provided in the Newport Beach Municipal Code Chapter 21.64. The application may be continued to a specific future meeting date, and if such an action occurs additional public notice of the continuance will not be provided. Prior to the public hearing the agenda, staff report, and documents may be reviewed at the City Clerk's Office, 100 Civic Center Drive, Newport Beach, California, 92660 or at the City of Newport Beach website at www.newportbeachca.gov. Individuals not able to attend the meeting may contact the Planning Division or access the City's website after the meeting to review the action on this application.

SPECIAL NOTICE REGARDING COVID-19
Given the Declaration of a State Emergency and Proclamation of Local Emergency related to COVID-19, we recommend that you submit your questions and comments in writing for City Council consideration by sending them to cityclerk@newportbeachca.gov. To give the City Council adequate time to review your questions and comments, please submit your written comments by **Monday, January 25, 2021, at 5:00 p.m.** In addition, members of the public will have the ability to participate in this meeting telephonically. Please review the Agenda for further instructions. The Agenda, staff report and corresponding documents will be posted to the City's website at www.newportbeachca.gov, by end of business day on **Friday, January 22, 2021**. While the City does not expect there to be any changes to the above process for participating in this meeting, if there is a change, the City will post the information as soon as possible to the City's website. The City of Newport Beach thanks you in advance for continuing to take precautions to prevent the spread of the COVID-19 virus. If you are unable to participate in the meeting via the process set forth in the agenda, please contact the City Clerk at 949-644-3005 or cityclerk@newportbeachca.gov and our staff will attempt to accommodate you.

For questions regarding this public hearing item please contact Jaime Murillo, Principal Planner, at 949-644-3209 or jmurillo@newportbeachca.gov, 100 Civic Center Drive, Newport Beach, CA.

Project File No.: PA2020-326	Activity No.: LC2020-008
Zone: Two-Unit Residential (R-2)	General Plan: Two Unit Residential (RT)
Coastal Land Use Plan: Two-Unit Residential (R-2)	
FILING DATE: October 13, 2020	
Location: Newport Island	Applicant: City of Newport Beach

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

LEGAL NOTICE



City of Newport Beach Notice of Funding Availability (NOFA) Inviting Applications for the Community Development Block Grant (CDBG) Program for Fiscal Year 2021-2022

APPLICATIONS DUE FEBRUARY 19, 2021

The Federal Housing and Community Development Act of 1974, as amended, provides Community Development Block Grant (CDBG) funds to the City of Newport Beach for projects that promote the development of viable urban communities by providing decent housing, suitable living environments, and expanded economic opportunities, particularly for low- and moderate-income persons. The City anticipates receiving an allocation of approximately \$372,775 and may use up to 15 percent of the allocation to provide public services.

NOTICE IS HEREBY GIVEN that the City of Newport Beach is currently accepting applications from non-profit organizations requesting funds to provide public services to low- and moderate-income residents. Prioritization will be given to organizations that demonstrate the capacity to implement the program in accordance with the requirements established by the United States Department of Housing and Urban Development (HUD), and whose services will help revitalize neighborhoods, promote economic development, and improve community facilities and services in Newport Beach. Additional information about the City's prior years' strategic plans and performance reports are available for viewing online at: <http://www.newportbeachca.gov/CDBGreports>.

ELIGIBLE APPLICATIONS: Applications must demonstrate that the service to be provided will principally benefit persons of low- and moderate-income (households earning less than 80 percent of Orange County's median income). Examples of eligible services include housing and/or support programs for victims of domestic violence, abused children/youth, the disabled, seniors, or the homeless. Additionally, services addressing unemployment, inadequate healthcare, crime prevention, or substance abuse rehabilitation are eligible. Again, all programs must benefit persons of low- and moderate-incomes. Applications will also be accepted from organizations seeking to provide fair housing and landlord-tenant services in accordance with HUD requirements.

DEADLINE: All interested applicants must complete and submit an application, available at <http://www.newportbeachca.gov/CDBGapplication>. Applications will be accepted until **2:00 p.m. on Friday, February 19, 2021**, via email at lwooding@newportbeachca.gov. If and when the State of California's stay-at-home order is lifted, and City of Newport Beach City Hall is reopened, applications can be submitted to the Community Development Department located at 100 Civic Center Drive, Newport Beach, CA 92660.

