# Daily Pilot

FRIDAY, JULY 12, 2024 /// dailypilot.com



James Carbone

**HUNTINGTON BEACH** Mayor Gracey Van Der Mark.

### Van der Mark defends Pacific Airshow terms

Huntington Beach mayor accuses council members opposing a settlement agreement of political gamesmanship.

### BY SARA CARDINE

After Huntington Beach officials Wednesday released details of a settlement agreement with operators of the Pacific Airshow, enshrining entitlements that could cost the city millions over the next 40 years, the city's mayor responded with allegations of her

But despite the public "clap back," those who question the terms of the arrangement and how it was reached are taking their case to the state, seeking to clarify how deeply the settlement could impact the city.

In a statement issued through the city's communications team Thursday, Mayor Gracey Van Der Mark accused council members Dan Kalmick, Natalie Moser and Rhonda Bolton of "political gamesmanship" for their remarks that the settlement could possibly constitute a gift of public funds to a for-profit business.

"They are claiming that this is a 'bad' deal that should be investigated by the attorney general," she said in the statement posted Thursday on the city's website and Facebook page. "If this is true, which it is not, why did

See **Defends,** page A6

### Citrus sales alive and well in O.C.



Don Leach | Staff Photographer

**JUSTICE VARNADORE,** right, sings a jingle-style sales pitch as he and his brother, Jonah, offer "ice cold lemonade" on Tuesday to beachgoers headed to Corona Del Mar State Beach from Ocean Boulevard.

### Coastal Commission OKs Magnolia Tank Farm project

Decision comes despite concerns raised over potential flooding and cleanup of adjacent ASCON landfill site.

### BY LILLY NGUYEN

The Magnolia Tank Farm project in Huntington Beach took a step forward Wednesday after the state Coastal Commission approved a land use amendment — a year after talks on the contested development project stalled.

"We are thrilled with the California Coastal Commission's approval of our Huntington Beach project," Shopoff Realty Investments chief executive Bill Shopoff said in a statement Thursday. "In addition to a hotel, this project will provide quality housing for Huntington Beach residents, with a muchneeded affordable housing component, even including a



Don Leach | Staff Photographer

**SUPPORTERS OF** the Magnolia Tank Farm stand in and around the Newport Beach City Council chambers, where the Coastal Commission held its last hearing on the project in July 2023.

first of its kind program that will dedicate a portion of the affordable housing to hotel workers. We believe this innovative program is vitally important to the

success of this project, as it will allow workers to live in the city where they are employed, and

See **Project,** page A3

### ALSO FROM THE DAILY PILOT:



Courtesy of Huntington Beach Union High School District

TASMAN THORSNESS RETURNING TO COACH HUNTINGTON BEACH GIRLS' SWIMMING PAGE A2

PRESIDENT BIDEN EXPECTED TO ATTEND LAGUNA BEACH FUNDRAISER JULY 26 PAGE A2

FORMER YOUTH MINISTER CONVICTED OF MOLESTING 4 GIRLS PAGE A5



Don Leach | Staff Photographer

**THE LAGUNA BEACH** council this week unanimously supported an ordinance that eliminates the requirement for an in-person meeting of an artist review panel for approval for the city's live-work housing program.

## Laguna to streamline decisions on artist live-work applications

City official will approve or deny applications for artist live-work housing.

### BY ANDREW TURNER

Officials in Laguna Beach, renowned for being a creative hub, took steps this week to streamline the process for local artists to obtain a permit to reside in livework housing.

The City Council, which for some time has been addressing the need for affordable housing and workspace for its artists, unanimously approved an ordinance Tuesday that eliminates the requirement for an in-person meeting of an artist review panel for approval. The panel, a three-person subcommittee of the arts commission, has previously met within 30 days after the submission of an application. Those meetings also received public noticing in advance.

Applications will now fall under administrative review by the community development director or their designee within 14 days of receiving an artist's completed application.

Those submitting an application must still meet three of four criteria to receive consideration for the designated housing.

Those criteria include proof of formal training, as well as evidence of a body of work that has been created within the last three years. Applicants should have work that has been presented to the public. The other qualifying factor would be the inclusion of

See **Decisions**, page A3



### **GIRLS' SWIMMING**

### Tasman Thorsness returning to coach H.B.



Courtesy of Huntington Beach Union High School District

**HUNTINGTON BEACH** alumnus Tasman Thorsness is returning to coach the Oilers' girls' swimming program, which she headed from 2009 to 2013.

#### BY ANDREW TURNER

Tasman Thorsness will embark on her second voyage as head coach of the Huntington Beach girls' swimming program, Huntington Beach Union High School District officials announced Tuesday.

Thorsness has deep ties to the Oilers. An alumnus of Huntington Beach, she competed for the Oilers in swimming and water polo from 2004 to 2008 and contributed to the school record in the 200-meter freestyle relay in her time at the school.

In collegiate competition, Thorsness helped Orange Coast College win a state championship in 2011.

"I started my coaching career at [Huntington Beach] 15 years ago," Thorsness stated in a news release announcing her return to her alma mater. "I have grown in so many ways since then and am so excited to go back to where it all began. I love the technical side of swimming but am eager to inspire and motivate this group to reach their untapped

potential and personal growth in all aspects."

Thorsness served as the head coach of the Huntington Beach girls' swimming program from 2009 to 2013. She was also an assistant coach for the girls' water polo team.

She headed up the men's and women's swimming programs at Whittier College from 2015 to 2017. She has coached at Coastal Machine Aquatics Club, which is based out of Costa Mesa, since 2022.

"Coach Thorsness brings a wealth of experience and passion for swimming to our program, having previously excelled as an athlete right here at Huntington Beach High School," stated Melissa Vandenbosch, the school's athletic director.

"She is eager to share her knowledge and love for the sport with our student-athletes, fostering both skill development and a strong team spirit," Vandenbosch said.

andrew.turner@latimes.com Twitter: @AndrewTurnerTCN

### Biden slated to visit Laguna

### BY CITY NEWS SERVICE

President Joe Biden, who yesterday answered pointed questions at a press conference about his intentions to stay in the race following his recent shaky debate performance, is expected to visit Laguna Beach later this month for a campaign fundraiser.

Details were scant, but an invitation obtained by the New York Times indicated that Biden will attend a July 26 event in Laguna Beach hosted by Getty oil heiress and frequent Democratic donor Anne Earhart and longtime political consultant and activist Janet Keller.

According to the New York Times, tickets will range from \$1,000 to \$250,000.

Biden was in Southern California in mid-June, attending a June 15 star-studded fundraiser in downtown Los Angeles that also featured former President Barack Obama and first lady Jill Biden. Talk show host Jimmy Kimmel moderated part of the event, which also included appearances by George Clooney, Julia Roberts, Jack Black, Sheryl Lee Ralph, Jason Bateman and Kathryn Hahn.

Biden campaign officials said the event raised more than \$28 million.

Twelve days after that event, however, the campaign took a hit with Biden's uneven performance in a debate with presumptive Republican presidential nominee Donald Trump. Biden's performance led to questions about his age — 81 — and his ability to serve out another term.

Some have questioned whether Biden should step aside in favor of another candidate — suggestions that Biden has spent the past two weeks rebuffing.

