

Daily Pilot

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Litigants to split \$95M as oil suit settles

Judge OKs settlement of class action suit arising from the 2021 spill that forced Pacific Airshow to shut down early.

BY PAUL ANDERSON

A federal judge in Santa Ana this week signed off on \$95 million to settle all of the claims in class-action litigation involving the pipeline oil leak that gushed thousands of gallons of crude into the ocean off Huntington Beach in 2021, but it only happened after working through a hitch.

U.S. District Judge David O. Carter ordered all of the attorneys involved in the litigation with Amplify Energy to hammer out an agreement Thursday on a \$2-million claim from the organizers of the annual Pacific Airshow, which was curtailed due to the oil leak in 2021.

Carter ultimately ruled that the Pacific Airshow was a member of the class and would have a claim to about \$1.9 million, but the payout could be less depending on how the funds are allocated, said attorney Wylie Aitken, who represents the plaintiffs. The attorney for the air show, Dan Robinson, indicated the company may seek to opt out of the class-action, presumably so it can pursue a potentially more lucrative lawsuit on its own against Amplify Energy.

"On behalf of myself and my

See *Suit*, page A3

ALSO FROM THE DAILY PILOT:



James Carbone

HUNTINGTON BEACH RETAINS VICTORY TROPHY PAGE A7



Spencer Grant

THE NEWPORT BEACH City Council breaks ground for the Newport Bay Trash Interceptor. From left to right: Councilmen Brad Avery and Joe Stapleton, Mayor Noah Blom, Mayor Pro Tem Will O'Neill, Councilwomen Lauren Kleiman and Robyn Grant and Councilman Erik Weigand.

Interceptor to help clean bay

City officials celebrated the 9-year effort to establish a trash-collecting wheel in Newport Bay with a groundbreaking ceremony Friday afternoon.

BY LILLY NGUYEN

On what was an otherwise overcast Friday afternoon, the groundbreaking ceremony for the Newport Bay Trash Interceptor — a proj-

ect that city officials noted has so far taken nine years of effort — was a bright spot on San Diego Creek.

The Newport Bay Trash Interceptor is a \$5.5-million structure that aims to help clear the trash moving downstream from San Diego Creek before the water flows into Newport Bay. City staff estimates the amount of trash that flows down the creek and into Upper Newport Bay ranges from 100 to 500 tons a year.

With two booms that span the width of the

creek, the interceptor will funnel trash onto a stationary barge mounted with a 17-foot-tall wheel. A conveyor belt will move the trash into two dumpsters mounted onto a fixed rail system that will then transport it onshore for disposal.

Public works director Dave Webb said this specific part of engineering makes the Newport Bay Trash Interceptor unique from ones in Los Angeles and from those in Baltimore,

See *Clean*, page A5

Surf City council hears public input on charter changes

BY MATT SZABO

The Huntington Beach City Council has four special meetings scheduled to get feedback on possible charter amendments that could go on the ballot next March.

Many who showed up at the first meeting Thursday night questioned whether a change to the charter, which hasn't happened since 2010, should occur in the first place.

Thirty-three of the 39 public speakers at the meeting said they were against any charter amendments, though a few said that they supported an amend-

ment to further localize control of elections and require a show of identification when voting.

Huntington Beach resident Harry McLachlan asked the council to reject a nationwide effort "to instill fear and doubt into the security and legitimacy of our voting process," calling a charter amendment that would give more election control to the city "a solution to a problem that doesn't exist."

"As a poll worker during our elections, I know first-hand that this is pure baloney based on falsehoods and misinformation-

See *Charter*, page A2

Keller nominated to U.N. General Assembly

BY ANDREW TURNER

Laguna Beach resident Janet Keller was among a list of five nominees selected to represent the United States in the 78th



Janet Keller

session of the United Nations General Assembly. President Joe Biden announced the nominees earlier this month. Keller joins a group of nominees that includes Democratic Rep. Barbara Lee (CA-12), Republican Rep. French Hill (AR-2), Calvin Smyre and Jeffrey Worth.

"I am deeply honored that President Biden nominated me to serve in this role for the 78th session of the U.N. General Assembly," Keller said in a statement.

"I look forward to continuing critical work on the global stage on behalf of the United States, including a focus on young women, human trafficking and LGBTQ+ rights," Keller added.

Keller has more than 30 years of experience in politics and public policy at the local, state and federal level. Keller Consultants, a firm she founded in 1990, provides counsel to candidates, campaigns and private clients to advance their politi-

See *Keller*, page A3



Don Leach | Staff Photographer

JACOB AVILA, cinematographer, and **Lucy Hunter**, director and writer of "You Should Be Dead" stand at Serrano Creek Park in Lake Forest, where they shoot scenes in the series.

Newport teen makes directorial debut with 'You Should Be Dead'

BY LILLY NGUYEN

When Orange County School of the Arts freshman Lucy Hunter first posted on her Instagram about a short film she needed to produce for a class assignment last December, she had no idea just how far her project was going to go.

Hunter, 15, said she was tasked with writing, directing and editing a complete dream sequence for a final. The Newport Beach native said she'd long worked on a project for three years and opted to take a short selection from those scripts for the proj-

ect. After gathering a handful of actors and crew, they produced what would later spin off into the first two episodes of "You Should Be Dead," a Youtube-hosted show written and directed by Hunter.

The first episode premiered online in June and was screened at Newport Theater.

