Daily Pilot

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Photos by Don Leach | Staff Photographer

COSTA MESA nightclub owner Luke Nero, left, and artist David Gilmore stand in front of the "Free Britney" mural prominently featuring singer Britney Spears on the side of the Donkey D's bar. "Britney Spears and her conservatorship is of the moment. That makes the mural come alive," Nero said.

Britney mural tells a story

The creation on a wall at Donkey D's bar in Costa Mesa comments on Spears' struggle to be released from a 13-year conservatorship.

BY SARA CARDINE

s pop icon Britney Spears seeks to be released from a 13-year conservatorship, a wall outside a Costa Mesa bar aims to commemorate the singer's struggle with fame and fanhood and free-

dom in a mural to be unveiled next week.

Donkey D's is a queer neighborhood dive bar on 19th Street near Placentia Avenue that was quietly purchased during the pandemic by Luke Nero, owner of nearby Strut Bar & Club.

Nero helped transform Strut into an un-

official local landmark in March, when he commissioned Long Beach artist and muralist David Gilmore to create a larger-than-life portrait of country music legend Dolly Parton on the club's exterior wall.

The work honored Parton, who had recently donated \$1 million toward the development of a COVID-19 vaccine and was a vocal proponent of inoculation. In an interview Friday, Nero drew some comparisons between that mural and the Spears homography.

between that mural and the Spears homage. Both women are considered modern day

See **Britney**, page A2



MURALIST DAVID GILMORE is nearly finished with the "Free Britney" mural.

Huntington Beach man pleads not guilty to charges of repeated sexual assault of a minor

BY LILLY NGUYEN

A Huntington Beach man pleaded not guilty this week to felony charges for the repeated sexual assault of a minor since at least 2015.

Orlando Maldonadohuerta, 27, is charged with 10 counts of sexual intercourse or sodomy with a child 10 or less years of age; one count of aggravated sexual assault of a child under 14 years of age or seven years younger than the defendant; one count of aggravated sexual assault of a child; and five counts of lewd or lascivious act with minor under 14 years of age, according to court records.

He pleaded not guilty to all charges in an arraignment in

custody hearing at the Central Justice Center on Friday morn-

Maldonadohuerta was arrested in early July after the alleged victim, who police confirmed is now a teenager, reported him to the Huntington Beach Police Department.

Further details identifying the victim are withheld due to the

nature of the crime

Maldonadohuerta remains in custody on a bail of \$1 million and is scheduled to appear at the West Justice Center for a pretrial mandatory settlement conference and bail hearing on Oct. 22.

lilly.nguyen@latimes.com Twitter: @lillibirds

Senators condemn 'hateful' response to Bolton

Min and Umberg denounce how Huntington Beach's first Black City Council member has been treated.

BY MATT SZABO

State Senators Dave Min (D-Irvine) and Tom Umberg (D-Santa Ana), both of whom represent Huntington Beach, this week condemned the response to the appointment of Rhonda Bolton as a member of the City Council.

Bolton, the first Black council member in Huntington Beach history, was appointed during a special meeting July 26. She took the dais on Aug. 3.

At her first meeting, she faced boos and attacks from the audience. Some of the members of the public attending the meeting stated Bolton wanted to impose a "radical agenda" on the children of Huntington Beach, and that she was "hateful, spiteful, and anti-white."

Mayor Kim Carr asked Bolton, a civil rights lawyer who has lived in Huntington Beach for nearly nine years, to lead the Pledge of Allegiance in her first meeting.

One woman in the crowd sniped audibly, "You know the Pledge of Allegiance?"

State Sen. Steven Bradford (D-Gardena), the chair of the California Legislative Black Caucus and one of two Black members of the state Senate, also condemned such remarks.

"This type of thinly veiled anti-Black racism is absolutely unacceptable in 2021, in Huntington Beach or anywhere else," Min said in a statement.

"And it is not representative of the values of Orange County or California, despite what a small group of extremist bigots would want us to believe.

"Rhonda Bolton brings an impeccable resume to the Huntington Beach City Council, reflecting decades of private sector experience in dealing with diversity issues and a demonstrated commitment to community service. At a time when we are dealing with so much hatred, division and racism in our country and our community, Bolton's inclusive approach to governing coupled with her calm and gracious

temperament are much needed.
"I stand in solidarity with my colleagues in supporting Councilmember Bolton and in con-

See **Bolton**, page A2

ORANGE COUNTY FAIR 2021

Stilt-walkers impress even the tiniest in the audience

BY RAUL ROA

s the flamingo puppets and their stilt-walking humans — members of the Dragon Knights performance group — enter the grounds of the Orange County Fair from their backstage area, adults pull out their cellphones or stand in awe of the colorful articulated puppets.

Some of the children in the crowd reach out as if hoping to touch the puppets, while others keep a tight grip on their parents as they cautiously look up at the nearly 10-foot tall walking giants.

Performer Brandon Wagner, 31 from Los Angeles, is 6 foot, 3 inches tall and adds 3 feet to his height when using the stilts, or "pegs," as he called them.

Wagner said that when auditions opened for the troop he thought it was a great opportunity to elevate his stilt-walking skills

"This is all experimental and this is what excited me about Dragon Knights. I trained with them in San Diego for a couple of weeks," Warner said.

Costa Mesa resident Cathleen Sweeney said she found the stilt-



Photos by Raul Roa | Staff Photographer

ABOVE: Creator and founder of the Dragon Knights Lili Noden, right, helps performer Erena Yoshida, 24 of Irvine, get ready as a Shaman for a performance at the Orange County Fair on Friday.

RIGHT: Dragon Knights stilt-walking performer Brandon Wagner, 31, from Los Angeles, controls a flamingo puppet. Dragon Knights perform with large puppets while on stilts throughout the fair daily.

walkers delightful.

"They just have an enchanting little performance. They're engaging the audience, which is fun. And at the same time, they're making it interesting," she said.

Performer Matt Zimmerman, 33, of Los Angeles has honed his skills on stilts since he first tried them in 2006 in Texas.

See **Fair**, page A2



AROUND TOWN

The sun sets on the Orange County Fair this final weekend

After a month of fair food, amusements and home-grown community fun, the 2021 O.C. Fair will close this Sunday, ending a run of sold-out days that resulted from the first-ever capping of daily attendance to 45,000 fairgo-

Michele Richards, executive director of the OC Fair & Event Center, confirmed no more spaces are available for the final weekend, after all preregistered tickets and concerts have been completely booked.

She said limiting attendance was part of a plan to help give attendees more space to move throughout the Costa Mesa fairgrounds.

"We're disappointed more people couldn't come, but we felt it was really important to stick to the plan and to manage the fair responsibly," Richards said in an interview Friday. "We wanted to create an exceptional guest experience, and we feel we have achieved that."