Biden sent a letter to House Democrats saying it is time to put doubts about his competency behind them and coalesce behind his campaign. Biden also called in to the MSNBC show "Morning Joe" Monday to say he has no intention of leaving the race.

dailypilot@latimes.com Twitter: @TheDailyPilot



Alex Brandon | Associated Press

**PRESIDENT JOE BIDEN** is expected to attend a campaign fundraiser on July 26 in Laguna Beach hosted by Anne Earhart and Janet Keller. Above, Biden arrives for a campaign event held at the Peacock Theater in Los Angeles on June 15 where -more than \$28 million was raised.



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### **PROJECT**

Continued from page A1

avoid lengthy daily commutes.'

The 29-acre development was first approved by the Huntington Beach City Council in January 2021. The project was proposed for the lot bounded by the former ASCON landfill and Magnolia Street and necessitates rezoning the site from public uses and infrastructure to residential, commercial and open space in the city's land-use plan to allow for mixed-use development.

As proposed, the project will include up to 250 medium-density residential units, a new hotel with market-rate and lower-cost rooms and new park and conservation open space, according to commission staff.

About 20% of the residential units will be affordable, roughly half of which will be reserved for incomequalifying employees for

Of the hotel's 215 rooms, roughly 25% will be designated as affordable, with rates set at 75% of the statewide peak season's daily average, with increases to be consistent with the consumer price index.

At its last review, Coastal Commission staff recommended denial of the amendment, as questions remained over how to address potential coastal impacts to the site, which is low-lying and faces risks of flooding caused by sea level rise, climate change and heavy rain. Concerns were also raised about possible contamination from the Ascon landfill, which is remediation undergoing under the jurisdiction of the California Department of Toxic Substances Control.

The city's request was pulled in July 2023, then resubmitted in February of this year, with the addition of a technical study by consultant Q3 Consulting. The study indicated that existing flood walls that were recently improved could pro-



DAILY PILOT | COASTLINE PILOT | HUNTINGTON BEACH INDEPENDENT

**HUNTINGTON BEACH** planning commissioners voted in 2019 to approve zoning and general plan amendments related to the development plans for the Magnolia Tank Farm site. The City Council approved the development in early 2021.



Daily Pilot

**A MAP SHOWING** where the Magnolia Tank Farm property lies in Huntington Beach.

vide substantial protection against the elements, but they did not preclude the site from flooding entirely if a major storm surge combines with significant sea level rise.

The Coastal Commission moved to approve the amendments and implementation plans with modifications to both, requiring that adaptation measures be financed and implemented and that all occupants be notified of the possible risks.

Environmentalists and nearby residents have objected to the project for the same reasons the proposal was denied last year — that the site is hazardous and that construction would be disruptive to local wildlife.

**Huntington Beach Coun**cilman Casey McKeon, who said he lives in the southeast section of the city, agreed with the staff recommendation to not approve the amendment.

"I mentioned this earlier at the previous meeting, but this area already floods every rainy season. It'll only be exacerbated if an elevated development is constructed here," McKeon said. "Most importantly, I simply cannot fathom rezoning this property to allow for a more residentheavy use with this location being adjacent to that Ascon ... site, which will never be fully remediated, and adjacent to an industrial power plant — let alone adjacent to the precious wet-

McKeon said the questions, in his mind, were whether the Magnolia Tank Farm project would exacerbate issues at the Ascon site and how any new flooding infrastructure would be paid for.

Mauricio Escobar, a consultant and geologist on the project, said the tanks and supportive infrastructure removed when Shopoff purchased the property in 2016. Escobar said the contaminated topsoil was removed in two major disposals, and it was determined, through subsequent testing and sampling, that the Magnolia Tank Farm site was fit for open use.

Opponents to the project stated they were not opposed to development but that the risks were too high with the site. Supporters, on the other hand, maintained that the Magnolia Tank Farm project would allow them to live closer to the hotels where they work and provide new housing opportunities for low-income workers.

One woman told commissioners the project would "drastically" improve her living circumstances, describing it as a rare opportunity.

Cynthia Gomez, who represents Unite Here Local 2, said the union was supportive of the project, as it would provide housing, green space, transportation and jobs.

"These are things working-class people desperately need access to. Hotel housekeepers, dishwashers, bellmen and cooks are faced with hours-long commutes because they can't afford to live near their jobs at luxury resorts," Gomez said. "This project not only proposes 250 units of housing with 51 lower-cost units, but it's going to earmark a percentage of those units who will service guests next door.

"This is exactly the kind of development we need in California, and working families should be able to benefit from it now.

lilly.nguyen@latimes.com Twitter @lillihirds

### **DECISIONS**

Continued from page A1

three letters of recommendation from members of the arts commu-

"There is no aesthetic judgment considered, and it's not juried or curated," Cultural Arts Manager Sian Poeschl said. "It's purely submitting this information."

Both the Arts and Planning commissions unanimously supported the municipal code amendment, which Poeschl said would expedite the process and assist artists in completing applications protecting artist live-work spaces.

"What's happening is [the current process] slows things down for the artists," said Mayor Sue Kempf, a liaison to the Arts Commission. "They've submitted their applications, and they're ready to go. It's just a process that's a little clunky, and I think this will be a better process. It doesn't change the criteria or anything. The criteria is the criteria. It doesn't matter if three people are reviewing or one, what they submit is the same.'

Councilman Mark Orgill asked if the Arts Commission would be receiving a report of which artists had been approved or denied as applicants. Poeschl affirmed that could be

"I think this is streamlining government and getting rid of unnecessary commissions that just create unnecessary [use of] time and energy for everyone," Mayor Pro Tem Alex Rounaghi said. "I think this still achieves the goal of making sure that true artists are living in artist live-work housing."

andrew.turner@ latimes.com Twitter: @AndrewTurnerTCN





### MARKETPLACE

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**Legal Notices** 

Legal Notices

**Legal Notices Legal Notices** 

REFERENDUM

None, ABSTAIN: Orgill.

Ann Marie McKay, City Clerk

CITY OF LAGUNA BEACH:

ADOPTION OF **ORDINANCE NO. 1703** 

REPEALING IN ITS ENTIRETY ORDINANCE NO. 1675

Ordinance No. 1703 entitled "AN ORDINANCE OF

THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH,

CALIFORNIA, REPEALING IN ITS ENTIRETY

ORDINANCE NO. 1675 PERTAINING TO MASS, SCALING, HEIGHT, AND PARKING WITHIN THE

COMMERCIAL DISTRICTS, IN LIEU OF HOLDING A

CALIFORNIA ELECTIONS CODE SECTION 9241" was

introduced at the City Council meeting of July 9,

2024, and is scheduled to be adopted on July 23,

2024, on the following 4-0 vote: AYES: Weiss,

Whalen, Rounaghi, Kempf; NOES: None; ABSENT:

CITY OF LAGUNA BEACH:

ADOPTION OF ORDINANCE NO. 1704

REGARDING THE STREAMLINING OF ARTIST

OCCUPANCY PERMIT APPLICATIONS

Ordinance No. 1704 entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH,

Whalen, Rounaghi, Kempf; NOES: None; ABSENT:

**NOTICE OF PUBLIC SALE** 

OF PERSONAL PROPERTY

Notice is hereby given that on July 30, 2024; Life

Storage will sell at public auction, to satisfy the lien

of the owner, personal property described below

belonging to those individuals listed below at the

The auction will be listed and advertised on

www.storagetreasures.com. Purchases must be made with cash only and paid at the above referenced facility to complete the transaction. Extra Space Storage may refuse any bid and may rescind

any purchase up until the winning bidder takes

possession of the personal property

3190 Pullman St. Costa Mesa, CA 92626

Ann Marie McKay, City Clerk

following locations:

Isidro Perez-Munoz

Chantelle Dunlap

Charlie Raffoul

Sarah Hayden

7/12/24 CNS-3832213#

Brandon Brewer

Jose Luis Terreros Corrales

(714) 243-4094

12:00 PM

PURSUANT

ELECTION,

### NOTICE OF PETITION TO ADMINISTER ESTATE OF

THEODORE S. ROWE
Case No. 30-2024-01406132-PR-LA-CMC To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of THEODORE

A PETITION FOR PROBATE has been filed by Ann S. Rowe in the Superior Court of California, County of ORANGE.

