

County Revamps Commercial Solar Power Project Development Code

San Bernardino County supervisors on December 3 approved an ordinance that provides restrictions on the placement and intensity of commercial solar energy generating plants and provides a yearly fee schedule to cover the county's costs for providing services to the facilities.



The ordinance amends the county's previous development code relating to solar energy projects. Its first reading Tuesday will be followed

up by another vote to give it final approval on December 17. It will go into effect 30 days thereafter, effectively ending

a moratorium on solar projects that has been in place since June.

Much of the impetus for the development code change and the moratorium that preceded it came from a coalition of residents in the county's rural desert communities, who are opposed to such facilities being sited in proximity to their homes. While many of

them advocated solar plants being restricted to remote desert areas, environmentalists intent on the preservation of critical habitat for wildlife such as the desert tortoise have been resistant to the concept of locating large solar plants on pristine desert grounds.

The ordinance adopted this week does not resolve that See P 2

Yucca Valley Recall Dean Disputing ROV Verdict



George Huntington

YUCCA VALLEY—

The attempt to recall town council members George Huntington and Robert Lombardo refuses to die, nearly two months after the county registrar of voters made a determination that there were an insufficient number of valid signatures on the petitions for that effort to force a vote on whether to remove the two officials from office.

The *Sentinel* has learned that lead recall proponent Ron Cohen has retained legal representation in his effort to overturn the county registrar of voter's finding that the recall should not proceed.

Ron Cohen led a contingent of some two dozen activists intent on reform at Town Hall whose zeal hit a critical mass after the council voted in February to in-



Robert Lombardo

crease then-town manager Mark Nuaimi's salary and benefit package to just under \$300,000 per year and extend that contract to 2016. All four of those who voted for Nuaimi's contract extension came in for See P 5

Upland Attempts To Redress Alleged Violations Of State's Open Meeting Law

The city of Upland has attempted to redress a situation in which it was alleged its city council had violated the Brown Act.

The Ralph M. Brown Act is the state of California's open meeting law that requires that all public business, with a few specific exceptions, must be conducted openly.

On two occasions in the last two months, the council undertook action that appeared to be in violation of the Brown Act's provisions. The first of these occurred on October 25 when city manager Stephen Dunn provided members of the council with a questionnaire which called for them to rank municipal

programs with regard to their necessity and importance to provide Dunn with guidance as to where he should pare back city operations in an attempt to balance the city's upcoming 2014-15 budget.

In the second instance, the council selected members of its newly formed Fiscal Task Force Committee

by having each member of the council simply forward his or her two allotted nominees to the city manager outside of a public forum, without a previous public discussion or vote to ratify those nominees as actual appointees.

Ruth Musser-Lopez, who is a columnist for the *Sentinel*, delivered two cease and desist let-

ters, one dated October 30 and one dated November 12, to the city after those actions. In response, city attorney Kimberly Hall Barlow drafted two letters, each dated November 26, in which she gave Musser-Lopez assurances the council would refrain from such action in the future. The city council also scheduled See P 9

Deadline to Claim Enterprise Zone Tax Credits Nears for Local Businesses

By Wendy Clements

SAN BERNARDINO—To help local businesses utilize enterprise zone tax credits before they expire at the end of the year, the San Bernardino Valley Enterprise Zone (SBVEZ) has organized one last complimentary workshop on Thursday, December 12. The event will be held from 8 a.m. to 10 a.m. at the city of Colton Council Chambers, 650

North La Cadena Drive, Colton.

This workshop will provide local businesses vital information on how to use the enterprise zone tax credits to save money on their future state taxes, and details about key deadlines involving the ending of the program. With only a few weeks left to secure the credits, the SBVEZ is encouraging all San Bernardino and Colton businesses



Wendy Clements

carrying out any hiring or capital investment activities to find out if they qualify before See P 11

Detroit BK Ruling Provides SB Leverage To Reduce Pensions

Some 2,220 miles across the country, a decision made in a major municipal bankruptcy case this week could have a controlling impact on how the city of San Bernardino fares in its effort to restructure its debt and reduce the generous pension benefits it committed to providing city employees as a strategy in working itself out of its bankruptcy. Generous pension

provisions to its retired employees are now considered a major factor in San Bernardino's bankruptcy.

