

# Federal judge issues ruling affirming Costa Mesa's victory in sober living lawsuit

The City of Costa Mesa sealed its victory in the groundbreaking case involving Yellowstone Women's First Stop House, Inc. and two other entities after Federal District Judge James Selna ruled in the city's favor.

This latest ruling punctuates the city's resounding victory in December of 2018 when a jury disposed of most of the Yellowstone case by unanimously agreeing the city's sober living ordinances are not discriminatory and do not violate the Fair Housing Act.

"This ruling by the Honorable Judge Selna, determining the enforceability of our local laws, allows us to continue to protect patients and the public from those operators who are more concerned with profits over patient care," Mayor Katrina Foley said. "It confirms once again that investing in the litigation and fighting to keep our ordinance was the right thing to do not only for our Costa Mesa community, but others as well."

In the court case, the City of Costa Mesa was represented by lead trial attorney Jennifer Keller of Keller/Anderle LLP.

"The Costa Mesa City Council stood tall and refused to be intimidated by the Plaintiffs," Keller said at the time. "These victories are not just for the people of Costa Mesa and those in recovery homes, but also for every city in California."

The City's law, passed in 2014, was written to balance the

rights of all citizens – including residents of group homes – to live in and enjoy Costa Mesa’s single-family neighborhoods. The City implemented the law to protect the entire community from operators of unlicensed facilities which exposed residents to dangerous conditions and created public nuisance concerns.

Yellowstone, another sober living home and an industry trade group brought the original suit in the Central District of California in 2014. Numerous city employees and officials testified before the eight-person jury.

They spoke about the need for the law and discussed the City’s efforts to help those rendered homeless after being kicked out of sober living homes, including many people recovering from drug and alcohol addiction who had been enticed to Costa Mesa from out of state.

Several neighbors of poorly run recovery homes testified about the way these facilities mistreated recovering addicts and the impacts they had on the community.

After a four-week trial before Judge Selna, the jury deliberated for half a day before returning the verdict on all counts in favor of the City of Costa Mesa.

The verdict and Judge Selna’s ruling on July 16 are big victories for Costa Mesa as it means the city can continue to enforce its ordinance, which regulates sober living home operators in single family neighborhoods, including limiting the number of residents to six or fewer and maintaining a 650-foot buffer between non-licensed sober living homes.

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# Tamara Letourneau to take City Manager job in Laguna Niguel

Tamara Letourneau, who has been the Assistant City Manager in Costa Mesa for the past five years, has accepted the job to become the new City Manager of Laguna Niguel.

Letourneau's Costa Mesa career began in 2011 when she was hired as a consultant working for the Management Partners firm before being hired full-time in 2014. Most recently, she has served as the Acting City Manager since November of 2018.

"It's great to see so many more women achieving top leadership roles in the county," Mayor Katrina Foley said. "No doubt we will continue to partner with her on regional issues. I'm grateful for all the extra work that Ms. Letourneau performed during the last seven months as interim. She simultaneously helped us open a new library, park and homeless shelter. We wish her much success in her new position as City Manager."

New City Manager Lori Ann Farrell Harrison also thanked Letourneau for her leadership and her accomplishments during her time with Costa Mesa.

"I am excited for Tammy and her new role in Laguna Niguel and grateful for the good work she accomplished during her tenure as Acting City Manager and leading a great team of city staff," Farrell Harrison said. "I know this great city of Costa Mesa will continue to grow and prosper in the year's ahead."

Letourneau is currently the Assistant City Manager of Costa Mesa and has previously served as the City Manager of two Southern California cities. Through a combination of direct local government experience and consulting work, she has

gained expertise in leading organizations to successfully complete high-profile projects and deliver high-quality, day-to-day services. She has experience in financial management, economic development, strategic planning, teambuilding, labor relations, organizational effectiveness and streamlining, and contract negotiations.

She graduated from California State Polytechnic University at Pomona with a Bachelor's Degree in Business Administration. She also holds a Master's Degree in Public Administration from California State University Long Beach.