THE PETITION FOR PROBATE requests that Ann S. Rowe be appointed as personal representative to administer the estate of the decedent.

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

and shows good cause why the court should not grant the authority.

A HEARING on the petition will be held on Sept. 11, 2024 at 1:30 PM in Dept. No. CM08 located at 3390 HARBOR BLVD, COSTA MESA CA 92626.

The court is providing the convenience to appear for hearing by video using the court's designated video platform. This is a no cost service to the public foc to the Court's website at the Superior public. Go to the Court's website at the Superior Court of California - County of Orange (occourts.org) to appear remotely for Probate hearings and for remote hearing instructions. If you have difficulty connecting or are unable to you have difficulty connecting or are unable to connect to your remote hearing, call 657-622-8278 for assistance. If you prefer to appear inperson, you can appear in the department on the day/time set for your hearing.

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

the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60

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

#### BSC 225393 **NOTICE OF PETITION** TO ADMINISTER ESTATE OF: Robert J. Brewer, aka Robert James Brewer, Robert Brewer 30-2024-01408808-PR-LA-CMC

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of: Robert J. Brewer, aka Robert James Brewer, Robert **Brewer** 

A PETITION FOR PROBATE has been filed by **Eddie D. Brewer** in the Superior Court of California, County of **ORANGE**.

THE PETITION FOR PROBATE requests that Eddie be appointed as personal representative to administer the estate of the

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

Sept 11, 2024 at 1:30 p.m. in Dept. CM08 located at: 3390 HARBOR BVLD. COSTA MESA, CA 92626

A HEARING on the petition will be held on

The court is providing the convenience to appear for hearing by video using the court's designated video platform. This is a no cost service to the public. Go to the Court's website at The Superior Court of California - County of Orange (occourts.org) to appear remotely for Probate hearings and for remote hearing instructions. If you have difficulty connecting or are unable to connect to your remote hearing, call 657-622-8278 for assistance. If you prefer to appear in-person, you can appear in the department on the day/time set for your

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

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

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

Published in the NEWPORT HARBOR NEWS PRESS

combined with the DAILY PILOT on: 7/11, 7/12 &

Attorney for the Petitioner: BEN SCHWEFEL, ESQ MURTAUGH TREGLIA STERN & DEILY LLP 2603 MAIN STREET, PENTHOUSE IRVINE, CA 92614

7/18/2024

CALIFORNIA, AMENDING CERTAIN PORTIONS OF CHAPTER 25.16 OF THE LAGUNA BEACH MUNICIPAL CODE AND THE CITY'S LOCAL COASTAL PROGRAM TO STREAMLINE REVIEW OF ARTIST OCCUPANCY PERMIT APPLICATIONS. AND DETERMINING THE ORDINANCE TO BE EXEMPT FROM CEQA" was introduced at the City Council meeting of July 9, 2024, and is scheduled to be adopted on July 23, 2024, on the following 5-0 vote: AYES: Orgill, Weiss,

before the hearing. Your appearance may be in person or by your attorney.
IF YOU ARE A CREDITOR or a contingent creditor of

days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code.

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

Notice form is available from the court clerk.

Attorney for petitioner:

MARC L WEBER ESQ

SBN 82868

LAW OFFICES OF

LAW OFFICES OF MARC L WEBER 1800 E GARY AVE STE 213 SANTA ANA CA 92705 CN107745 ROWE Jul 11,12,18, 2024

#### BSC 225392 **NOTICE OF PETITION** JOHANNA FLORENCE CHANEY 30-2024-01409120-PR-PW-CMC

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of: JOHANNA FLORENCE CHANEY.

A PETITION FOR PROBATE has been filed by KRYSTAL LAKEY ADAMS in the Superior Court of California, County of **ORANGE**.

THE PETITION FOR PROBATE requests that KRYSTAL LAKEY ADAMS be appointed as personal representative to administer the estate of

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

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

A HEARING on the petition will be held on Sept 11, 2024 at 1:30 p.m. in Dept. CM08 located at: 3390 HARBOR BVLD.

COSTA MESA, CA 92626

The court is providing the convenience to appear for hearing by video using the court's designated video platform. This is a no cost service to the public. Go to the Court's website at The Superior Court of California - County of Orange (occourts.org) to appear remotely for Probate hearings and for remote hearing instructions. If you have difficulty connecting or are unable to connect to your remote hearing, call 657-622-8278 for assistance. If you prefer to appear in-person, you can appear in the department on the day/time set for your

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

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Attorney for the Petitioner: KIRK MCINTOSH LAW OFFICES OF KIRK McINTOSH 129 W. WILSON ST., SUITE 105 COSTA MESA, CA 92627 Published in the ORANGE COAST DAILY PILOT on: 7/7, 7/12 & 7/14/2024

### THE DAILY **COMMUTER PUZZLE**

Bv Stella Zawistowski

**ACROSS** 1 Monastery leaders 7 Dry (deodorant) 11 Use scissors 14 Red Bordeaux wine 15 Cash drawer 16 Raw mineral 17 Allergen from a pet 18 Rain a little 19 Get older 20 Fast big cat 22 Paper fasteners

24 Taken-back car 25 Great anger 26 Furniture to sit 29 Fishing poles 32 Requests 36 Honker in a car 37 Emporium 38 Make a sweater 39 Consumed 40 Participates in an election 41 Bullfight cheer 42 Spot in the Senate 44 Small bills

45 Plant grown for food 46 "Frozen" queen 47 Marked down by 48 Urge 49 Sphere in a pod

51 Actress Adams 53 Dry areas 57 Thinks back on 61 Broad street: Abbr.

62 Author Anne 64 Necessitate 65 Midmorning hour 66 Skincare brand

67 Singer Warwick 68 Worker insect 69 Russo of movies 70 Long, tedious

**DOWN** 

speech

1"Back in Black"

18 19 38 45

67

#### **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.

62

66

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

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

group 2 "That's boring" 3 \_ of my existence 4 Get food delivered: 2 wds. 5 Take wobbly steps 6 Shoulder bag

going to be fine" 8 Tricep-building exercises 9 Snobs 10 Wedding ceremony site 11 Solid fossil fuel

12 Strongly encourage 13 Casual tops 21 Estrogen, e.g. 23 Mountaintop 26 Run after 27 Where a bellhop works 28 Locales 30 Hall & (pop-rock duo) 31 Furniture with drawers 33 Sleeper's sound 34 Metric units, for short 35 Stairway parts 40 Likely to erupt 43 Cassette 45 Brahma, in Hinduism 48 Outdoor meal 50 Mistake 52 Things you do 53 Facts and figures 54 Like 2, 4, or 6 55 Email folder 56 Look over quickly 58 Country road 59 Group of products 60 Iditarod vehicle 63 CBS logo

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this week's TimesOC newsletter with a look at the latest local news and

Watch where you're stepping on O.C.'s famed sands, because you may encounter a rare specimen of marine life. One, in fact, that has very sharp

That's what happened on a recent afternoon to lifeguard Sierra Fockler, who found a spooky-looking black angler fish, specifically a Pacific football fish, while she was walking near the lifeguard headquarters building on ro Beach, located within Crystal Cove State Park



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### Woman police say led them on a chase arrested in Costa Mesa

#### BY CITY NEWS SERVICE

A woman who eluded authorities during a highspeed chase last month through Orange and Los Angeles counties was located and arrested Wednesday in Costa Mesa, authorities said.