NMUSD teacher named state's 'History Teacher of the Year'

Lindsey Charron, a teacher at Ensign Intermediate School, was recently selected from among 8,500 nominees nationwide as the 2021 California History Teacher of the Year by the Gilder Lehrman Institute of American History, school district officials announced Thursday.

Charron has taught U.S. history for 17 years, including 15 years with Newport-Mesa Unified School District. She also serves as a national oratory fellow with Ford's Theatre and is a master teacher with the Gilder Lehrman Institute of American History, a leading organization dedicated to

K-12 American history education.

"Student voice is a priority," Charron said in the district's news release, "and my goal is for students to walk out of my classroom as informed, engaged, energized citizens."

Since 2004, the award has honored exceptional K-12 American history teachers. Finalists for the National History Teacher of the Year award will be announced Sept. 7 with the winner to be named later that month. Nominations for 2022's Teacher of the Year may be submitted online by students, parents, colleagues and supervisors by March 31.

O.C. Community Foundation aims to raise \$200K

As students countywide begin to return to classrooms, amid a global pandemic that has disrupted lives and created more challenges for youth than ever before, an online philanthropic event hopes to raise \$200,000 in support of area Boys & Girls clubs.

On Aug. 18, the Orange County Community Foundation will host its Greatness Amplified Giving Day when visitors can learn more about, and directly contribute to, clubs that help members develop healthy relationships, improve academic skills and more.

An estimated 486,179 were separated from their peers and largely relied on remote learning until many schools reopened in March.

During that time, more than 25% of high-schoolers reported a decline in their emotional and cognitive health as a result of isolation, a Kaiser Family Foundation study reported.

Clubs participating in "Greatness Amplified," part of OCCF's iheartOC Collaborative Giving Days initiative, include the Boys & Girls clubs of Laguna Beach, Huntington Valley, Fullerton, Placentia-Yorba Linda, Capistrano

Valley, Garden Grove, Greater Anaheim-Cypress, La Habra, Stanton, Tustin Westminster, the Boys & Girls Clubs of Central Orange Coast and Boys & Girls Club of the South Coast.

The Boxing Club hosts fitness event Aug. 21 at SOCO + The OC Mix

For anyone looking to get back to their prepandemic bodies, or just looking for a fun way to work up a sweat, the Boxing Club on Aug. 21 will host a free outdoor boxing fitness event at SOCO + The OC Mix in Costa Mesa.

Starting at 9:30 p.m. in the complex's courtyard area, an instructor will lead participants in a 45-minute full body workout that will cover proper boxing stances, footwork, and techniques.

The class will include shadow boxing, interval training, mitt work, and body weight exercises. Gloves, mats and wraps will be provided free of charge.

Space is limited, so attendees are asked to RSVP in advance by calling the studio at (949) 447-5400. SOCO + The OC Mix is at 3313 Hyland Ave. A18, in Costa Mesa.

For more information, visit titleboxingclub.com/fountain-valley-ca.

O.C.'s Girls, Inc. names two businesswomen to board of directors

Girls Inc. of Orange County, the Santa Ana affiliate of the national nonprofit recently announced area residents Daisy Esparza and Carrie Strom would be joining the nonprofit's board of directors.

Esparza serves as a risk and financial advisory manager at Deloitte & Touche LLP. She became involved with Girls Inc. first as a Eureka! Summer program participant, before becoming a high school college bound graduate and Girls Inc. scholarship recipient in high school and college.

Strom, a longtime supporter of the organization, serves as senior vice president of AbbVie and president of Global Allergan Aesthetics.

She also serves as a board member for Octane, is a member of the Komen Leadership Council and is executive chair of the PRIDE Employee Resource Group at AbbVie.

"Daisy's connection to our organization and passion for our cause is so special," Girls Inc. of Orange County chief executive Lucy Santana said in an Aug. 12 news release.

"That, paired with Carrie's expansive experience and relations to a variety of organizations, will help us to reach and inspire even more girls in our community."

Free composting workshop in Laguna

There will be a free composting workshop for Laguna Beach residents at Bluebird Park, 798 Bluebird Canyon Drive, on Saturday from 10 to 11 a.m.

The workshop will educate those in attendance on how to recycle food and yard waste into organic fertilizer.

A raffle will also provide an opportunity for workshop participants to win a compost bin.

Laguna Beach city manager to speak at business breakfast

The featured guest for August in the Laguna Beach Business Club's speaker series will be Laguna Beach City Manager Shohreh Dupuis.

The breakfast meeting will take place at Seven-Degrees, 891 Laguna Canyon Road, at 7:30 a.m. on Thursday.

There is a non-member guest fee of \$30 to attend.

Dupuis plans to talk about her

priorities as the city's top executive, which includes listening to and working with all the voices in town.

Engagement and satisfaction surveys will also be a topic of discussion.

The surveys are distributed to residents, local businesses and city staff, which are geared toward helping in the process of setting goals in the years to come.

Dupuis has led projects such as the Village Entrance, the Wildfire Safety and Mitigation Plan and the Neighborhood and Environmental Protection Plan.

The Latin Jazz Syndicate coming to Laguna Beach

The Latin Jazz Syndicate will be in concert at the Woman's Club of Laguna Beach, 286 St. Ann's Drive, on Sept. 23 from 5:30 to 7 p.m.

Adonis Puentes will provide the vocals, and Bijon Watson is the featured trumpet player.

The show will run without intermission, but there will be a cocktail hour preceding the show. Seating will be limited to accommodate social distancing guide-

lines.

Tickets can be purchased in advance for \$30 at *lagunalive.org*.

Admission at the door will be \$35.

Fountain Valley – "City of Kindness"

Fountain Valley Mayor Michael Vo plans to declare the local town a "City of Kindness" at the upcoming meeting of the Fountain Valley City Council on Tuesday at 6 p.m.

A news release noted that the nation has seen civil unrest and hate crimes against the Asian community amid the fight against the coronavirus pandemic.

The City of Kindness movement aims to emphasize the im-

Although he anticipates work

See **Town**, page A6

BRITNEY

Continued from page A1

icons by patrons, the Newport Beach resident said, and both tributes come at a time when their subjects were making national headlines for bold actions that embodied passion, courage and taking a stand.

"Britney Spears and her conservatorship is of the moment. That makes the mural come alive." Nero said.

To create the work, Nero once more looked to Gilmore, who immediately measured the wall so he could begin to spec out the composition on his computer. The idea that came to him was a wall or a surface from behind which viewers could see Spears emerging.

"The initial thought was she's behind a wall or something



Don Leach | Staff Photographer

MURALIST DAVID GILMORE touches up part of a "Free Britney" mural on the side of the Donkey D's bar in Costa Mesa.

where she's breaking through," the artist described. "She's not

free, but she's close."
Given Spears' decades-long

career, Gilmore had many different versions of the chanteuse to pick from. And while he went back and forth on a couple different images, both he and Nero landed on a twentysomething version.