Her employment agreement will be considered at the July 16, 2019 Laguna Niguel City Council meeting. It is anticipated she will assume the role of City Manager on Aug. 12.

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## **Fire & Rescue team member Jon Neal promoted as city's new Fire Marshal**

Costa Mesa Fire Chief Dan Stefano announced that Jon Neal has been appointed to the position of Fire Marshal.

"Jon has been a highly valued addition to our team," Chief Stefano said. "We are pleased to announce that he will be overseeing the entire Community Risk Reduction Division and holding the rank of Fire Marshal, a position we have been working to formalize and reestablish for many years."

Neal has been a member of the Fire & Rescue team since 2015 and works in the Community Risk Reduction Division.

Prior to his work with Fire & Rescue, Neal was hired in 2008

as the City's Storekeeper.

During his tenure with the City of Costa Mesa, he has filled numerous positions.

In 2012 he was promoted to Code Enforcement Officer as part of the Development Services Department's Community Improvement Division.

In 2017, Neal was promoted to Assistant Fire Marshal.

In this role, he is responsible for the coordination and review of building plans and analyzation of statistical data relating to new code provisions. He is the lead in coordinating fire and life protection activities alongside staff from building and planning divisions and various utility companies.

Neal serves as President of the Orange County Fire Marshal section of the Orange County Fire Chief's Association and serves as Costa Mesa Fire & Rescue's liaison to the City's Network for Homeless Solutions, Group Home Work and Development Review Committee.

Right after graduation from high school, Neal enlisted in the United States Coast Guard where he served as a firefighter on the USCGC Alert, a 210-foot cutter in addition to a multitude of other assignments. Upon completion of his active duty, Neal worked as the inventory control manager at Active Ride Shop, followed by his service as a logistics manager for Invisible Children in Gulu, Uganda.

Neal has earned several California State Fire Marshal Certification in addition to a Bachelor's of Fire Science Management from American Military University.

When not working, Neal enjoys spending time with his wife Zana and spending as much time traveling and participating in outdoor activities including but certainly not limited to,

skateboarding, surfing, snowboarding, mountain biking and hitting the trails.

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# **Fairview Development Center to hold Fireworks event on Thursday June 27 at 9 p.m.**

Fairview Developmental Center will be holding its annual Independence Day Fireworks event for clients, employees and general public on Thursday June 27.

The event starts at 4 p.m. and lasts until 10 p.m.

The fireworks show is expected to begin at 9 p.m. and last until 9:20 p.m.

Participants at this event will be in the closed roadway and adjacent parking areas, at various venues, in the area of the Goodell School.

In addition to fireworks, there will be food vendors and musical groups.

Fairview Developmental Center is located at 2501 Harbor Blvd. For additional information or questions please contact Dispatch at (714) 957-5000.

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# Partial demolition of Harbor Boulevard freeway bridge and pile driving at Fairview bridge to begin

Caltrans work crews will be busy in the coming weeks as they perform pile driving work on the Fairview Bridge and demolition of a portion of the I-405 Freeway bridge over Harbor Boulevard as part of the I-405 Improvement Project.

Construction crews advise this work may be loud at times.

Both the demolition and pile driving work will begin on Wednesday June 26, continuing intermittently through Thursday July 11.

The demolition work will occur on the southbound I-405 bridge over Harbor Boulevard between the northbound and southbound freeway ramps. This work will also require lane closures on the southbound I-405, but not full freeway closures.

Additional Closures include the southbound I-405 loop on-ramp from Harbor Boulevard and the northbound I-405 loop on-ramp from Harbor Boulevard.

Detours will be in place, and signs will be posted to guide motorists around the closures. Motorists should expect delays and use alternate routes if possible.

The demolition work over Harbor Boulevard will start as early as Wednesday, June 26 and continue to Monday, July 1 from 10 p.m. to 5 a.m., and resume on Monday, July 8 to Thursday, July 11 from 10 p.m. to 5 a.m.

The following detours will be created.