In August 2012, after years of financial challenges, the city of San Bernardino filed for Chapter 9 bankruptcy protection. As a consequence, San Bernardino found itself at the forefront of a profound financial and public policy issue. Emerg- See P 7

Needles Public Utility Agency Moving To Hike Water Service Rates

Water in the wettest city in San Bernardino County is about to become more expensive.

The Needles Public Utilities Agency, a subdivision of the city of Needles, has notified its customers of its intention to up water rates, giving its customers the opportunity to protest the increase. If a majority of the city's property owners/water rate payers

protest the rate increase in writing, the board for the utilities agency, which consists of the city council, will lose its authority to impose the rate increase.

Oral comments and protests will be heard at the city council's January 14 council meeting to be held at the council chambers at 1111 Bailey Avenue in Needles. Needles lies along San

Bernardino's County's East Coast, on the western bank of the Colorado River.

Currently, the city/ utilities agency levies a \$34.84 basic service charge on customers with five-eighths inch and three-quarters inch meters, which entitles them to up to 1,000 cubic feet of water per month. The proposed rate increase will take

that monthly charge to \$37.84. Those with one inch and one-and-a-half inch meters now pay \$37.09 for 1,000 cubic feet of water per month and will see an increase to \$40.09.

Those with a two inch meter water meter are currently paying \$41.73. There bills would increase to \$44.73. Those customers utilizing over 1,000 cubic feet of wa-

ter per month will be charged \$1.49 for each 100 cubic feet of water utilized beyond the basic 1,000 cubic feet.

According to the city/ utilities agency the rate increase is necessitated by an increase in infrastructure and maintenance costs. "The water utility of the Needles Public Utilities Authority established an asset replacement re- See P 3

Volunteers Needed to Count Bald Eagles

Volunteers are needed to help count bald eagles for the 35th season in the annual winter bald eagle counts in and near the San Bernardino and San Jacinto Mountains on Saturday December 21st, January 11th, February 8th, and March 8th.

Concurrent Bald Eagle counts are held

at Big Bear Lake, Lake Arrowhead, Lake Silverwood, Lake Perris, and Lake Hemet. Volunteers are stationed at vantage points around the lakes, where they watch for bald eagles during a 1-hour period on the count mornings.

Volunteers record their observations on maps

and data sheets. This is a wonderful opportunity to catch a glimpse of our breath-taking national symbol. Brief orientations are conducted prior to the count so volunteers know where to go and what to do.

“Through this method, the agencies and land managers have learned

a lot about which areas are important to eagles and how the populations are doing. But we can't do it without a lot of volunteers – we need their eyes to help us look,” said Forest Service biologist Robin Eliason.

The bald eagle counts for this winter are sched-

Continued on Page 8

New Solar Development Code

from front page

paradox, but does put in place some measure of what both sides deem to be a layer of protection for existing communities and natural resources.

“This does not fix everything, but it's a good step in the right direction,” said Third District Supervisor James Ramos. Ramos and his board colleague First District Supervisor Robert Lovingood represent San Bernardino County's vast desert area.

“There were many solar projects that were in the wrong places at the

wrong time,” Lovingood said. “Overall, I think we are taking a balanced approach that is needed.”

The revamped development code protects natural resources, rural residential areas and tourism, said Terri Rahhal, the county's planning director.

The regulations being put in place will ensure that solar project developers gravitate toward using land zoned for commercial and industrial use that are removed from existing residential communities; that the projects have access to existing power transmission lines and

that the projects do not result in erosion, dust generation or nighttime light pollution. The new standards introduce restrictions to prevent the projects from impinging on the scenic panoramas in and around Joshua Tree National Park and other wilderness areas or interfering with operations at the Army's Fort Irwin military reservation or Marine Corps facilities in Twentynine Palms and Johnson and Wonder Valleys.

Solar project proponents will be required to demonstrate their projects are compatible with existing and planned

land uses, and will not negatively affect sensitive resources, such as scenic views, habitat, agricultural land and air quality.

Solar plants and other commercial renewable energy facilities will be restricted to land that carries resource conservation, agricultural, floodway, rural living, rural commercial, neighborhood commercial, general commercial, service commercial, highway commercial, community industrial, regional industrial and institutional zoning designations.