"You Should Be Dead" is a series that takes place in 1990 and focuses on Brianna Miller, a teenager who is learning to cope with the recent death of her best friend, Shelby Monroe. Shelby is said to have died by suicide, but after a fateful turn of events,

Brianna comes to realize that might not be the case after all when she steps into an alternate universe. The show focuses on teens coping with their own losses and grief, with "You Should Be Dead" inspired by the loss of Hunter's own father. She said she started writing when she was 12.

That script has now been completed and amounts to a whopping 44 episodes across four seasons. The second episode has been filmed, and will premier online on Sept. 22, though any

See *Debut*, page A5



NEWPORT BEACH 10.12-10.19
FILM FEST

CHARTER

Continued from page A1

tion," McLachlan said. "The Orange County Registrar of Voters is a national model for how the voting process should be carried out. Other states actually send their voting officials here, to learn how to improve their own procedures. Please explain to our citizens why this current Republican council majority wishes to exert any measure of local control over a county election model that currently functions quite well without additional local interference."

By contrast, Rick Brown was one of the few residents who spoke out in favor of voter ID.

"When you go to the bank, you go to the airport, you go on a cruise ship, you're showing your ID," Brown said. "There's a reason for that. We need to understand who's who in the United States when we're going places, and especially when we're voting. That's a fundamental right."

The council, minus absent Councilman Pat Burns, did not do much talking at Thursday night's meeting, which lasted two hours and featured strictly public comments and a short PowerPoint presentation made by city staff. Residents were allowed 90 seconds per person both before and after the presentation to speak.

The agenda item and the PowerPoint presentation both indicated that the City Council would begin discussing possible charter amendments Thursday. But Mayor Tony Strickland said that was an error, and the first special meeting was to be strictly a listening session.

"I came to discuss charter amendments," Councilman Dan Kalmick responded. "Are you ready to go home? I got child care tonight to come down and work here ... You're wasting the public's time if we're not able to deliberate



File Photo

ORANGE COUNTY Elections workers swap out one empty bin with another at the ballot drop box located at 5 Points Plaza in Huntington Beach in 2021.

and discuss what folks said tonight, while it's fresh."

Strickland said the structure was to get input this week and next week, before discussing the ideas starting next week.

"That's what we're going to be doing," he said. "Tonight was a listening session."

Strickland clarified in a phone interview Friday that the mayor is responsible for setting the agenda, which is then published by the city clerk.

"For a normal meeting, we do a mayor's agenda review to discuss what's on the items," he said. "There was no mayor's review of the agenda for this [special] meeting, but I had an extensive meeting with [City Manager] Al [Zelinka], and [Councilman] Casey [McKeon] was in the meeting. We discussed exactly the parameters that we would do in the next four weeks. Somehow, there was a miscommunication from the city manager to the city clerk."

Strickland told Kalmick during the meeting he could appeal the ruling of the chair. Instead, Kalmick brought a motion to adjourn all charter discussion and remove charter revisions from the agenda completely, unless a charter review commission is formally called that has members of the community.

The motion failed 3-3 with a majority needed. Kalmick and Councilwomen Natalie Moser and Rhonda Bolton voted for, and Strickland, Mayor Pro Tem Gracey Van Der Mark and McKeon voted against.

Predictably, some residents were upset about the change from the published agenda.

"It was there, it was written, it was publicized, and then the mayor says there was a misunderstanding?" Jeanne Farens said. "I'm sorry, there was no misunderstanding. I, for one, feel insulted, and I think others feel insulted too. You really want our input? You can't convince me from what happened tonight."

A regular Huntington Beach City Council meeting is scheduled for Tuesday. The special council meetings related to charter amendments then continue Thursday, with proposed language for council-identified amendments set to be drafted. The third meeting, on Sept. 28, will feature the first votes on what to move forward.

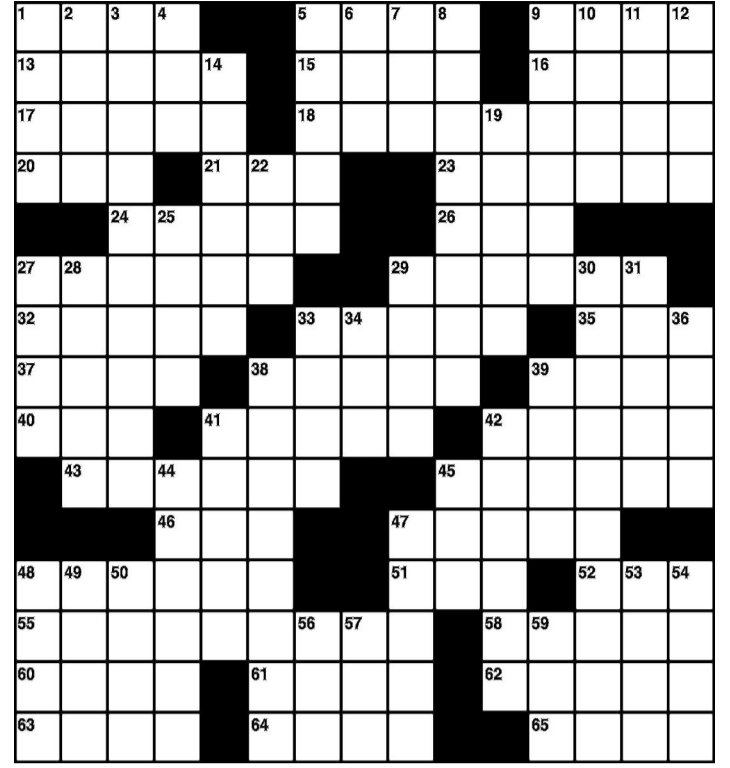
"[The public will] have the opportunity to bring up their ideas again in the next meeting," Strickland said Friday. "Hopefully, some folks, if they do have suggestions, they will bring their suggestions forward."