**For northbound Harbor Boulevard commuters:**

- Detour No. 1: Eastbound Baker Street to NB Fairview Road to westbound South Coast Drive to northbound Harbor Boulevard
- Detour No. 2: Eastbound Baker Street to NB Fairview Road to westbound Sunflower Avenue to northbound Harbor Boulevard

**Northbound I-405 loop on-ramp from Harbor Boulevard Detour:**

- Baker Street to Fairview Road to South Coast Drive to Harbor Boulevard straight on-ramp

**For southbound Harbor Boulevard commuters:**

- Detour No. 1: Eastbound Sunflower Street to southbound Fairview Road to westbound Baker Street to southbound Harbor Boulevard
- Detour No. 2: Eastbound South Coast Drive to southbound Fairview Road to westbound Baker Street to southbound Harbor Boulevard

**Southbound I-405 loop on-ramp from Harbor Boulevard Detour:**

- South Coast Drive to Fairview Road to Southbound I-405



# I-405 Improvement Project

Proyecto de Ampliación En El I-405  
Dự Án Cải Thiện I-405

## Harbor Boulevard Overhang Demolition Southbound Closures

Harbor Bulevar demolición de voladizo Cierres hacia el sur  
Đông Phía Nam Đường Harbor để Phá Huy Phần Nhô Ngoài Cầu





**I-405 Improvement Project**  
Proyecto de Ampliación En El I-405  
Dự Án Cải Thiện I-405

**Harbor Boulevard Overhang Demolition Northbound Closures**  
Harbor Bulevar demolición de voladizo Cierres hacia el norte  
Đông Phía Bắc Đường Harbor để Phá Hủy Phần Nhô Ngoài Cầu



In addition to this work, crews will also be performing pile installation at the Fairview Bridge Over Crossing during the day and with vibrating method during the night at I-405 Center Median. The work will take place from June 26 through June 28, July 8 through July 10 and July 15 through July 17.

Pile driving will also take place during the day and by vibrating method during the night adjacent to southbound Fairview On Ramp from July 10 through July 17.

# County board of supervisors to take up JWA General Aviation plan on Tuesday June 25

The Orange County Board of Supervisors is scheduled to again consider the John Wayne Airport General Aviation Improvement Program (GAIP) on Tuesday, June 25. This item was continued from the Board's May 7 meeting to allow time for a compromise solution proposed by Supervisor Andrew Do to be evaluated by County staff.

On June 19, County staff moved forward with the same recommendation that was presented at the May 7 Board meeting, which asks the Board to approve Alternative 1. The cities of Costa Mesa and Newport Beach opposes Alternative 1 in its original form because it will result in more jets flying over our community.

Both cities remain willing to consider the "modified Alternative 1" as proposed by Supervisor Do, or another reasonable plan that contains the project elements that protect the communities under the airport's arrival and departure corridors from additional noise and pollution impacts. Specifically, Costa Mesa and Newport Beach leaders are looking for the Board to adopt a plan based on, or that contains element similar to, the principles of Alternative 3 (the preferred alternative):

[Click here for the staff report and public comments.](#)

- No more than two (2) full-service Fixed Based Operators
- One (1) new and one (1) existing limited-service Fixed Base Operators
- No General Aviation Facility (for processing

international general aviation passengers)

- Increased hangar space for small general aviation planes
- Maintain the current “GA mix”, meaning, keep the current ratio of light general aviation aircraft (single and twin engine) and general aviation jets.

## What You Can Do

Learn More at our web page Airport Noise and Concerns or at [newportbeachca.gov/gaip](http://newportbeachca.gov/gaip)

Sign the Petition – <http://chnng.it/Z5V87DkmFv>

Email Your Comments to the Board – [www.ocgov.com/gov/bos/opinion](http://www.ocgov.com/gov/bos/opinion)

Attend the June 25 Board of Supervisors Meeting – Starts at 9:30 a.m. at 333 W. Santa Ana Blvd., Santa Ana, CA 92701.

The City of Newport Beach has received a number of questions about or related to the GAIP.

You can find a list of those questions, with the city’s answers, [here](#).