On June 30, Laguna police officers Beach stopped a green Mercedes on South Coast Highway at Bluebird Canyon Drive for an unspecified vehicle code violation, police said.

"The female driver, Melissa Haley, was contacted at the driver's side door, but she was uncooperative with officers. Haley was asked to exit the vehicle for investigation, which led to her fleeing from officers in her vehicle southbound on South Coast Highway," according to a statement from the Laguna Beach Police Depart-

"A vehicle pursuit ensued and led officers into Dana Point then onto Interstate 5 northbound. Due to excessive speeds, the vehicle proceeding onto Interstate 5 and the reckless nature of Haley's driving, LBPD officers relinquished the pursuit to California Highway Patrol. CHP officers pursued the vehicle into Los Angeles County before discontinuing their pursuit, as well," the statement continued.

Laguna Beach detectives began investigating Haley's whereabouts in pursuit of criminal charges, and she was located Wednesday near an auto repair shop in Costa Mesa. Haley was arrested on suspicion of felony evading and taken to Orange County Jail.

dailypilot@latimes.com Twitter: @TheDailyPilot

### Youth minister convicted of molesting 4 girls

### **BY PAUL ANDERSON**

A former youth minister was convicted Wednesday of molesting four girls and possessing child pornogra-

Todd Christian Hartman was found guilty of eight felony counts related to sexual assaults on four girls as well as one felony count of possession of child pornography. He is scheduled to be sentenced July 31.

The case against Hartman started with Newport Beach police in October 2014 when investigators were tipped off about child pornography on the defendant's devices at his home, according to court records.

Hartman lived with his mother there at the time.

A computer in his room had more than 1,500 suspected child pornography and child erotica images and about 400 suspected child pornographic videos, according to prosecutors. Another hard drive had about 5,000 suspected child pornography images, and a thumb drive contained about 80 deleted video files with names associated with child porn, prosecutors said.

Hartman was indicted by federal prosecutors, who later dismissed the case against him when a detective failed to read the defendant his Miranda rights, prosecutors said.

Hartman was previously accused of molesting a 14year-old girl and her 12year-old friend Dec. 29 and Dec. 30, 2009, when they were at one of the alleged victims' great-grandmother's home in Fullerton, but the Orange County district attorney's office declined to file a case at that time. The charges in Hartman's trial this month included those same accusers.

When the federal case against Hartman was dropped and he was released from custody in January 2016 he told the father of two sisters he met through a youth ministry at Vineyard Church in Anaheim that the federal charges were dismissed and he planned to visit them, prompting one of the girls to have a "meltdown," and tell her mother she was molested, Deputy Dist. Atty. Scott Wooldridge said.

"He was the guy who was part of the family," Wooldridge said in his closing argument. "They invited him into their home routinely.

In an email to the father, Hartman "shifted blame to two victims," the Wooldridge said. The prosecutor also said the father

was "being unreasonable" and that he "left out details

in his confession for [the

benefit. How

father's]

twisted is that?' The father noticed a "change in behavior" when his daughter was 9, which was when she was mo-

lested, Wooldridge said. Hartman "had unbelievable access to her for years," the prosecutor said.

Hartman also admitted molesting the girl on a phone call to her mother while a police investigator eavesdropped, Wooldridge

Hartman was a friend of the family of one of the victims in the Fullerton case, the prosecutor said. Hartman, who had been drinking, molested one of the girls despite her protests several times, Wooldridge said. She said it happened again the next evening, according to the prosecutor.

The girl's friend accused Hartman of also molesting her despite her protests to stop, Wooldridge said.

Hartman's attorney, Marji Kirkwood of the Orange County public de-fender's office, implored jurors to consider each allegation separately and to avoid lumping them all together.

"This is not a home run on nine counts," Kirkwood said.

The defense attorney said jurors could consider a lesser charge of sexual battery for one of the victims, and she argued against an accusation of sexually penetrating the girl.

Kirkwood conceded her client should be convicted of molesting the girl but said the more serious charge was not proved.

"You don't have to be a victim who is lying to misremember what happened," Kirkwood said.

Hartman denied during the covert call with police that he sexually penetrated the victim, Kirkwood said.

The defense attorney argued that the victim's sister, who is seen in multiple photos sitting on the defendant's lap, denied being molested in 2016 and again when interviewed by investigators in 2017.

Kirkwood also argued there was no evidence proving her client knew here was child pornography on his computers.

Paul Anderson is a reporter for City News Service.

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BSC 225400 NOTICE TO CREDITORS OF THOMAS L. PHILLIPS

In re: The Thomas L. Phillips Revocable Living Trust dated November 5, 1992

Case No : 30-2024-01409662-PR-NC-CMC SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ORANGE, COSTA MESA JUSTICE

COMPLEX Notice is hereby given to the creditors and contingent creditors of the above-named decedent, THOMAS L. PHILLIPS, that all persons having claims against the decedent are required to file them with the Superior Court, at 3390 Harbor Boulevard, Costa Mesa, CA 92626, and deliver pursuant to Section 1215 of the California Probate Code a copy to FIRST AMERICAN TRUST, FSB, Trustee of the Thomas L. Phillips Revocable Living Trust dated November 5, 1992, wherein the decedent was the trustor, at 5 First American Way, MS-2, Santa Ana, CA 92707, within the later of four (4) months after July 11, 2024 (the date of first publication of notice to creditors) or, if notice is mailed or personally delivered to you, 60 days after the date this notice is mailed or personally delivered to you, or you must petition to file a late claim as provided in Section 19103 of the Probate Code. A claim form may be obtained from the court clerk. For your protection, you are encouraged to file your claim by certified mail, with return receipt requested.

ROEHL LAW GROUP, P.C.

Date: 7/1/24

CYNTHIA V. ROEHL Attorneys for First American Trust, FSB, Trustee of the Thomas L. Phillips Revocable Living Trust dated November 5, 1992

Published in the NEWPORT HARROR NEWS PRESS combined with the DAILY PILOT on 7/11, 7/12 &