matthewszabo@latimes.com
Twitter: @mjszabo

THE DAILY COMMUTER PUZZLE

By Jacqueline E. Mathews

- ACROSS**
 1 Luge vehicle
 5 Exchange
 9 False front
 13 Payments to Uncle Sam
 15 Cry loudly
 16 Wanderer
 17 Senseless
 18 Sticky-tongued animal
 20 Country streets: abbr.
 21 Constant noise
 23 Lurch out of control
 24 Tennyson & Eliot
 26 Fore and _
 27 Gathers fleece
 29 Bing _
 32 Fringe benefits, familiarly
 33 Air freshener
 35 Falling-out
 37 "Woe is me!"
 38 Ship "spines"
 39 Baking _; cookie recipe ingredient
 40 "Are we there _?"
 41 Epitome of slowness
 42 Might
 43 Fruit juice
 45 In a cruel way
 46 Sever
 47 NFL team
 48 Fire escape route
 51 BPOE member
 52 Man behind the catcher
 55 Heartbeat regulator
 58 Candice Bergen's dad
 60 _ house; school event
 61 Australian export
 62 Singer Ross
 63 SAT, for one
 64 Windy day toy
 65 Author Zane



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.

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

For answers to the crossword and Sudoku puzzles, see page A7.

DOWN

- 1 Recipe verb
 2 Terra firma
 3 Enrage
 4 Guest bedroom, perhaps
 5 "seven _ a-swimming, six geese"

- 6 1914-18 event
 7 Shoot carefully
 8 Posters
 9 Jerseys
 10 Opening
 11 Suffix for avoid or laugh
 12 Earth orbiter
 14 Passover meals

- 19 Actor Willem
 22 "Don't judge a book by _ cover"
 25 Official national U.S. trees
 27 ASPCA's advice
 28 Beautiful woman of Troy
 29 _ on; visit
 30 Oatmeal sweetener
 31 Alpine goatherd's song
 33 Equipment
 34 Luau souvenir
 36 Cautious
 38 Hiker's carryall
 39 Zoom skyward
 41 Weather forecast
 42 Reached a high point
 44 Customer
 45 Singer Tormé
 47 Comedian Milton
 48 Blemish
 49 Sticky strip
 50 King toppers
 53 Lion's locks
 54 Priest's advice
 56 Backyard pond fish
 57 "Please Don't _ the Daisies"
 59 Use a spade

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AROUND TOWN

Newport Harbor Alumni Assn. to host annual event Sept. 29

The Newport Harbor High School Alumni Foundation is hosting its third annual homecoming tailgate and game gathering on Sept. 29, starting at 5 p.m. It will be held at the Environmental Nature Center next door to the field. Kick-off for the game is expected to begin at 7 p.m.

The foundation will also be holding a tribute for 50 years of the John Gust Football Award, named after John Gust — Class of 1974 — who was killed in an auto incident after a skiing trip.

All Gust Award winners, as well as John Gust's family, friends and teammates will meet at Davidson Field at 4:45 p.m. for a group photo. For more information or to purchase tickets, visit newportharboralumni.org/tailgate.

Early bird pricing places tickets at \$75 for adults, \$40 for children and students — those ages 20 and under.

Prices will hold until Sept. 17. Cost for tickets at the door will be \$90 to \$100 for adults and \$45 to \$50 for children and students. Tickets include game entry, soft drinks, food provided by TK Burgers and alcohol for adults.

Sponsorships and proceeds



Courtesy of the Newport Harbor High School Alumni Assn.

NEWPORT HARBOR alumni gather for the 2022 Homecoming Tailgate event.

from ticket sales will be going toward the association's scholarship program. More than \$100,000 has been awarded in the last six years.

'A Great Day in the Stoke' set for today in Huntington Beach

The second annual "A Great Day in the Stoke" event will happen all day today in Huntington Beach, celebrating surf, culture and community.

The event brings together the largest gathering of Black surfers, and features competition heats starting at 7:30 a.m. at the pier. It was created last year to have a safe space for Black surfers to connect and compete in a contest.

There will also be free surf lessons, plus a beach yoga session led by Walk Good LA and a vendor market.

The awards ceremony will take place in the afternoon, featuring music and a celebration of life.

Huntington Beach celebrates Blessing of the Waves on Sunday

The Huntington Beach Greater Interfaith Council presents the annual Blessing of the Waves ceremony on Sunday, Sept. 17, at 6 p.m. at Pier Plaza.

Community leaders will gather to celebrate life through music and reflection, with a paddle-out scheduled at the conclusion of the ceremony and taking to the water. Other local and regional leaders will speak, reflect and pray at the event.

All are invited to participate.

Surf City 10 takes off Sunday, Sept. 17

The Surf City 10 race will take

place on Sunday morning, with both the start and finish lines at Pier Plaza.

The 10-mile race starts at 6:30 a.m., followed by the 10K at 7 a.m. and a 5K at 7:30 a.m.

In conjunction with the race, the following streets will be closed to traffic between 4 a.m. and 11 a.m.: Pacific Coast Highway between Warner Avenue and Beach Boulevard; Twin Dolphin between Pacific View and PCH; Main Street between Walnut and PCH; Goldenwest between Orange and PCH; and Seapoint between Palm and PCH.

CdM Residents Assn. to hold meeting on disaster preparedness

The Corona del Mar Residents Assn. will hold a meeting on Sept. 21 at 7:30 a.m. to discuss family and home preparedness with the Newport Beach Fire Department.