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# Council approves \$172 million budget for 2019-2020

The Costa Mesa City Council at the June 18 meeting adopted a \$172 million Operating & Capital Improvement Budget for Fiscal Year 2019-2020.

The 2019-2020 budget reflected revenues that increased by 2 percent compared to a 5.6 percent increase the previous year as well as costs for the temporary and permanent Bridge Shelters, increases to salaries and benefits for existing positions and recent litigation costs surrounding sober living

homes.

City leaders began working on the budget in December of 2018.

"I'm really proud of the work we have done, and the work we continue to do," Mayor Katrina Foley said. She pointed out that the Police Department for example is now one of the highest paid in the county and is a destination department once again with specialty units and community policing.

Still, she acknowledged that the recent financial burdens placed on the city meant this year's budget was tighter than in years past.

"We can't have everything," she said. "We worked hard to prioritize necessities and set up things now so that we can be ready to build and develop projects later when revenue is better. We are prioritizing recreation, we are prioritizing learning, we are prioritizing public safety and sustainability, and we are prioritizing economic development. It's important to be a destination city and thriving business community, so we can achieve our priorities.

The council used about \$454,599 in reserves to balance the budget that includes the addition of eight full-time equivalent (FTE) positions to address operational needs in the City, which includes five new positions and three positions that were the result of reclassification or elimination of certain part-time positions to create full-time positions.

There were also a number of accounting corrections that ultimately reclassified accounts from salaries and benefits to maintenance and operations as well accurately recording revenues and expenditures individually, rather than netting them together. This was the result of an extensive review of the accounting records to ensure the City is following proper accounting principles.

In addition to approving the budget, the City Council directed

the City Manager and Finance Department to report back to City Council by November 15, 2019 on the status of the first quarter operating budget for the General Fund, provide additional recommendations on the staffing changes recommended for deferral and how to address the Police Department's operating and capital requests.

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## **Two Costa Mesa residents included in arrests of nine for Firearms and Drug Trafficking in Orange County**

Costa Mesa Police Special Investigations Detectives recently assisted in a six-month investigation that resulted in the arrest of nine defendants now charged with numerous firearms and narcotics charges for trafficking firearms, heroin and methamphetamine.

Two of those arrested were from Costa Mesa.

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) began the investigation in September 2018, which included Costa Mesa Police, Huntington Beach Police and Homeland Security Investigations.

Throughout the investigation, law enforcement obtained 20 firearms, ammunition, more than five pounds of methamphetamine, and 131 grams of heroin in controlled purchases. In addition, various firearm parts and ammunition were seized. Several of the guns bought were self-manufactured and un-serialized, numerous firearms were unregistered

National Firearms Act (NFA) weapons, and at least one firearm was proven to be stolen from a residential burglary.

The two federal criminal cases are being prosecuted by the United States Attorney's Office, Santa Ana Branch Office.

"This type of law enforcement partnership amplifies our efforts to combat these crimes and allows us to cast a wider net," said Costa Mesa Police Chief Rob Sharpnack. "The apprehension of these criminals is a step toward making our communities safer. We will continue to work with our partners in our pursuit of those who threaten public safety."

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One of the indictments returned by a federal grand jury alleges Timothy A. Murphy, a.k.a. "Papa Smurf," 67, of Costa Mesa; Brad J. Nelson, 50, of Newport Beach; John W. Breneman, 46, of Irvine; and Danny Ramos, a.k.a. "Bull," 49, of Santa Ana, conspired to distribute methamphetamine and heroin.

The indictment also states Murphy, Nelson and Breneman sold pistols, shotguns, and ammunition to a prohibited person on various dates and in varying amounts. Nelson, a prohibited person, is also charged with possessing firearms illegally.

The second indictment returned by a federal grand jury alleges Joseph T. Doody, 30, of Huntington Beach; Brian P. Ros, a.k.a. "Rosco," 32, of Santa Ana; and Steve M. Bonales, a.k.a. "Ghost," "G," and "S-Man," 40, of Santa Ana, conspired to distribute methamphetamine.