Under the section ti-

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tled “Required Findings for Approval of a Commercial Solar Energy Facility,” the ordinance states, “(a) In order to approve a commercial solar energy generation facility, the planning commission shall, in addition to making the findings required under Section 85.06.040(a) of the San Bernardino County Development Code, determine that the location of the proposed commercial solar energy facility is appropriate in relation to the

desirability and future development of communities, neighborhoods, and rural residential uses, and will not lead to loss of the scenic desert qualities that are key to maintaining a vibrant desert tourist economy. The planning commission shall consider:

(1) *the characteristics of the commercial solar energy facility development site and its physical and environmental setting, as well as the physical layout and design of the proposed development in relation to nearby communities, neighborhoods, and rural residential uses; and*

(2) *the location of other commercial solar energy generation facilities that have been constructed, approved, or applied for in the vicinity, whether within a city or unincorporated territory, or on state or federal land. (c) The finding of fact shall include the following: (1) The proposed commercial solar energy generation facility is either (A) sufficiently separated from existing communities and existing/developing rural residential areas so as to avoid adverse effects, or (B) of a sufficiently small size, provided with adequate setbacks, designed to be lower profile than otherwise permitted, and sufficiently screened from public view so as to not adversely affect the desirability and future development of communities, neighborhoods, and rural residential use. (2) Proposed fencing, walls, landscaping, and other perimeter features of the*

Continued on Page 4

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GLIMPSE OF SBC'S PAST New Kicks On Historic Route 66 *The Mother Lode Of The Mother Road*

By Ruth Musser-Lopez

Ten boarded the 55-seat chartered bus at Rancho Cucamonga, three at San Bernardino, and sixteen at Barstow, all to cross the county on its backbone, the historic American icon, Route 66 (RT66). That evening, last Tuesday, was the opening kick off discussion in a packed meeting room at Juicy's Café in Needles to learn about and consider what amounts to a planned "new kick" on Route 66. In attendance that night in Needles were additional San Bernardino County residents joined by city of Needles officials and chamber of commerce members.

On Wednesday morning, another eight boarded the bus in Needles along with several trailing cars filled with participants. The entire entourage of 50 then headed back across the Mojave desert to the west, together to view the longest, unaltered segment of intact Route 66 in the country-- "Portions of this road

where the vistas have not changed at all since its realignment in 1931" noted Roger Hathaway, professional cultural resource manager/historian, Route 66 expert, now working for the San Bernardino County Department of Public Works and serving as guide on the tour. The pristine, intact section between Ludlow and Mountain Springs Road, all 70 miles of it, was visited along with other accessible portions of the 153-mile long route between Needles and Barstow.

Attending the three day tour was anyone and everyone showing a desire for the care and preservation of the plus 85-year old road, particularly those "interested, crazy people--crazy about RT66, that is" Hathaway explained.

On Wednesday evening at a "meet and greet" in Barstow, the entire group met at the Quality Inn's Los Domingos Restaurant with City of Barstow officials and Chamber members as well as California

Desert District Bureau of Land Management District Manager Teri Rahal to further ruminate on the planned "new kick" on Route 66.

So what's the kick? The California Route 66 Association, and the Bureau of Land Management (BLM) have teamed up and merged their energy and resources to develop a much needed "Corridor Management Plan" (CMP) for what is likely the most famous Ameri-

This is a comprehensive document that identifies the specific byway route, outlines the special intrinsic qualities along the corridor and develops a guide on how to market the byway. Officially established on November 11, 1926, US Route 66 began in Chicago, Illinois and terminated in Santa Monica, California, a distance of 2,448 miles. It was one of the original highways in the US highway system and was likely the

mains intact as two lanes divided by a painted line with a few paved pull out rest areas installed in 1957. Through an agreement with the BLM, the county has attempted to keep the 85 plus year old road open to the extent possible, but without adequate funding the road along with its 127 timber trestle bridges has slowly fallen into decline.

What is more, over the years, what is left of the abandoned 1930s, 1940s and 1950s

Route 66 Economic Impact Study. Drawing the crowd, Route 66 is a ghost road of the past that can truly be driven through mid-twentieth century ruins amidst a backdrop of vast high desert vistas that haven't changed for thousands of years.

This new influx of tourism is a catalyst to ensure that the road is maintained as a viable attraction and doesn't deteriorate further. Making the plan possible is \$103,000 grant for the project acquired at the behest of James Kemp, California state director of the BLM received from the Federal Highway Administration in 2012 and supplemented by an 80/20 matching grant in services from the California Route 66 Association. Credit for preparing the grant application documents goes to Danella George of the BLM and Lynne Miller, treasurer of the Route 66 Association. Miller lead the charge during the 3 day tour along with other association members, including president Glen Duncan along with BLM representative Doran Sanchez and the BLM's contracted project manager, Jim Klein of Virginia based Lardner/Klein Landscape Architects, which has been selected to prepare the CMP.