Additionally, Councilwoman Lauren Kleiman and Mayor Pro Tem Will O'Neill will give updates on the city along with the Newport Beach Police Department's Lt. Vincelet, who will talk on public safety.

The meeting will be held at the OASIS Senior Center in Room No. 2. To RSVP, visit cdmra.org.

— From staff reports

KELLER

Continued from page A1

cal and philanthropic interests.

A University of San Diego graduate, Keller earned a bachelor's degree in political science.

Keller's public service includes a six-year term as a member of the California Regional Water Quality Control Board, a position she was appointed to by Gov. Gray Davis in 2000. She was a member of the President's Committee on the Arts and the Humanities during former President Barack Obama's second term.

In recent years, Keller has been active in advocacy efforts for survivors of institutional abuse. She has worked with survivors of Larry Nassar, the disgraced sports doctor who was convicted of sexually abusing Olympic and college athletes.

The United Nations General Assembly opened on Sept. 5, with the first high-level general debate scheduled for Tuesday.

andrew.turner@latimes.com

Twitter: @AndrewTurnerTCN

SUIT

Continued from page A1

co-counsel, we're delighted the matter has been resolved," Aitken told City News Service. "[Carter] was complimentary to us as lawyers in terms of how quickly we resolved the matter and how fairly we resolved it and the amount of money we obtained for the citizens of Orange County."

Aitken praised Carter, "who devoted so many hours to this case," to steer it clear of years of litigation.

Amplify's attorneys wanted to put off the issue with the Pacific Airshow until Oct. 14, so they could do more research on the issue of whether the air show's organizers should get a slice of the settlement earmarked for tourism

businesses. The attorneys for the plaintiffs, however, said the matter was decided in an administrative hearing to deny the claim and that it was up to Carter to decide if the air show company should be included in the class.

The plaintiffs say any more delays hurt the claimants because it could hold up the payments to them. Amplify's attorneys argued that putting the matter over to Oct. 14 would not delay the process of getting the checks out.

"Well, we're all here," Carter told the attorneys. "The special master is gathering ... I don't mean to inconvenience any of you, but why not work through it today [Thursday]. ... We're going to be one big happy family."

Carter praised the overall settlements with Amplify

and the shipping companies that damaged the pipeline.

"Getting \$95 million back to the public so quickly is beneficial," Carter said, adding it was much better than the anticipated seven years of litigation if it went to trial.

He especially appreciated how the attorneys worked out a way to get money to the waterfront tourism class when there were scant claims filed.

"You got more money to the class and cut your costs," Carter said.

At issue with the Pacific Airshow was whether it should be considered a member of the class when its officers were not necessarily in the area of the oil spill but staging a show there.

Carter signed off on \$50 million in the settlement

agreements with Amplify Energy in April, but the \$45-million agreement with the vessel companies — the MSC Danit and M/V Beijing — was pending until Thursday. The air show claim, however, would be part of the \$50-million agreement.

The Pacific Airshow, which had to cancel its last day due to the oil spill in 2021, has already received \$6 million from Huntington Beach, the attorneys said.

Last year, Amplify Energy settled criminal cases in state and federal court and agreed to pay fines.

The company agreed in federal court to pay a \$7.1-million fine and \$5.8 million to reimburse the U.S. Coast Guard for expenses from the October 2021 spill and also agreed to pay \$4.9 million in fines to resolve a misdemeanor complaint in

state court.

The pipeline, which is used to carry crude oil from several offshore drilling platforms to a processing plant in Long Beach, began leaking the afternoon of Oct. 1, 2021, but oil continued to pump through the line until the following morning, authorities said last year.

All told, about 25,000 gallons of oil seeped into the ocean from the ruptured 16-inch pipeline, which is submerged about 4.7 miles west of Huntington Beach. The leak forced the cancellation of the popular airshow, which was underway when the spill was detected. Beaches were closed up and down the Orange County coast as crews worked to contain the crude oil.

Federal investigators have said the pipeline ap-

peared to have been damaged by a ship's anchor, likely belonging to one of dozens of cargo ships that were backlogged over a period of months outside the Los Angeles-Long Beach port complex.

More than a dozen companies doing business in the region sued Amplify Energy Corp. for damages resulting from the spill.

Fishing resumed in late November 2021 along the Orange County coast, following a two-month shutdown of fisheries due to the spill. The fishing ban encircled 650 square miles of marine waters and about 45 miles of shoreline, including all bays and harbors from Seal Beach to San Onofre State Beach, officials said.

Paul Anderson writes for City News Service.