The indictment alleges Caleb T. Sagiao, 36, of Harbor City, engaged in the business of selling firearms without a federal license on numerous occasions selling semi-automatic shotguns with no serial numbers, homemade AR-15 type pistols and rifles, and seven homemade AR-15 type short-barreled rifles.

Short-barreled rifles fall under the National Firearms Act and must be registered with ATF. They were not. Therefore, federal charges of possession of unregistered firearms were levied against Sagiao. According to the indictment, Ros was also engaged in the business of selling firearms without a federal license. Doody, Ros and Sagiao allegedly sold various firearms to a prohibited person throughout the investigation. Bonales, a prohibited person, is charged with a felon in possession of a firearm. According to the indictment Shelia L. Cundall, 48, of Costa Mesa, is charged with selling a firearm to a prohibited person.

“When ATF partners with its local PDs to reduce violent crime by targeting these individuals who pose the greatest threat to public safety, the enforcement strategies produce results,” said ATF Special Agent in Charge of Los Angeles Field Division Carlos A. Canino. “These partnerships are true force multipliers. They enable law enforcement to identify, investigate and seek prosecution against these illicit gun possessors, and drug and firearm traffickers.”

“This case is just one of the great examples of our partnerships in law enforcement,” Huntington Beach Police Chief Rob Handy. “The investigation and prosecution of these dangerous individuals would not have been possible without the excellent partnerships we enjoy with both local and federal law enforcement agencies. It is because our teams worked together, these dangerous people and weapons have been removed from our communities.”

“This investigation is a perfect example of the positive impact achieved in the community when local and federal law

enforcement join forces to dismantle the dangerous criminal networks operating in our neighborhoods,” said Joseph Macias, Special Agent in Charge for Homeland Security Investigations (HSI) Los Angeles. “I commend the investigators for their coordination and tireless work. This joint investigation is a victory for law enforcement and the communities we serve.”

For more information about ATF visit and follow ATF on Twitter @LosAngelesATF.

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## **From hard knocks to helping those experiencing homelessness, Gabriel Silva found his passion**

Gabriel Silva is a Senior Site Lead for Mercy House working in the city Bridge Shelter.

He grew up in a single parent home and at the age of 5, his father passed away and left his mother to raise eight children.

“Mama did her best but I decided to take the road of hard knocks which lasted into my 30s,” Silva said. “Once I came to my senses I knew I wanted to share my experiences and help others find their way back home if you will.”

In 2015, he began to volunteer with the Salvation Army and eventually was offered a position as an Outreach Coordinator working with the homeless community. He found his passion.

After two years with the Salvation Army, he was hired by City

Net to help with the project of relocating people from the Santa Ana River Trail as well as the Santa Ana Civic Center.

Silva has assisted with relocating people from homeless encampments into emergency shelters, transitional living, permanent housing, and connecting them to mental health services, and drug rehabilitation programs.

He later learned about Mercy House and was hired by the nonprofit in November of 2018. He started as a site lead at a new shelter in Santa Ana and then moved to work on the Costa Mesa Bridge Shelter in March

“All of my past experiences have brought me to this point and have prepared me for the service here at the Costa Mesa Bridge Shelter in helping the homeless find their way home,” he said. “I am very grateful for this opportunity and I look forward to continuing this service with Mercy House and the City of Costa Mesa.”

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## **Bridge Shelter Success: Marty's Story**

Marty, a senior-aged veteran, recently came to the Costa Mesa Bridge Shelter following a tumultuous break up with his girlfriend of 10 years. With nowhere else to go and no family in the area, he felt the shelter was his only option for housing.

After moving into the shelter, outreach staff helped Marty contact his family currently residing in a different state. His family urged him to consider moving so he could be nearby and start a new life.

A lack of housing options was not the only thing negatively impacting Marty's life. He was also embroiled in a bitter struggle over possession of his personal belongings. Outreach staff helped Marty establish a court case so he can retrieve his belongings peacefully and without incident prior to moving out of state.

As an added bonus, Marty was also connected to the Veterans Administration and informed he may be eligible for rental assistance.