Questions regarding this NOFA should be directed to Priscila Dávila, CDBG Consultant at 562-673-3388.

ATTACK

Continued from page A1

court records. He further intimated he might otherwise "do something stupid."

Ramirez used several expletives and racial slurs throughout the conversation, according to Bitonti's testimony in court, and said Black people, including M.R., had repeatedly used racial epithets against him as a Latino.

In October 2019, a jury convicted Ramirez on one felony count of battery causing serious bodily injury with a hate crime enhancement and one misdemeanor count of violating another's civil rights by force. He was sentenced in January 2020 to serve six years in a state prison and ordered to pay restitution, court records indicate.

"Hate does not belong anywhere, but hate crimes are on the rise in Orange County and it cannot and will not be tolerated," Orange County Dist. Atty. Todd Spitzer said in a statement following Ramirez's sentencing.

Defense attorneys later appealed the hate crime enhancement and civil rights conviction on the grounds the conversation between Ramirez and Bitonti took place after Ramirez had invoked his Miranda rights and requested an attorney.

In the court's opinion, Ramirez was neither re-Mirandized nor asked to waive his rights to have an attorney present.

"The People must show both that the defendant re-

initiated discussions and that he knowingly and intelligently waived the right he had invoked," the opinion states. "If instead police reinitiate discussion without a break in custody, any further statements by the defendant are presumed involuntary and rendered inadmissible."

Judges further ruled if Ramirez's limited inquiry about jail housing sufficed as a waiver of his previously invoked rights, "the opportunities for officers to avoid the constraints of Miranda rules would be too great."

Because the backseat conversation was the only evidence the attack against M.R. was racially motivated and an essential reason for the jury's finding on the hate crime enhancement and civil rights conviction, the court ruled those convictions be reversed and the associated sentences vacated.

Ramirez has so far served one year of his six-year sentence, which court records show included four years for the felony battery conviction and a consecutive two-year term for the hate crime enhancement. The misdemeanor charge earned Ramirez a concurrent six-month prison term.

Kimberly Edds, a spokeswoman for the district attorney's office, confirmed Friday prosecutors were reviewing the court's decision and determining whether to retry Ramirez on the two overturned convictions.

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CHARGES

Continued from page A1

are being conducted regularly, and have confirmed that the new policy and procedures are being followed."

Unsatisfied with the scope of the initial two audits, Spitzer ordered a third audit, in which a joint team of Sheriff's Department and district attorney's office investigators reviewed 22,289 cases that had resulted in convictions over a three-year period, ending in March 2018. Ultimately, the team determined that more than two dozen of the cases reviewed merited a dismissal or reduction in charges, according to a district attorney's office report.

"The D.A.'s office will continue to review cases and provide notice to the defense when appropriate to ensure that defendants' due process rights are protected, but because of remedial action [the Sheriff's Department] has taken to address evidence booking deficiencies, there should be few, if any, negatively impacted cases in the future," the report states.

Prosecutors have also reviewed potential criminal charges against 31 deputies as part of the probe.

Spitzer had initially declined to charge any deputies but later reversed course and said he had not realized the scope of the alleged misconduct. Sixteen deputies have been added to the Brady Notification System, which

tracks law enforcement personnel with a history of dishonesty or misconduct. Three have faced criminal charges as part of the scandal and 14 could still be charged, according to the report.

Two former deputies — Joseph Anthony Atkinson Jr. and Bryce Richmond Simpson — have both pleaded guilty to one count of willful omission to perform their duties.

Each was sentenced to one year of probation. A third deputy, Edwin Mora, was indicted with a felony over the summer for allegedly filing a false police report about evidence. He is scheduled to appear in court for a pretrial hearing in February.

Orange County Assistant Public Defender Scott Sanders, who has revealed significant details about the scandal in court filings over the last year, said the situation is "far from a success story of a rapid response addressing systematic misconduct."

"We weren't going to learn any of this, and there certainly was no intent to inform us about the massive scope of false reporting and failures to book evidence," he said. "We obtained the audit through a source and it then became public, more than a year after the massive scope of the problem was understood by the OCSA. That's why action was taken. And the real work is just beginning."

HANNAH FRY is a staff writer with the Los Angeles Times.

Daily Pilot

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

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

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