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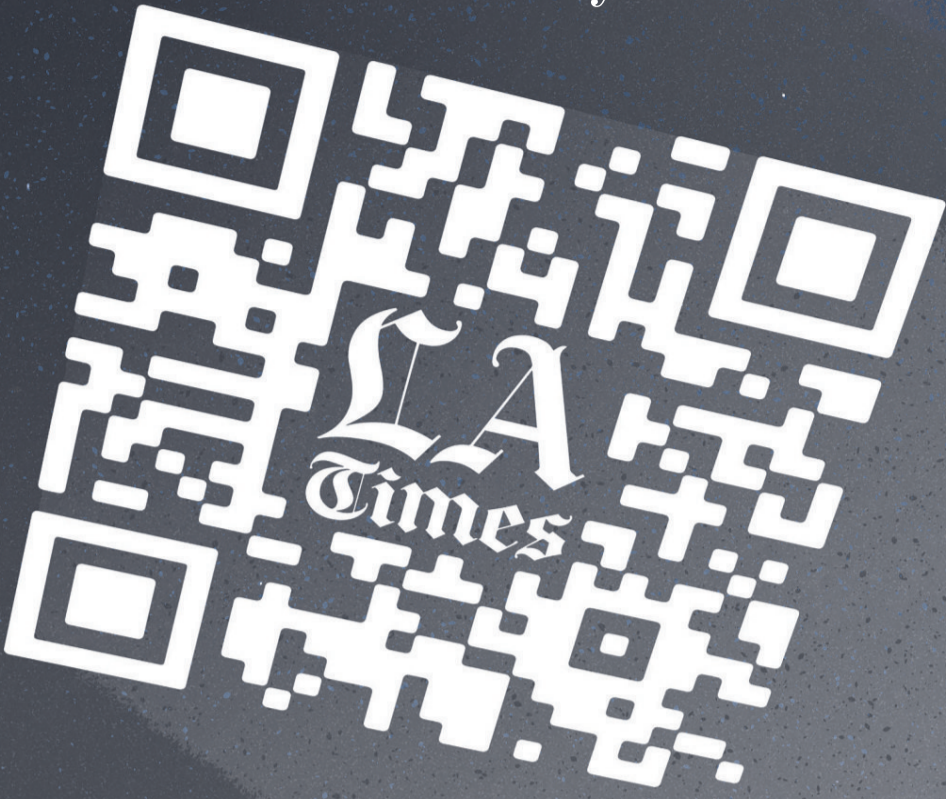
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THE ENVELOPE

Go beyond the red carpet.



DEBUT

Continued from page A1

further production will be stayed for the time being until the conclusion of the SAG-AFTRA and Writers Guild of America strikes.

"After I did the initial premiere in June, I never had the intention to produce it professionally because that's a very rare occurrence for anyone in the film industry. I'm 15. I turn 16 next week. After the premiere, I actually ended up having a couple of indie film companies that reach out that are not [being struck] saying, 'We're really interested in this,' and the general was consensus was that, 'We see you can make the first episode. We want to see if you can do it again,'" Hunter said.

Her production crew and cast are mostly other students from OCSA. The team films typically in and around Santa Ana, though they take to filming at Serrano Creek Park in Lake Forest for sections of the show that take place in the woods.

Freshman Sophia Zavala, who plays Brianna's



Don Leach | Staff Photographer

LUCY HUNTER, a 15-year-old director and writer from Newport Beach, right, stands with cast and crew from her show, "You Should Be Dead" in Serrano Creek Park.

other best friend, Paige Walker, describes "You Should Be Dead" as a "conundrum of esoterica."

"It's this incredibly crazy artistic idea of this other-worldly dimension that, as

well as it is fantasy, describes what it is like to be a teenager and everyone deals with all of these problems. They're amplified because of the circumstances of the story, but

they're incredibly fascinating. It's incredibly artistic, stylized and [Hunter] has such a vision that she's collaborated with our cinematographer, [Jacob Avila]. That this was done

by 14- to 15-year-old kids is amazing," said Zavala, 14.

Zavala is an originating cast member for her role and said she wants to stick with the show for as long as she can. Working on it, she said, has only stressed the importance of having a supportive cast and crew, especially in emotional scenes.

Kate McCollum-Vanhooear, a sophomore who plays the lead, Brianna, said she had no way of knowing how intensive the project was going to get when she signed on in December but that she was fully on board when Hunter decided to expand it.

"It's really about [Hunter]," McCollum-Vanhooear said. "It's been her dream since she was 12. The whole cast is interested in making [the show] a reality. We all, obviously, want her to get what she wants, and we all have our own intentions with 'You Should Be Dead.' We just hope it goes somewhere. I think the message is that, this hasn't really been in any of the episodes yet, but one of my favorite things that the show talks about is ... [to] love those

who think they're unlove-able."

The first episode is largely introductory, but both Zavala and McCollum-Vanhooear agreed that the second episode builds on it by really starting to explore more of their personalities and the ideas of other dimensions that it touches on. Zavala added that the show also focuses on ensuring that grief does not overtake people's lives.

Hunter said her priority with "You Should Be Dead" was creating a show around teenagers that places a heavy emphasis on emotion, even as it dabbled in science fiction and horror as genres. She said she felt some horror films and shows focus too heavily on the gore and guts, which takes away from "these characters that are dealing with things and looking for answers and it makes it really human."

The hope, Hunter said, is that they will be able to continue pitching it and to get represented so that the show can be produced professionally.

lilly.nguyen@latimes.com
Twitter: @lilibirds

CLEAN

Continued from page A1

where the idea originated, because, due to site constraints, it does not make use of boats.

In July, the Newport Beach City Council approved a \$4-million construction contract to Breabased Jilk Heavy Construction.

Official talks for the "trash wheel" started in 2017, but former Newport Beach Councilwoman and current state Assemblywoman Diane Dixon noted that the conversation went back way before that in her remarks during Friday's ceremony.

"When I was elected to the City Council in 2014, I was named chair of the Water Quality and Tidelands

Committee and I said, 'OK, what are we focused on?' and it was really the Back Bay, the Upper Back Bay and water quality ... [Pat Fuscoe] was a member of the water quality committee when I was chair and one day, he brought in a picture of this water wheel in the city of Baltimore ... and he told me, told the committee, told staff, 'We've got to get something like this. We have to look into this. This is very innovative,'" Dixon recalled.

Dixon said she was then succeeded by former Councilman Marshall "Duffy" Duffield, who helped bring the conversation to the dais in 2017.