Once his court issues are resolved, he will be able to reunite with his family and start his new life. In the meantime, he has a comfortable and stable place to reside while he gets his affairs in order.

To learn more about the Costa Mesa Bridge Shelter and the city's efforts to assist those in need, please visit [www.costamesaca.gov/homelessness](http://www.costamesaca.gov/homelessness).

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## **Fire & Rescue crews to conduct wildland fire training in and around Canyon Park**

Costa Mesa Fire & Rescue will conduct training exercises May 29 to May 30, 2019 and June 10 through June 14, 2019 in and around Canyon Park in preparation for the upcoming wildland fire season. Exercises will occur between 8:30 a.m. to 5:30 p.m.

Fire & Rescue staff wants to ensure the community is aware of the upcoming training and asks residents and park visitors to be mindful of equipment and the day of preparations occurring by fire personnel.

These annual mandatory training exercises take place in Costa Mesa and countywide to help prepare the firefighters for vegetation fires within and outside city limits.

“This annual training is more important than ever, coming off one of the most catastrophic wildfire years in California history,” Costa Mesa Fire Chief Dan Stefano said. “The new wildland fire season is year round and our professional firefighters continue to be well prepared.”

There will be approximately 10 to 12 fire personnel present for the training and two to three pieces of apparatus (Fire engine, truck, ambulance, or command vehicle) daily. Firefighters will train on a couple of trails in Canyon Park where there is dense vegetation and moderate terrain features.

The training is conducted to promote safety, mitigation, terrain recognition, and area familiarization while focusing on the fundamentals of wildland firefighting.

Moreover, the department is conducting the training with full awareness and sensitivity of all environmental impacts and ensures this training will exclude any live burn training modules.

For questions please contact Captain Joe Noceti, Public Information Officer of Costa Mesa Fire & Rescue at (714) 754-5091.

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# City Manager Leadership Award for May goes to Senior Planner Mel Lee

Assistant City Manager Tammy Letourneau presented Senior Planner Mel Lee with the City Manager Leadership Award at the monthly Meet and Greet on Thursday May 23.

“Mel’s quiet professionalism is much appreciated in the Planning Division,” Letourneau said. “As the division recently dealt with staff turnover, he took on difficult projects and helped us with his excellent problem-solving skills and strong work ethic. I am thankful for his leadership and dedication.”

As a Senior Planner, Lee has been responsible for a variety of projects, which included the various master plan approvals at Vanguard University; The Plant in SoBECA; The Triangle; the new Ganahl Lumber, as well as the redevelopment of the old Ganahl site with a new Audi dealership.

He was also responsible for the redevelopment of the Hub on Newport Boulevard, and overseeing the various applications for Medical Marijuana as permitted by Measure X.

While Lee began his tenure in Costa Mesa as an associate planner in 1999, he had previously interned with the city from October of 1985 to January of 1987. He was promoted to senior planner in June of 2015.

Prior to working in Costa Mesa, he worked for the Cities of Commerce and Garden Grove. He holds a bachelor’s degree in urban planning from Cal Poly Pomona and he has been a member of the American Institute of Certified Planners – a branch of the American Planning Association – since 1998.

Letourneau also paid tribute to newly hired employees as well

as those recently promoted.

Stacy Bennet is the new Administrative Secretary working in the City Clerk's Office. In Parks & Community Services, Sativa Chang and Steven Fajardo have been hired as new Recreation Leader III and Enyelber Franco is new full-time Recreation Coordinator at the Senior Center.

Laura Gomez is the department's new Office Specialist II and Katrine Guernick is a new Recreation Leader II assigned to the ROCKs program.

In the City Manager's Office, Paul Mahoney is a new Community Outreach worker currently working at our Bridge Shelter. In the Police Department, Son Duong is a new Police Records Technician

Those recently promoted include Ann Le, who has been promoted Assistant Planner in the Development Services Department, and Marianna Pena who has been promoted to Assistant Recreation Supervisor working at our Senior Center. In the Police Department, Mariela Soto has been promoted to Community Services Specialist.