All attending the tour became the participants in the first phase of a seven-part program to develop and implement

Continued on Page 6



Photo opportunity in front of Roy's Restaurant in Amboy – Some of the participants in the scoping effort to lead to a Corridor Management Plan and National Scenic Byway designation for the portion of RT66 between Barstow and Needles.

can highway, Route 66. Partnering with this effort are other stakeholders such as the county of San Bernardino, the National Park Service Route 66 Corridor Preservation Program, chambers of commerce, CalTrans, various tourism bureaus, local businesses, museums, grassroots organizations and other Route 66 advocates.

Why a plan?

most used. When Interstate 40 was completed in the early 70s, Route 66 was bypassed and in California, the transportation department (CalTrans) returned the route right-of-way to the BLM.

Now, though there has been deterioration, the original Route 66 continues to be a paved highway that through much of San Bernardino County re-

restaurants, gas stations, motor camps and lodges that sprang up when the highway was more active have become historic roadside attractions drawing international attention. The international visitors are usually high-income tourists who spend more and stay longer than the typical passerby, according to Rutgers University's

nerability to extended downtime due to infrastructure failure." At the time it established the asset replacement reserve fund, the Needles Board of Public Utilities/city council intended to accrue a reserve fund of \$350,000. Officials now are seeking to add the additional \$3 per month per customer charge to produce

a minimum reserve fund of \$750,000 to fund the water department's four-year plan to rehabilitate four water storage tanks. There is a proviso that the fund shall continue to accumulate until such time as the Needles Board of Public Utilities/city council decides to suspend or reduce the accumulation of funds.

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Needles Water Rate Increase Sought from front page

serve fund in early 2012," the customer notice states."Unfortunately the rate of accumulation of funds (\$3 per month per customer) has proven insufficient to absorb the cost of an infrastructure failure or the current requirement for rehabili-

tation of a major waterworks component (well, pump, water main, reservoir). At this time the financial wherewithal to bring those components back in service will have to come primarily from operational cash flows. It is imperative that the asset replacement reserve fund rate of accumulation be accelerated immediately to shore up the water utility's vul-

County Passes Solar Project Development Code Ordinance from page 2

proposed commercial solar energy generation facility will minimize the visual impact of the project so as to blend with and be subordinate to the environment and character of the area where the facility is to be located. (3) The siting and design of the proposed commercial solar energy generation facility will be either: (A) unobtrusive and not detract from the natural features, open space and visual qualities of the area as viewed from communities, rural residential uses, and major roadways and highways, or (B) located in such proximity to already disturbed lands, such as electrical substations, surface mining operations, landfills, wastewater treatment facilities, etc., that it will not further detract from the natural features, open space and visual qualities of the area as viewed from communities, rural residential uses, and major roadways and highways.

(4) The siting and design of project site access and maintenance roads have been incorporated in the visual analysis for the project and shall minimize visibility from public view points while providing needed access to the development site.

(5) The proposed commercial solar energy generation facility will not adversely affect the feasibility of financing infrastructure development in areas planned for infrastructure development or will be located within an area not planned for future infrastructure development (e.g., areas outside of water agency jurisdiction).

(6) The proposed commercial solar energy generation facility will not adversely affect to a significant degree the availability of groundwater supplies for existing communities and existing and developing rural residential areas.

(7) The proposed

commercial solar energy generation facility will minimize site grading, excavating, and filling activities by being located on land where the existing grade does not exceed an average of five (5) percent across the developed portion of the project site, and by utilizing construction methods that minimize ground disturbance.

(8) The proposed commercial solar energy generation facility will be located in proximity to existing electrical infrastructure, such as transmission lines, utility corridors, and roads, so that: (A) minimal ground disturbance and above ground infrastructure will be required to connect to the existing transmission grid, considering the location of the project site and the location and capacity of the transmission grid, (B) new electrical generation tie lines will be co-located on existing power poles whenever possible, and (C) existing rights-of-way and designated utility corridors will be utilized to the extent practicable.