"Never in my wildest dreams did I think that the water wheel project would follow me to Sacramento," she joked. City officials

credited Dixon and state Sen. Dave Min (D-Irvine) with securing the final \$1.5 million needed to fund the Newport Bay Trash Interceptor. Both described support for the project as bipartisan.

"I've always believed in the synergy of technology and the environment. I think this particular project behind us, this trash interceptor, is an example of this union," Min said. "To me, this is another step in ... the evolution of Orange County, and the beauty of our open spaces, to try and protect the beauty and integrity of our county with the Newport Bay Trash Interceptor."

"This \$5.5-million investment is the first of its kind on the West Coast and represents not just a cool machine, cool technology, but really embodies our

commitment to protecting the Upper Newport Bay Nature Preserve and preserving the surrounding waters, and I was so proud to be able to work with Assemblywoman Dixon to get that final \$1.6 million to get this across the finish line."

Min continued, "This isn't about diverting a lot of trash. It's about really embracing innovation to try and save our environment [and] to make sure our open spaces are going to be clean and preserved for generations to come."

Webb confirmed Friday that construction is expected to begin as early as October, with the piles on which the floating platform will rest to be driven in by November. By mid-February, the hope is that the water inceptor, wheels and parts will be on-site to be

assembled, commissioning the project by mid-July and hopefully completing the project before the following winter rainy season.

Newport Beach Mayor Noah Blom thanked state legislators and other agencies that contributed funds to the project by way of grants. About \$1.7 million came from the California Ocean Protection Council; \$1.6 million from the California Department of Water Resources; \$500,000 from the Orange County Transportation Authority; and \$12,000 from Help Your Harbor and the Surfrider Foundation.

The remainder — approximately \$1.7 million — is being paid for by the city.

"We've done a great job over the years collecting, working to mitigate [the trash] and this is just going

to further help that effort and maybe spurn it for many, many places, not just in California but across the country," Blom said. "There's nothing more important than protecting or preserving our natural resources."

"It is really cool to see out-of-the-box thinking, and I will really credit some of the early council members before my time, ... but [Duffield] and some of the others that really made this happen, and you know, found the project, brought it to staff — it shows it takes nine years to get something done. But if you put that kind of forethought on something, it's great when it happens, and all of us get to sit here and marvel."

lilly.nguyen@latimes.com
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HIGH SCHOOL FOOTBALL

H.B. beats Marina, retains Victory Trophy

BY ANDREW TURNER

Prominently displayed atop a stool bearing resemblance to an oil derrick, the Victory Trophy sat on the Huntington Beach sideline before Thursday night's kickoff.

After the game, it remained in its upright position, the Oilers snapping pictures with it inside their locker room after a convincing victory over crosstown rival Marina.

Huntington Beach scored in a multitude of ways en route to a 45-20 win, the fourth consecutive for the program in the Oil vs. Water rivalry game.

"The kids play hard, and they have great attitude, great effort and just get after it," Huntington Beach coach Brett Brown said. "This game means something to them. We always talk about rivalry games. You're going to grow up in Huntington Beach, you're going to see these guys around town, and just to know that you beat them is kind of something special."

Tyler Young scored on a 5-yard run to conclude an 11-play, 65-yard opening drive for Huntington Beach (3-2), which had a 22-8 advantage in offensive snaps taken at the end of the first quarter. Key left-side blocks



Photos by James Carbone

LEFT: The Huntington Beach football team poses for a picture with the Victory Trophy after winning the Oil vs. Water rivalry game. **ABOVE:** Huntington Beach's Tyler Young (23) runs in for a touchdown.

were delivered by Justin Tauanuu and Nathan Chow.

The Oilers were knocking on the door when the second quarter began, but they settled for a 33-yard field goal from Mattheo Zavala. It wasn't long before the floodgates opened, as Huntington Beach went on to score 25 points in the period.

Zack James stepped in front of a pass intended for running back Anthony Fabian near the Marina sideline, running it back for a 50-yard interception return.

Following a critical conversion on fourth down that

resulted in a short-yardage score for Fabian, the Oilers answered on the next play from scrimmage. Freshman quarterback Brady Edmunds hit Hunter Gray in stride over the middle for a

50-yard touchdown.

On the Oilers' final drive of the half, Edmunds put some air under the ball, allowing Musashi Ray to catch up to it in the end zone for a 41-yard score.

"It felt good," Ray said of the long touchdown grab. "I saw the ball. It was a great ball, it was a beautiful ball. I tracked it down and just

See **Retains**, page A8

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CITY OF NEWPORT BEACH
PUBLIC NOTICE
ORDINANCE SUMMARY

NOTICE IS HEREBY GIVEN that on September 12, 2023, the City Council of the City of Newport Beach, California, introduced an Ordinance entitled:

ORDINANCE NO. 2023-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, GRANTING A NON-EXCLUSIVE FRANCHISE AGREEMENT FOR COMMERCIAL SOLID WASTE AND DIVERTIBLE MATERIALS HANDLING SERVICES WITHIN THE CITY OF NEWPORT BEACH

The Ordinance would grant a non-exclusive commercial solid waste franchise agreement to Robert's Waste & Recycling until November 8, 2027.

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 September, 2023, by the following vote:

- AYES: Mayor Noah Blom, Mayor Pro Tem Will O'Neill Council Member Brad Avery, Council Member Robyn Grant, Council Member Lauren Kleiman, Council Member Erik Weigand
- NAYS: None
- ABSENT: Council Member Joe Stapleton

Second reading of Ordinance No. 2023-14 will occur on the September 26, 2023 City Council meeting. If adopted on September 26, 2023, the Ordinance shall become final and effective thirty (30) days after adoption.