"It's when she was younger, before we as a culture consumed her and sort of bled her dry," he explained. "I think the reason she's in the conservatorship was because we put her in there — we made it happen. We're all a part of this."

Gilmore applied acrylic paints with a brush to create the main figure.

For the wall itself, he went for the brightest custom shade of pink Lowe's could make to evoke bright hues often worn by Spears fans, who've lately demonstrated against the singer's conservatorship under father lamie. will wrap by Tuesday, one key piece will be left undone for now. Above the image read the words "Conservatorship Ended," with the date to be filled when the pop star earns her freedom, along with the hashtag #the freebritneymural.

"We consider this a word of

"We consider this a word of warning for the future, so this doesn't happen to anyone else," Gilmore said.

Meanwhile, Nero plans to hold a simple unveiling the evening of Aug. 20 that may or may not include a drag performer/Spears impersonator.

The idea is to raise funds for Childhood Cancer Foundation of Southern California, Inc. to honor Spears' patronage of pediatric cancer organizations.

sara.cardine@latimes.com Twitter: @SaraCardine

DOI TON

BOLTONContinued from page A1

demning the hateful remarks and behavior directed at her. I look for-

ward to working with her."
Umberg said in a statement that he began his career as a prosecutor in the 1980s defending Black Or-

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Wood Restoration Specialist

ange County families from targeted racist attacks.

"It's confounding to me that 40 years later we're still having these conversations," he said.

"The past several years have shown us that we have a long way to go in terms of respect, public decency, and empathy in places like Orange County

in particular."
On Friday, the Orange
County Human Relations
Commission also condemned the language used
toward Bolton, as well as
Orange County Supervisor
Andrew Do by a speaker at

the Board of Supervisors meeting on July 27.

A speaker who identified himself as Tyler Durden told Do, an American citizen, to "Go the [expletive] back to Vietnam" and compared him to a "para-

site."

"I appreciate the fact that the senators and also the Human Relations Commission are being supportive," Bolton said in a phone interview Friday.

"What happened to Supervisor Do, that was an attack. That type of thing is hard to believe. More importantly, though, when



you see that happens and you feel like, 'You know don't thi

Spencer Grant

RHONDA

BOLTON

the newest

Huntington

Beach City

member on

Council

July 26.

was named as

"They have to say, 'We don't think that's right and we're not going to make actions and speech like that go unchallenged.' It just makes it more likely

that actions and speech like that get normalized.

"When we become numb to people doing and saying stuff like that, that creates the type of atmosphere that is tense and uncomfortable for a lot of people."

Bolton said there have been many more wellwishers since she got appointed than anything else.

"The positive still outweighs the negative by a lot," she said. "That's what I try to stay focused on."

matthew.szabo@latimes.com Twitter: @mjszabo

Andrew Do by a speaker at portantly, though, when SELL CAR SELL CAR Currently in need of BMW, Mercedes-Benz, Porsche, Lexus, Acura, Cadillac, Honda, Toyota vehicles under 100k miles. Before you trade in, call me, Tim the owner, for a cash offer @ 949-752-2277 or email info to OCAW777@GMAIL.COM

FAIR

circumstances.

Continued from page A1

what, that's really not

start speaking up in those

— people have to

After moving to California he worked at Universal Studios as a performer and stilt walker, in addition to his gig with the Dragon Knights. His 6-foot 6-inch frame increases to 9 feet, 6 inches when he's on stilts controlling the flamingo puppets.

The founder and creator of Dragon Knights, Lili Noden, notes with pride that fair visitors run to the performers when they spot them entering the grounds. "They love it," she said.

Noden, from a small town in France, founded Dragon Knights because she wanted to create a unique performance style in America. She's been designing pieces for stilt walking for more than 30 years, she said.

"Each piece I create is unique," she said. Her group has from five to a dozen or more performers, depending on the complexity of the show.



Raul Roa | Staff Photographer

to try stilts. When I tried it,

DRAGON KNIGHTS stilt-walkers Matt Zimmerman and Brandon Wagner perform with flamingo puppets on Friday.

Erena Yoshida, 24 of Irvine, said it was her background in gymnastics that led to becoming a stilt walker.

A petite woman, she found she enjoys temporarily being 7-feet 10-inches tall.

tall.
"I came [to Dragon
Knights] as a replacement
for an acrobat but then
they asked me if I wanted

I really liked it," Yoshida said, "so they put me in as one of the main for the pneumatic stilts. It's a different view and I feel amazing."

The sold-out 2021 edition

of the O.C. Fair comes to a close Sunday.

dailypilot@latimes.com Twitter: @TheDailyPilot

A WORD, PLEASE | JUNE CASAGRANDE

Knowing when to capitalize can be hard. Here are some basic rules

oes your Bostonian friend hail from the City of Boston or the city of Boston?

Before you answer, here's a hint: It depends who's asking.

I flunked this question on an editing quiz recently. I got it wrong even though I've spent decades — literal decades getting paid to change City of Los Angeles to city of Los Angeles and City of Pasadena to city of Pasadena.

So what happened? I was editing according to Associated Press Stylebook rules and the quiz was in Chicago Manual of Style rules.

In AP style, which is followed by many news media and business organizations, the c is lowercase. I like that. After all, "city" isn't part of the name. If you live in Boston, you don't write City of Boston on the top left hand corner of envelopes when you send mail. The city name is Boston, period. But the Chicago Manual of Style, which is followed by book and magazine publishers, disagrees. If you're following their style, City of Boston can be the way to go.

Clearly, capitalization can be confusing — especially if you take your cues from your reading material.

For example, anyone who reads legal documents or marketing materials could be forgiven for thinking that the C is capitalized in "the company." Businesses try to lay claim to any language that involves them, while the legal profession often uses capital letters to refer to people or entities on subsequent reference, like "hereinafter referred to as 'the Company' or 'the Plaintiff.' That doesn't mean you should do the same. "Company" is just a plain-old generic noun, not a proper name, so you should leave it lowercase in most

Compass directions can be especially hard. In your reading, you probably see East and east in equal measure. So which is it? As you've probably guessed,

AP Style calls for lowercase north, south, east, west, northeast and so on when you're talking about compass directions. "Drive south for 3 miles." But when you're talking about a region, use a capital letter. "She's from the South." "Rain is expected in the Northeast." "The firm will open a branch in the Midwest."

Seems easy enough, until you start getting into the gray areas. For example, would you capitalize the W if you were talking about rain in the western/Western states? To me, it's hardly clear whether you're talking about a region or a compass direction. To AP, though, it's a region: the Western states. But note: "He traveled from western Montana to southern Atlanta to Southern California." The AP rule here says that you lowercase them when referring to areas of states or cities, but you make an exception for "widely known" sections like Southern California.

Titles are tough, too. "President Joe Biden is the president." As a very rough guideline, you can follow AP's rule of only capitalizing formal titles and only when they appear before someone's name. So talking about the mayor without a name, it's lowercase. We reelected the mayor. When talking about Mayor Morgan Jones, mayor is capitalized.