TS No: CA2000010-23-25 APN: 423-083-11 TO No: 230450771-CA-VOI NOTICE OF TRUSTEE'S SALE (The above statement is made pursuant to CA Civil Code Section 2923.3(d)(1). The Summary will be provided to Trustor(s) and/or vested owner(s) only, pursuant to CA Civil Code Section 2923.3(d)(2). YOU ARE IN DEFAULT UNDER A DEED OF TRUST DATED September 9, 2021. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDINGS AGAINST YOU, YOU SHOULD CONTACT A LAWYER. On August 5, 2024 at 01:30 PM, at the North front entrance to the County Courthouse at 700 Civic Center Drive West, Santa Ana, CA 92701, MTC Financial Inc. dba Trustee Corps, as the duly Appointed Trustee, under and pursuant to the power of sale contained in that certain Deed of Trust recorded on September 30, 2021 as Instrument No. 2021000606331, of official records in the Office of the Recorder of Orange County, California, executed by LIDO 10, LLC, A(N) CALIFORNIA LIMITED LIABILITY COMPANY, as Trustor(s), in favor of RIVERBEND FUNDING, LLC, A DELAWARE LIMITED LIABILITY COMPANY as Beneficiary, WILL SELL AT PUBLIC AUCTION TO THE HIGHEST BIDDER, in lawful money of the United States, all payable at the time of sale, that certain property situated in said County, California describing the land therein as: AS MORE FULLY DESCRIBED IN SAID DEED OF TRUST The property heretofore described is being sold "as is". The street address and other common designation, if any, of the real property described above is purported to be: 622 CLUBHOUSE AVE, NEWPORT BEACH, CA 92663 The undersigned Trustee disclaims any liability for any incorrectness of the street address and other common designation, if any, shown herein. Said sale will be made without covenant or warranty, when the side will be made without covenant or warranty, and the common of the common of the common of the common designation, if any, shown herein. and other common designation, if any, shown herein. Said sale will be made without covenant or warranty, express or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the Note(s) secured by said Deed of Trust, with interest thereon, as provided in said Note(s), advances if any, under the terms of the Deed of Trust, estimated fees, charges and expenses of the Trustee and of the trusts created by said Deed of Trust. The total amount of the unpaid balance of the obligations secured by the property to be sold and reasonable estimated costs, expenses and advances at the time of the initial publication of this Notice of Trustee's Sale is estimated to be \$3,222,919.56 (Estimated). However, prepayment premiums, accrued interest and advances will increase this figure prior to sale. Beneficiary's bid at said sale may include all or part of said amount. In addition to cash, the Trustee will accept a cashier's chek drawn on a state or national check drawn on a sta bank, a check drawn by a state or federal credit union Dank, a check drawn by a state or rederal credit union or a check drawn by a state or federal savings and loan association, savings association or savings bank specified in Section 5102 of the California Financial Code and authorized to do business in California, or other such funds as may be acceptable to the Trustee. In the event tender other than cash is accepted, the Trustee may withhold the issuance of the Trustee's Deed Upon Sale until funds become available to the payee or endorsee as a matter of right. The property offered for sale excludes all funds held on account by offered for sale excludes all funds held on account by the property receiver, if applicable. If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee and the successful bidder shall have no further recourse. Notice to Potential Bidders If you are considering bidding on this property lien, you should understand that there are risks involved in bidding at a Trustee auction. You will be bidding on a lien, not on the property itself. Placing the highest bid at a Trustee auction does not automatically entitle you to free and clear ownership of the property. You should also be aware that the lien being auctioned off may be a junior lien. If you are the highest bidder at the auction, you are or may are the highest bidder at the auction, you are or may be responsible for paying off all liens senior to the lien being auctioned off, before you can receive clear title to the property. You are encouraged to investigate the existence, priority, and size of outstanding liens that may exist on this property by outstanding liefs that may exist on this property by contacting the county recorder's office or a title insurance company, either of which may charge you a fee for this information. If you consult either of these resources, you should be aware that the same Lender may hold more than one mortgage or Deed of Trust on the property. Notice to Property Owner The sale date shown on this Notice of Sale may be postponed one or more times by the Mortgagee. Repeficiary date shown on this Notice of Sale may be postponed one or more times by the Mortgagee, Beneficiary, Trustee, or a court, pursuant to Section 2924g of the California Civil Code. The law requires that information about Trustee Sale postponements be made available to you and to the public, as a courtesy to those not present at the sale. If you wish to learn whether your sale date has been postponed, and, if applicable, the rescheduled time and date for the sale of this property, you may call Nationwide Posting & Publication at 916.939.0772 for information regarding the Trustee's Sale or visit the Internet Website www.nationwideposting.com for information Publication at 916.939.07/2 for information regarding the Trustee's Sale or visit the Internet Website www.nationwideposting.com for information regarding the sale of this property, using the file number assigned to this case, CA2000010-23-25. Information about postponements that are very short in duration or that occur close in time to the scheduled sale may not immediately be reflected in the telephone information or on the Internet Website. the telephone information or on the Internet Website. The best way to verify postponement information is to attend the scheduled sale. Notice to Tenant NOTICE TO TENANT FOR FORECLOSURES AFTER JANUARY 1, 2021 You may have a right to purchase this property after the trustee auction pursuant to Section 2924m of the California Civil Code. If you are an "eligible tenant buyer," you can purchase the property if you match the last and highest bid placed at the trustee auction. If you are an "eligible bidder," you may be able to purchase the property if you exceed the last and highest bid placed at the trustee auction. There are three steps to exercising this right of purchase. First, 48 hours after the date of the trustee sale, you can call 916.939.0772, or visit this internet website www.nationwideposting.com, using the file number assigned to this case CA2000010-23-25 to find the date on which the trustee's sale was held, the amount of the last and highest bid, and the address of the trustee. Second, you must send a written of internet we have the address of the trustee. 25 to find the date on which the trustees's sale was held, the amount of the last and highest bid, and the address of the trustee. Second, you must send a written notice of intent to place a bid so that the trustee receives it no more than 15 days after the trustee receives it no more than 45 days after the trustee receives it no more than 45 days after the trustee's sale. If you think you may qualify as an "eligible tenant buyer" or "eligible bidder," you should consider contacting an attorney or appropriate real estate professional immediately for advice regarding this potential right to purchase. Date: June 25, 2024 MTC Financial Inc. dba Trustee Corps TS No. CA2000010-23-25 17100 Gillette Ave Irvine, CA 92614 Phone: 949-252-8300 TDD: 711 949-252-8300 By: Bobbie La Flower, Authorized Signatory SALE INFORMATION CAN BE OBTAINED ONLINE AT www.nationwideposting.com FOR AUTOMATED SALES INFORMATION PLEASE CALL. Nationwide Posting & Publication AT 916-939-0772 NPP0462384 To: NEWPORT HARBOR NEWS PRESS COMBINED WITH DAILY PILOT 07/12/2024, 07/19/2024, 07/26/2024

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#### **CITY OF COSTA MESA** NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Costa Mesa Planning Commission will hold a public hearing at City Hall Council Chambers, 77 Fair Drive, Costa Mesa, California and virtual locations on Monday, July 22, 2024 at 6:00 PM, or as soon as possible thereafter, to consider the following item:

Application No.: PA-21-28 Applicant/Agent: Kanwarjit Singh/ML Costa Mesa

Site Address: 2285 Newport Blvd.

Zone: General Business District (C2)

**Description**: Planning Application 21-28 is a request for a Conditional Use Permit to allow a 2,400-squarefoot retail cannabis storefront use with delivery in an existing one-story commercial building located at 2285 Newport Boulevard. The proposed use would be subject to Costa Mesa's regulations, conditions of approval, and State cannabis regulations. For additional information, please visit the City's website at <u>www.costamesaca.gov/cannabis</u>.