Dated this 13th day of September, 2023.

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



CITY OF NEWPORT BEACH
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Thursday, September 28, 2023, 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:

Pine Knot Motel - A request for a coastal development permit to rehabilitate a 12-room motel that was significantly damaged by fire and partially demolished pursuant to Emergency Coastal Development Permit No. ECD2018-150. The project involves a minor addition of approximately 306 square feet, the addition of a partial second story at the front of the property, and the construction of a commercial trash enclosure. The project also involves site improvements, including but not limited to, hardscaping, drainage, and restriping of the existing parking lot. The rehabilitated motel will maintain a relatively similar footprint to the destroyed structure and will maintain the same number of guest rooms.

The project is categorically exempt under Section 15302 - Class 2 (Replacement or Reconstruction) of the State CEQA (California Environmental Quality Act) Guidelines.

All interested parties may appear and present testimony regarding 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 or before the public hearing. The application may be continued to a specific future meeting date; if such an action occurs, additional public notice of the continuance will not be provided. Administrative procedures for appeals are provided in the Newport Beach Municipal Code Chapter 21.64. A fee is not required to appeal any final action on a coastal development permit to the Planning Commission. The project site is not located within the appeal area of the coastal zone; therefore, final action by the City may not be appealed to the California Coastal Commission.

The agenda, staff report, and corresponding documents will be available by end of business day on the Friday preceding the public hearing and may be reviewed at the Community Development Department Permit Center (Bay C-1st Floor), at 100 Civic Center Drive, Newport Beach, CA 92660 or the City of Newport Beach website at www.newportbeach.ca.gov/zoningadministrator. Please review the Zoning Administrator Agenda for Zoom participation instructions. Individuals not able to attend the meeting may contact the Planning Division or access the City's website after the meeting to review the action on this application. All mail or written communications (including email) from the public, residents, or applicants regarding an agenda item must be submitted by 12:00 p.m. on the business day immediately before the meeting. This allows time for the Zoning Administrator to adequately consider the submitted correspondence.

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

Project File No.: PA2023-0027
Activity: Coastal Development Permit

Zone: Commercial Visitor-Serving (CV)
General Plan: Visitor Serving Commercial (CV)

Coastal Land Use Plan: Visitor Serving Commercial (0.0 - 0.75 FAR) (CV-A)
Filing Date: February 9, 2023

Location: 6302 West Coast Highway
Applicant: Eric Aust, Architect

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CITY OF NEWPORT BEACH
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Thursday, September 28, 2023, 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:

303 Fernleaf Partners, LLC Residential Condominiums - A request for a Coastal Development Permit and Tentative Parcel Map to demolish two (2) existing buildings containing a total of five (5) apartment units, revert to an underlying lot line to create two (2) individual parcels (303 and 305 Fernleaf Avenue) and construct two (2)-unit condominiums on each lot with one (1) internal accessory dwelling unit (ADU). The ADU will serve one (1) of the four (4) condominium units. A Tentative Parcel Map is requested for each lot to allow the condominiums to be sold separately. The proposed 3,977-square foot, three (3)-story two (2)-unit condominium at 303 Fernleaf Avenue includes a two (2)-car garage and two (2)-car carport, and a 261-square-foot internal ADU on the first floor. The proposed 3,977-square-foot, three (3)-story, two (2)-unit condominium at 305 Fernleaf Avenue includes a two (2)-car garage and two (2)-car carport.

The project is categorically exempt under Section 15315 under Class 15 (Minor Land Divisions) and Section 15303 under Class 3 (New Construction or Conversion of Small Structures) of the State CEQA (California Environmental Quality Act) Guidelines.

All interested parties may appear and present testimony regarding 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 or before the public hearing. The application may be continued to a specific future meeting date; if such an action occurs, additional public notice of the continuance will not be provided. Administrative procedures for appeals are provided in the Newport Beach Municipal Code Chapters 19.12 and 21.64. A fee is not required to appeal any final action on a coastal development permit to the Planning Commission. The project site is located within the appeal area of the coastal zone; therefore, final action by the City may be appealed to the California Coastal Commission.

The agenda, staff report, and corresponding documents will be available by end of business day on the Friday preceding the public hearing and may be reviewed at the Community Development Department Permit Center (Bay C-1st Floor), at 100 Civic Center Drive, Newport Beach, CA 92660 or the City of Newport Beach website at www.newportbeach.ca.gov/zoningadministrator. Please review the Zoning Administrator Agenda for Zoom participation instructions. Individuals not able to attend the meeting may contact the Planning Division or access the City's website after the meeting to review the action on this application. All mail or written communications (including email) from the public, residents, or applicants regarding an agenda item must be submitted by 12:00 p.m. on the business day immediately before the meeting. This allows time for the Zoning Administrator to adequately consider the submitted correspondence.

For questions regarding this public hearing item please contact Melinda Whelan, Assistant Planner, at 949-644-3221, mwhelan@newportbeachca.gov, at 100 Civic Center Drive, Newport Beach, CA 92660.

Project File No.: PA2023-0056
Activity: Coastal Development Permit and Tentative Parcel Map

Zone: RM (Multiple Residential)
General Plan: RM (Multiple Residential)

Coastal Land Use Plan: RM-D (Multiple Unit Residential - 20.0-29.9 DU/AC)
Filing Date: March 14, 2023

Location: 303 and 305 Fernleaf Avenue
Applicant: Gina Siciliano

CROSSWORD AND SUDOKU ANSWERS

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HIGH SCHOOL FOOTBALL

F.V. rides big third quarter to win over Canyon

BY SCOTT FRENCH

WESTMINSTER — Fountain Valley rallied from a quick deficit in a tight encounter to eke out a lead heading into the break Thursday night in its final test before Sunset League play kicks off in two weeks.