When the title is set off with commas, it's not capitalized. So you'd write "He spoke with Vice President Kamala Harris" but also "He spoke with the vice president, Kamala Harris."

It's a little unclear what constitutes a formal title. For example, I'd have guessed that coach Chris Louis would use a capitalize c for coach. But AP says no. "Coach," apparently, isn't formal enough. But when you use it like a nickname, though, that's different: Coach Chris. In that way it's similar to "aunt" or "uncle." When aunt or uncle part of a moniker, "Thank you, Aunt Carrie!" you'd capitalize it. Otherwise, don't.

JUNE CASAGRANDE is the author of "The Joy of Syntax: A Simple Guide to All the Grammar You Know You Should Know." She can be reached at JuneTCN@aol.com.

THE DAILY **COMMUTER PUZZLE**

By Jacqueline E. **Mathews**

ACROSS

1 Clinton's successor, for short 4 Coral island

9 Tub activity 13 Hard to come

14 Orphaned calf 15 Tempt 16 Walk like a draft horse

17 Long-distance racer 19 Guys 20 Horseman 21 River mammal

22 "No guts, no _ 24 Umpire's call 25 Put to sleep

before surgery 27 Skillful 30 Ascended 31 Dictionary

entries 33 Unruly group 35 In a _; pouting 36 Rays from the

37 Cowbov's boot spike

38 Sermon topic 39 Fender dings 40 Baseball's Yogi

41 One who's full of himself 43 On the up and

44 Motorhomes, for short 45 Plane assignments 46 Bean used in

cocoa 49 Uses a wooden spoon 51 Female animal 54 Without a

significant other 56 Magazine title 57 Dog treat 58 Purple shade 59 Eager 60 Sharp tools 61 Hothead's problem

62 _ wind of; hear

DOWN 1 Wild wind 2 Misdeed 3 Night spot, for

about

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.

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

For answers to the crossword and Sudoku puzzles, see page A6.

most 4 Think highly of 5 Yes-man 6 Villain 7 False witness 8 "_ Me Call You Sweetheart" 9 Drunk

10 Cousin's mom

11 Dogwood or cottonwood 12 Munich man 13 Vinyl LP letters 18 Store window posting 20 Learn by _; memorize 23 Final

25 Be impudent 26 "Sesame Street" fellow 27 Hugger's need 28 Awe-inspiring 29 Sightseeing trips 31 _ away; departed 32 Bit of cereal 34 Babysitter's bane 36 Truman, for one 37 Mailed 39 Loose piece of turf 40 Deadly crushers 42 Delivers an address 43 Cattleman, at times 45 Sifting device 46 Havana's land 47 As dumb as _ 48 Walking aid 49 Read over quickly 50 Gangster 52 Take out 53 Give up the single life

24 Chances

Tribune Media Services

56 Put a label on

55 Org. for

others

physicians &

Tommy Bahama





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CITY OF NEWPORT BEACH **RESOLUTION NO. 2021-68**

Legal Notices

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, DECLARING ITS INTENTION TO CONDUCT A PUBLIC HEARING TO CONSIDER GRANTING NON-EXCLUSIVE COMMERCIAL SOLID WASTE AND DIVERTIBLE MATERIALS HANDLING **FRANCHISES**

WHEREAS, the City Council of the City of Newport Beach ("City") finds and determines that the collection of municipal solid waste and divertible materials, including recyclable materials, food scraps, green waste, wood waste, construction and demolition debris, and all other materials that can be diverted from landfill disposal (collectively "Commercial Solid Waste") generated within the City is a vital public service;

WHEREAS, the City Council further finds and determines that the collection, transportation, storage, and disposal of municipal solid waste and the collection, transportation, processing, and diversion of processable municipal solid waste and divertible materials ("Commercial Franchise Services") is a matter of great public concern because improper control of such matters subjects the City to potential liability, damages and penalties, and may create a public nuisance, air pollution, fire hazard, infestation and other problems affecting the public health, safety and welfare;

WHEREAS, the non-exclusive franchises for the use of public streets to provide Commercial Franchise Services promotes the public health, safety and welfare by providing permanence and stability among those businesses wishing to provide such service and accountability to the City for compliance with current and future state mandates:

in compliance with Assembly Bill 1826 and Assembly Bill 341 ("2020 Franchise"), that expires in the year 2027;

WHEREAS, on October 22, 2019, the City Council approved a new model franchise agreement

WHEREAS, the City has since received applications from new applicants that wish to perform work under the 2020 Franchise; WHEREAS, pursuant to Article XIII (Franchises) of the City Charter, Chapter 12.63 (Solid Waste Management) of the Newport Beach Municipal Code ("NBMC"), and California Public Resources Code Sections 40059, 49300, and 49500 through 49523, or any successor statutes, the City is

authorized to enter into non-exclusive franchise agreements for Commercial Franchise Services

with private solid waste haulers; WHEREAS, pursuant to City Charter Section 1301 (Resolution of Intention. Notice and Public Hearing), the City Council, prior to granting any franchise, shall pass a resolution declaring its intention to grant same, stating the name of the proposed grantee(s), the character of the franchise, and the terms and conditions upon which it is proposed to be granted; and

WHEREAS, such resolution shall fix and set forth the day, hour and place when and where any persons having any interest therein or any objection to the granting thereof may appear before the City Council and be heard thereon.

NOW, THEREFORE, the City Council of the City of Newport Beach resolves as follows:

The City Council does hereby declare its intention to grant non-exclusive Section 1: franchises, subject to the following general terms and conditions ("Non-exclusive Franchise"):