Environmental Determination: The project is exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Class 1), Existing Facilities. Additional Information: For more information, call 754-5245,

planninginfo@costamesaca.gov. Planning Division staff are available from 8:00 AM to 5:00 PM Monday through Thursday and alternating Fridays, except specified holidays. All interested parties may submit comments to the Planning Commission in regard to this application. Please refer to the Planning Commission meeting agenda for instructions regarding how to participate in the meeting. The Planning Commission meeting agenda and staff report will be posted online 72 hours prior to the

https://costamesa.legistar.com/Calendar.aspx. Members of the public may submit comments via

 $email \quad to \quad \underline{PCPublicComments@costamesaca.gov}.$ Comments received by 12:00 PM on the date of the meeting will be provided to the Planning Commission, made available to the public, and will be part of the meeting record. Any written communications, photos, PowerPoints or other materials for distribution to the Planning Commission must be 10 pages or less and submitted to the City **NO LATER THAN 12:00 PM** on the day of the hearing via email or submitted to the Planning Department on a flash drive, or mailed to the Planning Department. All materials, pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. No links to YouTube videos or other streaming services will be accepted. A direct video file will need to be emailed to staff prior to each meeting in order to minimize complications and to play the video vithout delay. The video must be one of the following formats: .mp4, .mov, or .wmv. Only one file may be included per speaker for public comments. Please note that materials submitted by the public that are deemed appropriate for general audiences will not be redacted in any way and will be posted online as submitted, including any personal contact information. If you challenge this project in court, you may be limited to raising only those issues you, or someone else raised, during the public hearing or n written correspondence submitted to the City, during or prior to, the public hearing.

#### **CITY OF COSTA MESA NOTICE OF PUBLIC HEARING**

NOTICE IS HERERY GIVEN that the Costa Mesa Planning Commission will hold a public hearing at City Hall Council Chambers, 77 Fair Drive, Costa Mesa, California and virtual locations on Monday, July 22, 2024 at 6:00 PM, or as soon as possible thereafter, to consider the following item:

**Application No.:** DA-20-05 Interinsurance Applicant/Agent: Exchange Automobile Club of Southern California/Jennifer J.

Farrell, Esq. Site Address: 3333 Fairview Road

Zone: Planned Development Commercial (PDC) Description: The Automobile Club of Southern California proposes to amend their Development Agreement (DA-20-05) with the City of Costa Mesa to allow for a 20 year time extension that would expire on October 31, 2044; to amend provisions pertaining to the rate and methodology for calculating traffic impact fees; and, to amend provisions related to the placement of a future parking structure for property generally located at 3333 Fairview Road.

Environmental Determination: Pursuant to CEQA Guidelines Section 15162 this project is within the scope of the June 20, 1994-certified Final Environmental Impact Report (FEIR) #1045 (State Clearinghouse No. 94021036) for the Automobile Club Expansion project . The effects of the project were examined in the 1994 FEIR, and all feasible mitigation measures and alternatives developed in the 1994 FEIR are incorporated into this project and no new mitigation measures are required. Therefore, the 1994 FEIR for Automobile Club Expansion project is determined to be adequate to serve as the environmental documentation for this project, that no further environmental review is required, and that all requirements of CEQA are satisfied.

Additional Information: For more information, call 754-5245, planninginfo@costamesaca.gov. Planning Division staff are available from 8:00 AM to 5:00 PM Monday through Thursday and alternating Fridays, except specified holidays. All interested parties may submit comments to the Planning Commission in regard to this application. Please refer to the Planning Commission meeting agenda for instructions regarding how to participate in the meeting. The Planning Commission meeting agenda and staff report will be posted online 72 hours prior to the

https://costamesa.legistar.com/Calendar.aspx. Members of the public may submit comments via to PCPublicComments@costamesaca.gov. Comments received by 12:00 PM on the date of the meeting will be provided to the Planning Commission, made available to the public, and will be part of the meeting record. Any written communications, photos, PowerPoints or other materials for distribution to the Planning Commission must be 10 pages or less and submitted to the City NO LATER THAN 12:00 PM on the day of the hearing via email or submitted to the Planning Department on a flash drive, or mailed to the Planning Department. All materials, pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. No links to YouTube videos or other streaming services will be accepted. A direct video file will need to be emailed to staff prior to each meeting in order to minimize complications and to play the video without delay. The video must be one of the following formats: .mp4, .mov, or .wmv. Only one file may be included per speaker for public comments. Please note that materials submitted by the public that are deemed appropriate for general audiences will not be redacted in any way and will be posted online as submitted, including any personal contact information. If you challenge this project in court, you may be limited to raising only those issues you, or someone else raised, during the public hearing or in written correspondence submitted to the City, during or prior to, the public hearing.

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### BSC 225394 NOTICE OF PETITION TO ADMINISTER ESTATE OF: MYRON PAUL WIECZOREK 30-2024-01405124-PR-LA-CMC

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of: **MYRON** PAUL WIECZOREK.

A PETITION FOR PROBATE has been filed by JOY ANN WIECZOREK-GOLDBLATT in the Superior Court of California, County of ORANGE.

THE PETITION FOR PROBATE requests that JOY

ANN WIECZOREK-GOLDBLATT be appointed as personal representative to administer the estate of the decedent.

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

Aug 28, 2024 at 1:30 p.m. in Dept. CM08 located at: 3390 HARBOR BVLD. COSTA MESA, CA 92626

The court is providing the convenience to appear for hearing by video using the court's designated video platform. This is a no cost service to the public. Go to the Court's website at The Superior Court of California - County of Orange (occourts.org) to appear remotely for instructions. If you have difficulty connecting or are unable to connect to your remote hearing, call 657-622-8278 for assistance. If you prefer to appear in-person, you can appear in the department on the day/time set for your

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

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

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

Attorney for the Petitioner: SUZANNE M. REHMANI, ESQ REHMAN I & ASSOCIATES, APC 14751 PLAZA DR., STE B TUSTIN, CA 92780

Published in the NEWPORT HARBOR NEWS PRESS combined with the DAILY PILOT on: 7/11, 7/12 & 7/18/2024

#### BSC 225424 NOTICE OF PETITION TO ADMINISTER ESTATE OF: **Betty Newbrough** 30-2024-01410276-PR-LA-CMC

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of: Betty Newbrough.

A PETITION FOR PROBATE has been filed by Nancy Newbrough Shoemate in the Supe Court of California, County of ORANGE.

THE PETITION FOR PROBATE requests that Nancy Newbrough Shoemate be appointed as personal representative to administer the estate of the decedent.

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

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

A HEARING on the petition will be held on Sept 05, 2024 at 1:30 p.m. in Dept. CM07 located at: 3390 HARBOR BVLD. COSTA MESA, CA 92626

The court is providing the convenience to appear for hearing by video using the court's designated video platform. This is a no cost service to the public. Go to the Court's website at The Superior Court of California - County of Orange (occourts.org) to appear remotely for Probate hearings and for remote hearing instructions. If you have difficulty connecting or are unable to connect to your remote hearing, call 657-622-8278 for assistance. If you prefer to appear in-person, you can appear in the department on the day/time set for your IF YOU OBJECT to the granting of the petition, you

should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or contingent creditor of

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

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

Attorney for the Petitioner: STEVEN GIAMMICHELE, ESQ

GIAMMICHELE LAW, APC 17592 IRVINE BLVD. TUSTIN, CA 92780

Published in the NEWPORT HARBOR NEWS PRESS combined with the DAILY PILOT on: 7/12, 7/18 &



### **DEFENDS**

Continued from page A1

[they] sit on this information for over a year and a half?

"Had they believed there was anything improper, nothing stopped them from contacting the attorney general then, or the district attorney or any other law enforcement agency."

Van Der Mark accused the three officials, all registered Democrats whose terms will expire in November, of using the settlement as a means of campaigning for reelection.