Then it was suddenly 1978.

The Barons exploded for five touchdowns in the third quarter, taking advantage of three turnovers and engineering lightning-quick drives to overwhelm visiting Anaheim Canyon en route to a 48-10 romp that has confidence soaring as they aim for their first CIF Southern Section playoff berth in five years.

Noa Banua matched his career high by throwing six touchdown passes — four of them in the third quarter — as Fountain Valley extended a 14-7 halftime advantage into a 41-point lead in the first 10 minutes following halftime. Lucas Alexander hauled in four scoring passes, including both first-half touchdowns and a tone-setting 73-yard bomb on the second half's third play.

Just eight plays covering 192 yards over two minutes, 15 seconds were required for the first four scores, and the fifth — a comparative marathon at five plays and two minutes — followed Brady Tomko's 60-yard return after intercepting Canyon's Corin Rynders at the Barons 1 and forged a fourth-quarter running clock.

"Yeah, big third quarter. They did well ...," third-year head coach David Gutierrez said. "Us taking advantage of their mistakes and being able to score is big. ... We've been on the other end of it, so we understand how it can snowball. Now that we're on this side of it, we're taking advantage of



File Photo

FOUNTAIN VALLEY'S Noa Banua, seen against Marina on Sept. 9, 2022, threw six touchdown passes against Anaheim Canyon in a nonleague game on Thursday. The Barons beat Canyon 48-10.

it.

"That's just an experienced program and getting guys more reps and understanding football and understanding how to take advantage of those moments and then how to be successful."

It was a potentially transformative performance in a must-win game for Fountain Valley (3-2), which hasn't won in the Sunset League since 2018 and has just three league victories since 2014. The Barons, who have next week off, open league play Sept. 28 against title favorite Los Alamitos, the three-time defending champion.

"Definitely a lot [of confidence]," said Alexander, who caught six balls for 138 yards. "It's going to be a fun league season and, hopefully, playoffs. Hopefully,

we'll get there."

For a quarter, the Barons looked dominant like the CIF top-tier title winners of 45 years past. It seemed to come from nowhere.

Canyon (1-3) methodically took the opening kickoff, marched 76 yards on a 13-play drive that lasted half the first quarter. Noah Eckenrode carried eight times for 23 yards, took a swing pass for 34 yards, and provided the lead with a 1-yard charge. Fountain Valley answered in kind, going 80 yards in 18 plays and eight-plus minutes as Gabriel Regalado ran for 40 yards and Banua hit on seven of eight passes for 52 yards, finding Alexander open in the end zone for a 10-yard finish.

Banua's 13-yard pass to an open Alexander two possessions later gave the

Barons the lead in the final minute of the first half. They were unstoppable when they returned to the field, scoring twice in the first 81 seconds, then making it 35-7 moments after getting the ball back.

Alexander hauled in the 73-yard touchdown streaking down the right sideline, and after Sam Garza collected Eckenrode's fumble on the Comanches' 22 on the first play after kickoff, Banua connected with a wide-open Malakai Hughes for a 17-yard score.

Garza picked off a deflected Rynders pass at the Canyon 46 seven plays later, and Regalado tallied on a 15-yard run a minute after that. After Fountain Valley's defense forced a three-and-out, Nolan Olivares took a quick sideline pass 53 yards on the next play to

make it 41-7. Tomko's interception set up Alexander's last touchdown.

"That was amazing, just scoring from every drive," said Banua, who matched his six-touchdown performance in the opening-week win over Troy while completing 17 of 23 passes for 285 yards and running for another 68 yards on seven carries. "That was amazing, just dominance. What we talked about: just dominate."

"Coming off the loss [last week] against Tustin and bouncing back, knowing we can dominate, and we did. ... Definitely a good time to have it, in a home game, seeing everybody here, a lot of peers and especially the principal."

Scott French is a contributor to the Daily Pilot.

RETAINS

Continued from page A7

caught it."

The beneficiary of a crushing tackle by Nate Flecken, Brandon Soleau picked up a fumble and returned it 61 yards to build on the Oilers' halftime advantage.

"It's great," Soleau said of his defensive score. "It's my first time ever, and I don't want it to be my last."

Ray added an 88-yard kick return to cap the scoring for the hosts. Micah Riola had an interception, and Cayden Quiroz recovered a fumble forced by Jacob Totah late.

"Our defense played their butts off," Brown said. "We gave up some plays, had too many penalties that we have to fix, but it was kind of a bend-but-don't-break [performance]. Had some great turnovers. I think we scored twice on defense and once on a kickoff return, so it's pretty awesome. Our effort was great."

Huntington Beach, which heads into a bye week, will begin its Sunset League slate at Newport Harbor on Sept. 29.

Fabian finished with 108 rushing yards and three total touchdowns, including a 9-yard connection from Garrett Hunnicutt in the second half. Shane Cassidy and Payton Ekstedt each eclipsed 60 receiving yards for Marina (2-3).

"We just can't hurt ourselves," Marina coach Charlie TeGantvoort said. "Turnovers are a killer. We're great when we want to be, but we can also look really bad if we want to be. We just have to get consistency going and take care of the football a lot better."

Part of the Big 4 League, the Vikings will not begin league play until they host Garden Grove on Oct. 13. Marina will forge forward with a nonleague home game against Aliso Niguel on Sept. 21.

andrew.turner@latimes.com
Twitter: @AndrewTurnerTCN



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