- Effective date. September 14, 2021;
- Franchise fees. Sixteen percent (16%) of gross monthly receipts. Five and one-half percent (5.5%), shall be earmarked for the purposes of indemnifying and holding the City harmless from environmental liability associated with the franchisee's operations in the City. This portion of the franchise fee shall be paid into the City's Environmental Liability Fund. One-half percent (0.5%) shall be attributable to the maintenance and implementation of the City's Source Reduction and
- Term. September 14, 2021 to October 7, 2027;
- Rates. The City shall not set franchisees' bin rates;
- d. Indemnification. Franchisees shall indemnify and hold City harmless from penalties and damages for failure to meet state recycling requirements with respect to the portion of the Commercial Solid Waste stream collected by franchisees;
- Diversion requirements. Franchisees shall divert a minimum of fifty-five percent (55%), subject to increase as required by state law, of all processable municipal solid waste, recyclable materials, food scraps and green waste collected by franchisee. Franchisees shall divert a minimum of sixty-five percent (65%), subject to increase as required by state law, of all construction and demolition debris collected by franchisees;
- Disposal requirements. Franchisees shall dispose of Commercial Solid Waste, not otherwise diverted, in Orange County landfills pursuant to the City's waste disposal agreement with the County of Orange. City maintains the right to designate disposal facilities to be used by franchisees;
- Billing. Franchisees shall be responsible for all billing and collection for its accounts;
- Termination. Franchise shall not be revoked unless franchisee has defaulted in the performance of any obligation of the 2020 Franchise, and the Franchise may be terminated pursuant to Newport Beach Municipal Code Section 12 63 140 (Solid Waste Management
- Application requirements. Prior to obtaining the 2020 Franchise, franchisees shall designate the specific Commercial Franchise Services for which it desires to apply and shall demonstrate competence in and compliance with the City's insurance, equipment, and diversion requirements with respect to those Commercial Franchise Services;
- Public education. Franchisees shall meet City's requirements to implement recycling, diversion and source reduction public education activities:
- Recycling/diversion programs. Franchisees shall implement and provide recycling and diversion programs for all customers subject to California State Assembly Bills 939, 341, and 1826, and the California Green Building Standards Code, codified in the California Code of Regulations Title 24, Part 11, ("CALGreen");
- Hauler representative. Franchisees shall designate a representative to assist in implementing State-imposed recycling and diversion programs; and
- Compliance. Franchisees shall comply with all state, federal laws and regulations, terms and conditions of the franchise agreement, the City Charter and the Newport Beach Municipal Code

Section 2: The City intends to grant the 2020 Franchise to the following entities (collectively, "Proposed Grantees"), which do not currently hold a franchise with the City

- Greenstone Materials, Inc
- Roche Excavating, Inc b.

Section 3: The City Council shall conduct a public hearing on August 24, 2021 at 5:00 p.m., or as soon thereafter as is practical, in the City Council Chambers located at 100 Civic Center Drive, Newport Beach, California, to consider granting the Proposed Grantees the 2020 Franchise. Persons who have an interest in or objection to the granting of the 2020 Franchise to the Proposed Grantees may appear before the City Council and be heard at that date and time.

Section 4: The City Council finds the adoption of this resolution is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to Sections 15301 and 15308 of the California Code of Regulations set forth in Title 14, Division 6, Chapter 3 which exempts "existing operations and facilities" and "actions by regulatory agencies for protection of the environment." Application of Sections 15301 and 15308 is appropriate because the resolution does not change nor expand existing solid waste operations and facilities within the City. This resolution is also consistent with the goals of California State Assembly Bills 939, 341, and 1826, The California Solid Waste Management Act, CALGreen, as well as the objectives of the City's Source Reduction and Recycling Element.

Section 5: The recitals provided above are true and correct and are incorporated into the operative portion of this resolution

Section 6: If any section, subsection, sentence, clause or phrase of this resolution is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this resolution. The City Council hereby declares that it would have passed this resolution, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

Pursuant to City Charter Section 1301, this resolution shall be published in the City's official newspaper within fifteen days of its adoption and at least ten days prior to

ADOPTED this 27th day of July, 2021.

/s/ Brad Avery, Mayor

ATTEST: /s/ Leilani I. Brown, City Clerk

APPROVED AS TO FORM: CITY ATTORNEY'S OFFICE /s/ Aaron C. Harp, City Attorney

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

NOTICE IS HEREBY GIVEN that on Thursday, August 26, 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:

J&A Living Trust and Akhavi Residential Condominiums - Tentative parcel map for the construction of a new duplex for residential condominium purposes. An existing duplex has been demolished and a new duplex is currently under construction. No waivers of Title 19 (Subdivisions) are proposed. The Tentative Parcel Map would allow each unit to be sold individually.

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

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 (Subdivision Code). 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 Governor's Executive Orders N-08-21 and N-29-20 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 $\underline{\text{CDD@newportbeachca.gov}}.$ To give the Zoning Administrator adequate time to review your questions and comments, please submit your written comments by Wednesday, August 25, 2021, at 12:00 p.m. Please review the Zoning Administrator Agenda for participation instructions. The Agenda, staff report and corresponding documents will be City's website the www.newportbeachca.gov/zoningadministrator, by end of business day on Friday, August 20, 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 CDD@newportbeachca.gov and our staff will attempt to accommodate you

For questions regarding this public hearing item please contact Caitlyn Curley, Planning Technician, at 949-644-3235 or ccurley@newportbeachca.gov, 100 Civic Center Drive, Newport Beach, CA 92660

Project File No.:

R-2 (Two-Unit Residential)

Location: 508 and 508 ½ Marigold

General Plan: RT (Two Unit Residential)

Activity No.:

Applicant:

Amy Nili and Jeffery Stearman, Trustees of the J&A Living Trust and Amir Akhavi



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MAILBAG

Give H.B. council a chance to govern

Disruption and chaos are being promoted by a small but vocal group of Surf City outliers. Rather than welcoming a well-qualified civil rights attorney as the newest member of the **Huntington Beach City** Council, these municipal extremists are seeking to recall four elected council members, as well as the freshly appointed member Rhonda Bolton, who is not even eligible for recall until putting in 90 days' service on the council.

If good city governance is the objective of the citizens of Huntington Beach, the council should be permitted to focus on the pressing issues that are facing our seaside city. Homelessness and a clean, consistent water supply are two quandaries that quickly come to mind.

Ben Miles Huntington Beach

Aren't recalls supposed to be launched for good cause not to shift the balance of power or not to "Save Surf City" without saying from what? Is there no requirement to describe the reason behind recall with at least the 200 words of cogency, a response required by council members?

I tire of raucous partisan voices canceling those chosen directly or indirectly by voters, usually backed by big money and vested interests. They all call their efforts grassroots when the nefarious backers are hidden in the background. At the state or national level it's dark money hidden by organizations with patriotic sounding names like the Federalist Society or PACS. Locally its a slogan like "Save Surf City." And why not a 15% of registered voters requirement?

Jim Hoover

Huntington Beach I respectfully disagree

with Dr. Dave Sullivan's statement that the current **Huntington Beach City** Council "just does not represent the people of this community" as stated in the Aug. 5 Daily Pilot.

Orange County as a whole, and Huntington Beach specifically, are no longer adherents to the political philosophy of the right-wing Conservative John Birch Society. Twenty years ago Huntington Beach elections were dominated by a strong number of Republican voters and, over time, the electorate moved to a lesser number of Republican voters. During the last two national election cycles the majority of voters were Democratic.

In the 2020 City Council election, for the three open seats, one Republican and two Democrats were elected. The seven members of the City Council after the 2020 election were politically divided as four Republicans and three Democrats. That is about as even a political agenda mix as you can get. Supposedly, the City

Council election should not be a political issue. As I

recall, neither the ballot or the results, of the election, identify candidates with a political affiliation.

From all election indicators, it is apparent that the current council does, in fact, represent the differing views of the population. They just don't totally represent the far right of the political spectrum.

Orange County is more and more leaning to the liberal agenda, and apparently Huntington Beach is following or leading that trend.