"While these three dissenting council members cast aspersions at the integrity of the City Council, the City Council majority has been doing everything in its power to exercise its best judgment to make the city safer, to fight Sacramento's destructive policies for cities, to enhance economic vitality and to maintain a high-quality, patriotic way of life," she said.

Kalmick countered that view, describing the mayor's message being sent out Huntington Beach's public affairs manager "an inappropriate use of city facilities for political speech.'

He said he did not speak publicly about the Pacific Airshow settlement until this week's release because council members cannot



**KEVIN ELLIOTT,** chief executive officer of Code Four, speaks during a May 9, 2023, news conference at Huntington Beach Pier Plaza, the day his company reached a settlement agreement with the city over a canceled day of the show in 2021.

disclose what is discussed in closed session meetings to the public and must instead rely on the city's legal counsel to determine a course of action.

"Normally, I would go to my city attorney, but my city attorney is complicit in this deal," he said Thursday. "So, why are we doing this now? Because now I have a public document to point to."

Kalmick said he never received a copy of the full settlement and contradicted Gates' claim Wednesday that city staff conducted a "costing" of the proposal. Kalmick maintains no financial analysis was done.

The settlement stems from a 2022 lawsuit filed by Kevin Elliott, chief executive of Code Four, the event management company that stages the annual three-day Pacific Airshow. Elliott claimed when the final day of the event was canceled in 2021 due to an oil spill he lost millions in

revenue.

In addition to a settlement payment of \$5.4 million over a six-year period, the deal allows Code Four, should it enter into a contract with the city, to host the Pacific Airshow at any time of the year it wishes and to use and monetize up to 3,500 city parking spaces during the event. The contract term is 10 years with three 10-year renewal options, at Code Four's discretion.

It further makes those

**Bids Wanted** 



**THE U.S.** Air Force Thunderbirds fly in formation over Huntington Beach Pier at the Pacific Airshow in 2021, the day before the final day of the three-day event was canceled due to an oil spill offshore.

rights transferable to a third party, should Code Four sell the enterprise, and includes a stipulation that the city will waive all fees and permits associwith the event ated throughout the life of the contract.

Kalmick wondered Thursday whether Elliott might have already been compensated for the lost day of revenues, either through an insurance policy or a separate settlement with Amplify Energy, found to be at fault for the 25,000gallon spill.

"Did [Code Four] get made whole from the oil company? Did they have insurance?" he wondered. "Did they get made whole on multiple fronts and then come to the city to get more money from us? I ne-

ver got an answer to that." Local resident Gina Clayton-Tarvin — who serves on the Ocean View School District's Board of Trustees and won a court ruling that forced Huntington Beach City Atty. Michael Gates to release the complete settle-

ment document — said the

terms of the agreement confirmed her worst fears.

"It's a shameless giveaway to Airshow operator Kevin Elliott" she said Thursday, claiming that over a 40-year period the city could stand to lose around \$20.5 million in payments, waived fees and lost revenue.

Clayton-Tarvin forwarded the document to the offices of California's attorney general and state auditor, the latter of which was advised in May by the state's Joint Legislative Audit Committee to review the controversial transaction.

"I intend to keep pushing and to keep monitoring the situation and to make sure those who have potentially wronged the taxpayers are brought to justice," she said. "You simply can't make up your own rules in California, in the United States of America.

"Nobody is above the law. And they're going to learn the hard way.

sara.cardine@latimes.com Twitter: @SaraCardine

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#### **NOTICE OF A PUBLIC HEARING** LAGUNA BEACH CITY COUNCIL

LAGUNA BEACH CITY COUNCIL

The Laguna Beach City Council Will hold an in-person Public Hearing in the City Council Chambers, located in City Hall at 505 Forest Avenue, Laguna Beach, to consider: Appeal of Planning Commission approval of Design Review 22-2304, Variance 24-0690, and CEQA Categorical Exemption for Hotel Laguna at 425 S. Coast Highway, in the Central Bluff District. SAID PUBLIC MEETING to be held Tuesday, July 23, 2024, at 5:00 p.m. or as soon thereafter. The project consists of the following: (1) exterior changes to the existing building, which includes but is not limited to: (i) repainting of the building with revised paint and trim colors; (ii) replacement of guest room doors and windows with fiberglass systems; (iii) replacement of the fire escapes and accessways; (iv) restore the rooftop spire above the existing cupula that exceeds the maximum building height in the CBD-Central Bluffs District IDSP General Development Standards (6) (pg. 155); and (y) façade restoration which includes installing new awnings, restoring archway detalls, storefront fenestration systems, other historic details and stucco repair/replacement (hereinafter referred to as "Exterior Changes"); (2) renovations to existing hotel rooms, including pudated lighting, wall coverings, furnishings, fixtures, flooring, bathrooms, and addition of air conditioning; (3) interior remodelle work, including remodeling of 2nd and 3rd floor guest rooms, including hallways, and remodeling of 1st floor lobby, reception, retail spaces, and corner café, structural repairs and upgrades throughout ("Structural Work"); (4) replacement of the flat roof above the hotel; and (5) installation of two vertical blade signs. The City has received applications for the remaining Project components described above and is processing those applications. The Planning Commission anonwed Designs Review Pagnaing Commission anonwed Design Review Pagnaing Commission anonwed Designs Review Pagnaing Commission anonwed Designs Review Pagnaing Commission remaining Project components described above and is processing those applications. The Planning Commission approved Design Review 22-2304 for only the Exterior Changes. The Planning Commission approved Variance 24-0690 for the reconstruction of a spire atop the cupola. The Planning Commission found the entire Project exempt from CEQA. Related project case numbers and previously approved entitlements on the property include but are not limited to: DR 79-82, DR 83-64, DR 85-74, DR 89-094, DR 96-017, DR 00-116. Applicant: Oatman Architects, Inc. — Homer Oatman. A person has appealed the entitlements on the property include but are not limited to: DR 79-82, DR 83-64, DR 85-74, DR 99-094, DR 96-017, DR 00-116. Applicant: Oatman Architects, Inc. — Homer Oatman. A person has appealed the decision of the Planning Commission (PC) to approve the project or the following summarized grounds: 1) The Planning Commission's approval of the Project's CE (Categorical Exemption) is improper due to cumulative impacts from successive and/or piecemealed projects at the Hotel Stir; 2) The Planning Commission's CDP exemption determination seems improper; and 3) The Project's inconsistency with the LCP conflicts with the City's General Plan and infects the Code-required findings for Entitlements. The required findings may lack adequate substantial evidence. For additional information, contact City staff: Martina Caron, Principal Planner (949) 464-6629 or mcaron@lagunabeachcity.net. Comments may be made in writing prior to the hearing (when emailed or mailed to the City Clerk's office) or in-person in Council Chambers during the public hearing. In order to allow sufficient time for members of the City Council and staff to review and consider your comments, written comments will be accepted for consideration up until the close of business (i.e., 5:30 p.m.) on the business day before the date on which this public hearing is scheduled; however, it is recommended they be submitted to the City Cerk's office on or before 5:00 p.m. five days prior to the scheduled hearing. It you challenge the project 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 of Laguna Beach at, or prior to, the public hearing. This project is categorically exempt pursuant to the California Environmental Quality Act Guidelines, Sections 15301 (Existing Facilities), and 15331 (restoration, preservation, conservation or reconstruction of Hotel Laguna (a historical resource) in a manner consistent with the Secretary of

### LEGAL NOTICE



### NOTICE OF PUBLIC HEARING Design Review Board / Board of Adjustment

Council Chambers, 505 Forest Avenue Laguna Beach, CA 92651 Thursday, July 25, 2024 at 5:00 PM

The CITY OF LAGUNA BEACH will hold a public hearing on the request below. You may

participate in-person at City Hall. Case No.: Design Review 24-0425, Variance 24-0427 Address: 505 Dunnegan Drive | APN: 053-111-18 Applicant: Warren Hutcherson, Designer (949) 338-6905 wh3d@cox.net Property Owner: Brandon Parrish Application Filing Date: October 9, 2023. PROJECT DESCRIPTION: The applicant requests design review for a new garage and driveway, new roof extension, and spa on the upper-level deck in the R-1 (Residential Low Density) zone. A Variance is requested to exceed the maximum height for the R-1 zone. COASTAL ZONE: This project is located within the excludable area and does not require a Coastal Development Permit. CEQA: Staff recommends the Design Review Board determine that the proposed project is categorically exempt pursuant to the California Environmental Quality Act Guidelines, Section 15301 - Existing Facilities, in that the project consists of the repair, maintenance, or minor alteration of existing structures or topographical features, involving negligible or not expansion of existing or former use. MORE **INFORMATION:** The property is required to be staked with story poles at least 21 calendar days prior to the hearing. The agenda packet will be available on the City's website at least 72 hours prior to the scheduled public hearing (https://www.lagunabeachcity.net/live-here/city-council/meetings-agendas-and-minutes) and at the Community Development Department public counter during the following hours: Monday - Friday: 7:30am - 3:00pm, closed alternating Fridays. HOW TO COMMENT: For additional information, contact City staff: Jessica Mendoza, Assistant Planner at jmendoza@lagunabeachcity.net (949) 497-0390. Comments may be made during the Public Hearing. In order to allow sufficient time for staff to review and consider your written aments, written comments will be accepted for consideration up until the close of business (i.e. 5:30 p.m.) on the business day before the Public Hearing is scheduled. You may invite the Board Members to view the proposed project from your property prior to the meeting. Please complete a site visit request by visiting the link below. https://www.lagunabeachcity.net/government/ departments/boards-commissions-committees/design-review-board. Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability-related modification or accommodation to participate in a meeting may request such modification or accommodation from the Zoning Division at (949) 497-0329. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting. Pursuant to California Government Code Section 65009(b), if you challenge this application in court, the issues raised shall be limited to those raised in the public hearing or in written correspondence delivered to the public agency prior to, or at, the public hearing.

### **Bids Wanted**

### **Bids Wanted**

**CITY OF LAGUNA BEACH** 

**NOTICE INVITING BIDS** FOR CONSTRUCTION OF

GLENNEYRE PARKING STRUCTURE REHABILITATION REBID (CIP 23-9110)

NOTICE IS HEREBY GIVEN that electronic bids will be received by the City of Laguna Beach for the GLENNEYRE PARKING STRUCTURE

REHABILITATION REBID (CIP 23-9110), together with appurtenances thereto.

DATE OF OPENING BIDS: Bid prices for each line item of the Schedule of Work must be entered and all other required documents for the bid proposal packet (pages B-1 through B-5, B-8 through B-16) must be uploaded to the PlanetBids system no later than 2:00 PM on August 13, 2024, after which time bids will be publicly opened and read aloud at the Office of the City Engineer of the City of Laguna Beach, located at 479 Ocean Avenue, Laguna Beach, California, 92651. No late bids will be accepted.

**DESCRIPTION OF THE WORK**: In general, the work comprises the of the repair and structural strengthening of the existing Glenneyre Street Parking Structure including post tensioned concrete slab and roof inspection and repair, FRP wrapping of existing columns, planter refurbishment with related plumbing repairs, installation of helical anchors at stairways, within the City of Laguna Beach.

PRE-BID CONFERENCE: There will be a mandatory pre-bid conference for this project on Tuesday, July 23, 2024 at 10:00 A.M. Attendees are to meet at GLENNEYRE PARKING STRUCTURE (PARKING LOT #6), 501 Glenneyre Street, Laguna Beach, CA 92651. Failure to attend will result in your bid proposal being declared non-responsive.

AWARD OF CONTRACT: (a) The City reserves the right after opening bids to reject any or all bids, to waive any informality (non-responsiveness) in a bid, or to make award to the lowest responsive, responsible bidder and reject all other bids, as it may best serve the interest of the City. (b) As a condition of award, the successful bidder will be required to submit payment and performance bonds and insurance.

be completed in a total of FIFTY FIVE (55) WORKING DAYS, excluding holidays, from the date specified in the Notice to Proceed, which is anticipated to be November 4, 2024. Liquidated damages shall be \$2,000 per working day, for each and every working days delay in finishing the work.

COMPLETION OF WORK AND LIQUIDATED DAMAGES: All work is to

CONTRACTOR'S LICENSE CLASSIFICATION: The Contractor shall possess a valid Class A, General Engineering, Contractor License at the time of submitting bids, in accordance with provisions of Chapter 9, Division III of the California Business and Professions Code.

WAGE RATE REQUIREMENTS: In accordance with the provisions of Sections 1773.2 of the California Labor Code, copies of the general prevailing rate of per diem wages as determined by the State Director of Industrial Relations are available on the Internet at the World Wide Web site of the State Department of Industrial Relations at www.dir.ca.gov under Statistics and Research. It shall be mandatory upon the contractor to whom the contract is awarded and upon any subcontractor under him to pay not less than said specified rates to all workers employed by them in the execution of the contract. All parties to the contract shall be governed by all provisions of the California Labor Code relating to prevailing wage rates; Sections 1770-1781 inclusive.

N-9 **RETAINAGE FROM PAYMENTS**: The Contractor may elect to receive 100 percent of payments due under the Contract Documents from time to time. without retention of any portion of the payments by the City, by depositing securities of equivalent value with the City in accordance with the provisions of Section 22300 of the Public Contract Code.

N-10 OBTAINING OR INSPECTING CONTRACT DOCUMENTS: Contract Documents, in digital Adobe Acrobat (.PDF) format, are available at the City of Laguna Beach's website https://www.lagunabeachcity.net/do-business-here/rfps-bids. Once at this site,

click on the "Vendor Portal & Bid Opportunities" icon. If you are not currently registered with PlanetBids for the City of Laguna Beach, please click on the "New Vendor Registration" button, then complete the electronic supplier registration process. Interested firms must be registered in order to submit a bid. Firms must also check the website periodically for addenda information as failure to acknowledge any and all addenda will result in bid disqualification.

N-11 REGISTRATION WITH THE DEPARTMENT OF INDUSTRIAL **RELATIONS**: No contractor or subcontractor may be listed on a bid proposal for a public works project (submitted on or after March 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)]. No contractor or subcontractor may be awarded a contract for public work on a public works project (awarded on or after April 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5. This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

N-12 **ESTIMATE OF PROBABLE COST**: The estimate of probable cost for the project is \$1,225,000.

N-13 PROJECT REPRESENTATIVE: All communications relative to this project shall be directed to Alpha Santos, Project Manager, at asantos@lagunabeachcity.net. Deadline for all inquiries is 5:00 PM on July 31, 2024.

BY ORDER OF THE CITY OF LAGUNA BEACH By: Thomas Perez, Assistant Director of Public Works July 12, 2024 Published: Daily Pilot July 12, 2024 & July 19. 2024

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### **CROSSWORD AND SUDOKU ANSWERS**

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