Robert Dettloff Huntington Beach

I do not understand the hyperbole emanating from the people advocating the recall of Mayor Kim Carr and City Council members Barbara Delgleize, Mike Posey, Dan Kalmick and Natalie Moser.

Former Mayor Dave Sullivan says it's the worst council he's ever seen. To my mind, nothing can be worse than having criminals (Dave Garofalo and Pam Houchen) serving on the dais. And to say that the council does "not represent the people of this community," is plain ludicrous, since they were elected by, well, the people of this community.

And other people say the current council is "destroying" the city and not being fiscally sane? Where have these people been the last 18 months?

The current council has had to deal with a once-ina-lifetime global pandemic.

The city relies heavily on tourist dollars, and when those dollars dried up, the city could have collapsed. It didn't, thanks to the efforts of city staff and the council. Plus, the city budget is a balanced budget that went through the public review process before being approved by the council, and the city treasurer makes quarterly public reports to the council on top of that.

And, notably, the council just *saved* our city a potential \$1 million by not calling a special election! How all of this prudent oversight by the council can be labeled fiscal insanity by some people is beyond my comprehension

> **Julie Bixby** Huntington Beach

Letter used fuzzy, retracted data

The paper that Juli Hayden referenced in her letter to the Daily Pilot Mailbag regarding JAMA Pediatrics that indicated health risks associated with wearing face masks to reduce the transmission of COVID-19 (also known as, SARS-CoV-2) was retracted on July 16 (Notice of Retraction. Walach H, et al. "Experimental Assessment of Carbon Dioxide Content in Inhaled Air With or Without Face Masks in Healthy Children: A Randomized Clinical Trial," JAMA Pediatrics). (Published online June 30, 2021).

See **Mailbag**, page A6

Daily Pilot

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

CONTACT US

Carol Cormaci Managing Editor carol.cormaci@latimes.com

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Orange County.

THE CROWD | B.W. COOK

Grayse fashion show benefits victims of Asian hate crimes

fashionable August summer unfolds on the California Riviera. Pandemic weary fashionistas have sprung back into action, praying not to be sidelined by Delta, yet boldly gathering around the catwalk.

Newport's world-renown designer Marie St. John Gray joined her talented designer daughter Kelly Gray of the luxury brand Grayse in a partnership with Asian Hall of Fame to present a Grayse fashion show benefiting a charity assisting recent Asian hate crime victims.

Unfolding July 29 in the Grayse Newport Beach boutique, the red-carpet fashion show was the first live event for the line since 2019. A fresh new collection hit the runway featuring celebrity models Kristen Lui, Shireen Crutchfield and Lindy Flowers.

In the crowd were **Jaqueline** Thompson, Lily Liu, Elizabeth Gesser, Jane Lauren Atherton and Asian Hall of Fame President and Chief Executive Maki Hsieh. The fashion presentation will be live-streamed at 2 p.m. Aug. 21 on the Asian Hall of Fame website.

Established in 2004, Asian Hall of Fame finds its mission in promoting global Asian excellence and equity. The organization advocates for some 4 billion Asians, Asian American Pacific Islanders and indigenous tribes worldwide.

August also welcomes the Danish fashion house of Ganni producing a "pop-up" boutique at South Coast Plaza in Costa Mesa. Organizers are billing the



Photo courtesy Sheri Determan

KELLY GRAY and Marie St. John Gray on the runway at their July 29 Grayse fashion show in a partnership with the Asian Hall of Fame.

summer store, "Let's Go Outside." The two-week long happening was named after the brand's eponymous exclusive capsule collection.

"The capsule pays homage to the great outdoors in the summer and reconnecting with nature.

The collection is inspired by the Ganni Girls' spirit of adventure and love for spending their summer days and nights outside. The exclusive capsule is made of RTW and accessories made using certified recycled and organic materials jackets and vests with playful

Ganni slogans and fused together feminine details with technical outdoor feel," offered Ditte Reffstrup, representing Ganni.

Coming up Thursday at South Coast Plaza the nonprofit Dragon Kim Foundation joins with handbag brand Hammitt presenting

six teenage fashion designers committed to upcycling and environmentalism. It is the latest trend in socially responsible design with young designers at the forefront of transforming

See **The Crowd**, page A6

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

Consider the Appeal of Denial of Special **Neighborhood Trees Removal Request**

NOTICE IS HEREBY GIVEN the City Council will conduct a public hearing on Tuesday, August 24, 2021 to consider the Appeal of Denial of Special Neighborhood Trees Removal Request at 1317 and The Parks, Recreation Commission received and reviewed the application mentioned in Resolution No. 2021-xx., at a public meeting on June 1, 2021, where the request

NOTICE IS HEREBY FURTHER GIVEN that said public hearing will be held on Tuesday, August 24, 2021, at the hour of 4:00 p.m., or soon thereafter as the matter shall be heard, in the Council Chambers of the Newport Beach City Hall, 100 Civic Center Drive, Newport Beach, California, at which time and place any and all persons interested may appear and be heard thereon. If you challenge this decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City at, or prior to, the public hearing. For information call (949) 644-3055.



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



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LEGAL NOTICE



CITY OF NEWPORT BEACH NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Tuesday, August 24, 2021, at 4:00 p.m., or soon thereafte as the matter shall be heard, a public hearing will be conducted in the City Council Chamber. at 100 Civic Center Drive, Newport Beach. The City Council of the City of Newport Beach wi Appeal of Director's Determination No. DD2021-01 - An appeal of the Communit

Development Director's determination, issued on April 30, 2021, interpreting access as an allowed use within resort hotels. This determination is consistent with City Council Police K-4 (Reducing the Barriers to the Creation of Housing). The project is categorically exempt under the California Environmental Quality Act ("CEQA") i

accordance with Section 21065 of the California Public Resources Code and Sections 15060(c (2), 15060(c)(3), and 15378 of the California Code of Regulations Title 14, Division 6, Chapter 3 ("CEQA Guidelines"). The proposed action is also exempt pursuant to CEQA Guidelines Section 15061(b)(3), the common sense exemption that CEQA applies only to project: which have the potential for causing a significant effect on the environment. Specifically, the determination is for the purpose of interpreting the Zoning Code and Local Coastal Program mplementation Plan. This action will not change the existing land use designations, will not increase intensity of use, and will not authorize new development that would directly result in physical change to the environment.

NOTICE IS HEREBY FURTHER GIVEN that on July 8, 2021, the Planning Commission of the City of Newport Beach considered an appeal of Director's Determination No. DD2021-01 and by a vote of (6-0), denied the appeal and upheld Director's Determination No. DD2021-01.

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 nearing. Administrative procedures for appeals are provided in the Newport Beach Municipal Code Chapter 20.64 and 21.64. The project site is not located within the appeal area of the coastal zone; therefore, final action by the City on the appeal may not be appealed to the California Coastal Commission. The appeal 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 neeting may contact the Planning Division or access the City's website after the meeting to eview the action on this application.

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

Project File No.: PA2021-096 ocation: Citywide

Activity No.: DD2021-001 Applicant: City of Newport Beach



Applicant: Brion Jeannette

Legal Notices



CITY OF NEWPORT BEACH NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Wednesday, August 25, 2021, at 10:00 a.m. or soon thereafter as the matter shall be heard, a public hearing will be conducted via Zoom. The Hearing Officer of the City of Newport Beach will consider the following

Aerie Condominium Funicular - A reasonable accommodation application to allow construction of a funicular within the coastal bluff setback area (Development Area C) of the existing Aerie condominium project. The funicular is necessary to provide disabled residents unable to utilize the existing stairway the ability to access the on-site docks and beach amenities. Approval of the reasonable accommodation will authorize the City to approve Approval In Concept No. AIC2020005 and allow the applicant to submit the funicular to the California Coastal Commission for review to amend the existing Coastal Development Permit for the Aerie condominium project.

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

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, at, or prior to, the public hearing. Administrative procedures for appeals are provided in the Newport Beach Municipal Code Chapter 20.64. The application may be continued to a specific future meeting date, and if such an action occurs, additional public notice of the continuance will not be provided.

SPECIAL NOTICE REGARDING COVID-19

Given Governor's Executive Orders N-08-21 and N-29-20 related to COVID-19, we recommend that you submit your questions and comments in writing for the Hearing Officer's consideration by sending them to the Community Development Department at CDD@newportbeachca.gov. To give the Hearing Officer adequate time to review your questions and comments, please submit your written comments by Tuesday, August 24, 2021, at 12:00 p.m. Please review the Hearing Officer Agenda for participation instructions. The Agenda, staff report and corresponding documents will be posted to the website

www.newportbeachca.gov/hearingofficer, by end of business day on Friday, August 20, 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 CDD@newportbeachca.gov and our staff will attempt to accommodate you.

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

Project File No.: PA2020-067

Activity No.: RA2020-002 and AIC2020005

Activity No.:

General Plan: RM B (Multiple Residential RM (Multiple Residential) **Bluff Development** Carnation Avenue)

Coastal Land Use Plan:

RM-D (Multiple Unit Residential (20.0 - 29.9 DU/AC) B (Bluff Development - Carnation Avenue

101 Carnation Avenue

Architecture

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CITY OF NEWPORT BEACH NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Thursday, August 26, 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:

Lyman Residence - A coastal development permit to allow the demolition of an existing single-family residence and construction of a 2,396-square-foot, three-story, single-family residence with an attached 438-square-foot two-car garage. The project includes landscape, hardscape, and subsurface drainage facilities all within the confines of the private property. The project complies with all development standards and no deviations from the municipal code are requested.

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

All interested parties may appear and present testimony in regard to this application. If you challenge this project in court, you may be limited to raising only those issues you raised at the public hearing or in written correspondence delivered to the City, at, or prior to, the public hearing. The 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. Administrative procedures for appeals are provided in the Newport Beach Municipal Code Chapter 21.64 (Appeals or Calls for Review). 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 to approve a Coastal Development Permit may be appealed to the California Coastal Commission.

SPECIAL NOTICE REGARDING COVID-19

Given Governor's Executive Orders N-08-21 and N-29-20 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 CDD@newportbeachca.gov. To give the Zoning Administrator adequate time to review your questions and comments, please submit your written comments by Wednesday, August 25, 2021, at 12:00 p.m. Please review the Zoning Administrator Agenda for participation instructions. The Agenda, staff report and corresponding documents will be City's www.newportbeachca.gov/zoningadministrator, by end of business day on Friday, August 20, 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 CDD@newportbeachca.gov and our staff will attempt to accommodate you.

For questions regarding this public hearing item please contact Afshin Atapour, Planning Technician, at 949-644-3212, aatapour@newportbeachca.gov, 100 Civic Center Drive, Newport Beach, CA 92660.

Project File No.: PA2021-117

Activity No.: CD2021-023

General Plan:

RT (Two Unit

Residential)

Filing date:

May 21, 2021

Zone: R-BI (Two-Unit Residential, Balboa Island

Coastal Land Use Plan: RT-E (Two Unit Residential)

- (30.0 - 39.9 DU/AC)

Location: Applicant; 411 North Bay Front Brandon Architects **Legal Notices**

Legal Notices



CITY OF NEWPORT BEACH NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Thursday, August 26, 2021, at 10:00 a.m. or soon thereafter as the matter shall be heard, a public hearing will be conducted via zoom. The Zoning Administrator of the City of Newport Beach will consider the following

Dandelion Café – A minor use permit to establish a food service, eating and drinking establishment primarily to serve the office tenants and their visitors. The proposed café will occupy an existing storage space within the parking structure (4106 Newport Place Drive) of the existing office complex. The interior space will have 674 square feet of net public area with 19 seats, a service counter, kitchen, and restroom. The establishment also proposes a covered, 760-square-foot outdoor dining area with 23 seats (previously two covered accessible parking spaces that will be relocated). The existing office complex shared parking provides a surplus of 48 spaces and with the proposed café, a surplus of 15 parking spaces will remain. The request includes a Type 41 Beer and Wine Alcoholic Beverage Control License with no late hours.

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

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

SPECIAL NOTICE REGARDING COVID-19 Given Governor's Executive Orders N-08-21 and N-

29-20 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 CDD@newportbeachca.gov. To give the Zoning Administrator adequate time to review your questions and comments, please submit your written comments by Wednesday, August 25, 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 Citv's website at www.newportbeachca.gov/zoningadministrator, by end of business day on Friday, August 20, 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 CDD@newportbeachca.gov and our staff will attempt to accommodate you.

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

Project File No.: PA2021-081

Activity No.: UP2021-014

Newport Place, Planned Community, Professional and Business Office Site 5 (PC 11)

General Plan: Mixed-Use Horizontal (MU-H2)

Applicant: 4100 and 4106 Newport Olen Properties Place Drive Corp

THE CROWD

Continued from page A5

recycled materials into vibrant styles. The event will unfold at the Hammitt store and it is being called appropriately "Youth in Fashion.'

The teen designers have created original handbags. Participants will include Orange Lutheran High School student Rylen Schmid, Rosemary Academy student Ayan Mohommed, Samueli Academy students **Ri Gomez** and Gina Buitron and Cypress High School students George Iyalomhe and Ayden Quichocho.

Coming Aug. 28, "Summer Garden Party 2021" unfolds at Sherman Library and Gardens, Corona del Mar. The crowd will dine in the romantic Sherman Tea Garden with **Karen Noonan** and Susan Lawson at the helm. The "in person" happening is a signature component of the 25th annual Newport Beach Garden Tour (presented virtually in 2021, so it remains annual).

As one might expect, the garden party will feature a creative and fashionable hat contest organized by Stefanie Kristiansen along with an art show featuring "Pepper Tree" paintings from Ellen Small.

Proceeds from the garden party will fund children's educational programs offered by Sherman Gardens. Visit *thesherman.org* to learn more.

On Aug. 28 one may visit Sherman Gardens by day, and then the Santa Ana Zoo that evening for Zoofari. The 29th annual black-tie gala zoo fundraiser, billed as "Treasure Island Adven-



Photo courtesy Beverly Morgan

KAREN NOONAN and Susan Lawson are co-chairing the Summer Garden Party 2021 unfolding at Sherman Library and Gardens Aug. 28.

ture" produced by the Friends of Santa Ana Zoo (FOSAZ) will transform Prentice Park into a magical animal wonderland. Television newscaster **Henry Di** Carlo of KTLA will serve as emcee with an al fresco dinner prepared and served by the acclaimed Parties by Panache.

"Zoofari is a first-class fundraising event that demonstrates the love and investment that the local community, surrounding businesses and FOSAZ have for the Zoo," said David Exline, president of the FOSAZ Board in a statement.

"Our 2021 gala promises to be full of fun and laughter. Thank you to our local community, sponsors, and loyal FOSAZ members for their continued sponsorship and support of the Santa Ana Zoo. We have an awesome master plan in play at the Zoo and are accomplishing so much

thanks to the Zoo's amazing leadership team, staff, and all those who support and advocate for the Zoo."

According to Cathi Decker, event manager and executive director of FOSAZ, Zoofari continues to "play an integral role in raising the funds needed for all the special projects and improvements going on here at our favorite community zoo including educational programs, breaking ground on new animal habitats, tackling important conservation initiatives, introducing new rides and upgrading service facilities for our guests to use and enjoy."

For ticket information and reservations visit santaana

B.W. COOK is editor of the Bav Window, the official publication of the Balboa Bay Club in Newport



Photo courtesy Franco Chen

POP-UP BOUTIQUE at South Coast Plaza, with fashions provided by Ganni.

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MAILBAG

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The editors of the journal based their decision to retract on the concerns about the study methodology, uncertainty of the validity of the findings and conclusions and the potential public health implications.

In addition, Hayden cited a National Institutes of Health statement that surgical and N95 masks do not completely block the transmission of virus droplets. Masks do however, as most people understand, reduce the transmission.

The reduction is as much as 70% to 80% in some of the 15 studies referenced in the Centers for Disease Control and Prevention's publication "Science Brief: Community Use of Cloth Masks to Control the Spread of SARS-CoV-2."

This brief indicated that masks are primarily intended to reduce the emission of virus-laden droplets particularly for asymptomatic infected wearers who may be unaware of their infectiousness and who are estimated to account for more than 50% of transmissions.

Masks also help reduce inhalation of these droplets by the wearer. In summary, the brief states that the benefit of masking for SARS-CoV-2 control is due to the combination of these effects and the prevention benefit increases as more people use masks.

Lastly, contrary to Hayden's comments, the brief referenced research that concluded that mask wearing has no significant adverse health effects for wearers.

Studies of healthy hospital workers, older adults, and adults with COPD reported no change in oxygen or carbon dioxide levels while wearing a cloth or surgical mask either during rest or physical activity.

Additionally, no oxygen desaturation or respiratory distress was observed among children 2 to 12

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years of age when masked during normal play. While some studies have found an increase in reports of difficulty breathing when wearing face masks, no physiologic differences were identified between periods of rest or exercise while masked or nonmasked.

Charles Mooney

Costa Mesa

I read the recent letter in the Daily Pilot from Juli Hayden, who cites Tucker Carlson as her source of information about supposedly dangerous carbon dioxide buildup, with dis-

The JAMA Pediatrics study referenced was retracted by JAMA July 16 due to numerous methodologic problems ("terribly flawed," according to an associate professor at the Harvard School of Public Health). The reputable Mayo Clinic disputes the contention that CO2 off-gassing is a health concern. It's one of five "mask myths" debunked on their website.

Tucker Carlson and FOX News are doing a terrible disservice to listeners and the rest of us. It's not enough to "stay home if vou are sick" when the highly infectious Delta variant can be spread by people who don't have any symptoms. We need to use all the tools in our arsenal to get through this.

So, despite being vaccinated, I've resumed wearing a mask, viewing it as the equivalent of using an umbrella *and* wearing a raincoat in a bad storm. It's to protect myself and others who can't get vaccinated (children, those with compromised immune systems) and, now, unfortunately, vaccinated people who are vulnerable to

breakthrough infections, like my 96-year-old mom. Wearing a mask is also a small thing I can do on behalf of hospital workers. They're still in the trenches 18 months after COVID-19 erupted, forced to cope with rising hospitalization and deaths.

Mask wearing is such a simple act to help protect not just my health but the public health. What a shame it's become so politicized and controversial.

Annie Gerard Newport Beach

Juli Hayden should visit almost any intensive care unit in an American hospital to see first hand the suffering, death and devastation being caused by COVID-19 infections.

Hayden writes, "Simple good hygiene, social distancing and staying home if you are sick are clearly effective measures to take from keeping you safe from any virus."

Really! Many virus transmitters are asymptomatic and have no idea they are carrying or potentially transmitting the disease.

Hayden gives us some bizarre CO2 data for her anti-mask stance. This data has been widely disproven and of no significance compared with the potentially devastating consequences of contracting the coronavirus.

Today the hospitalization and deaths due to COVID-19 are almost 100% folks of Hayden's ilk. Thankfully an overwhelming number of Americans have chosen to wear masks and get vaccinated. These are the folks that care for their fellow citizens.

> Lawrence D. Freedman, M.D. Newport Beach

TOWN

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portance of spreading kindness through action and recognizing acts that do so.

The Dalai Lama, whom Vo met with four years ago, is a supporter of the cause.

Performances at the Promenade

The scheduled performances at the Promenade on Forest in downtown Laguna Beach this weekend will include local artist Jason Feddy on Saturday night

from 6 to 8 p.m. Zach Churchill will step onto the performance deck on Sunday evening from 5 to 7 p.m.

Churchill is known in town for his appearances at the Sawdust Festival and on Laguna Beach's radio station KX FM 104.7.

Bingo returns to Fountain Valley

For the first time since the coronavirus pandemic, Fountain Valley community services staff welcomed back the city's bingo players for a morning of games at the Center at Founders Village, 17967 Bushard St., on

Friday. Marcia Bill, a volunteer for the senior center, said that a moment of silence was held for those that had been lost while bingo was forced into an intermission by the virus.

"It was really nice, and then it was back to bingo," Bill said of the moment of silence.

"I'm so happy to see all the regulars coming back, and some new people, too. We have some new people, which is nice, so we're excited.'

Bingo will be offered on Fridays from 9 a.m. to noon.

More days of play could be added later.

— From staff reports