(9) The proposed commercial solar energy generation facility will

be sited so as to avoid or minimize impacts to the habitat of special status species, including threatened, endangered, or rare species, critical habitat areas as designated by the U.S. Fish and Wildlife Service, important habitat/wildlife linkages or areas of connectivity designated by county, state or federal agencies, and areas of habitat conservation plans or natural community conservation plans that discourage or preclude development. (10) Adequate provision has been made to maintain and promote native vegetation and avoid the proliferation of invasive weeds during and following construction.

(11) The proposed commercial solar energy generation facility will be located so as to avoid or mitigate impacts to significant cultural and historic resources, as well as sacred landscapes. (12) The proposed commercial solar energy generation facility will be designed in a manner that does not impede flood flows, avoids substantial modification of natural water courses, and will not result in erosion or substantially

affect area water quality.

(13) The proposed commercial solar energy generation facility will not be located within a floodway designated by the Federal Emergency Management Agency (FEMA), has been evaluated for flood hazard impacts pursuant to Chapter 82.14 of the development code, and will not result in increased flood hazards to upstream or downstream properties.

(14) All on-site solar panels, switches, inverters, transformers, and substations shall be located at least one foot above the base flood elevation as shown on the Flood Insurance Rate Maps.

(15) For development sites proposed on or adjacent to undeveloped alluvial fans, the commercial solar energy generation facility has been designed to avoid potential channel migration zones as demonstrated by a geomorphic assessment of the risk of existing channels migrating into the proposed development footprint, resulting in erosion impacts. (16) For proposed facilities located on prime agricul-

tural soils or land designated by the California Farmland Mapping and Monitoring Program as prime farmland, unique farmland, or farmland of statewide importance, where use of the land for agricultural purposes is feasible, the proposed commercial solar energy generation facility will not substantially affect the agricultural viability of surrounding lands."

Contained in the ordinance is a noticing requirement that the developer advise any municipal advisory council, water agency and community services district where the project is proposed that the project is to be built. Notice must also be provided to all residents living within 1,000 feet of a proposed project's external boundary.

The ordinance also establishes fees to be assessed annually, intended to mitigate the costs of providing public services to commercial solar energy generation facilities. Parcel sizes between zero and 4.99 acres will pay \$580 per acre annually; those from five to 14.99 acres will pay \$280 per acre annually; and those of 15

acres or greater will pay \$157 per acre annually.

Solar project developers must obtain and maintain annually a special use permit that will entail subjecting their facilities to initial and annual code enforcement site inspections to ensure the projects are in full compliance with the ordinance.

The ordinance does not apply to rooftop solar installations. Developers can also get around the ordinance's restrictions "There were many solar projects that were in the wrong places at the wrong time," Lovingood said. "Overall, I think we are taking a balanced approach that is needed," by locating their projects on state and federal land where the county does not have land-use jurisdiction. County land use services staff is developing a renewable energy element for the general plan that is to include a comprehensive map of contemplated energy development zones. Upon completion, which is not anticipated until late 2014 or early 2015, that map will be incorporated into the ordinance.

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Ontario PD Nabs Santa Claus During Brazen Daylight Protest

Symbol of Christmas Season Commercialism Caught Badmouthing Nation's Largest Retailer

Ontario cops nabbed Santa Claus and nine of the most bold of over 100 protesters who came to the site of Ontario's recently opened Walmart Superstore on Black Friday to register their discontent with the presence of the retail giant in Ontario and its corporate policies. Those policies include, detractors maintain, paying its workers low wages and providing them with inadequate benefits while offering a merchandise line that originates largely with manufacturers in Com-

munist China.

The Walmart Superstore built on the site of the long-gone White Front department store at 5th and Mountain Avenues in Ontario was previously the object of protracted legal wrangling that delayed its construction and opening by several years.

Attorney Cory Briggs, representing the Ontario Mountain Village Association, filed a lawsuit against the city of Ontario relating to its 2007 approval of the WalMart Superstore, citing seven

violations of the California Environmental Quality Act. Judge Donald Alvarez upheld the Ontario Mountain Village Association on a single issue of those seven raised by Briggs, the safe circulation of delivery trucks coming into the shopping center. Early this year, after the expenditure of \$1.5 million by WalMart and \$673,000 by the city on legal fees in responding to the lawsuit, Briggs and the Ontario Mountain Village Association dropped their appeal

of the dismissed six issues after the city made changes deemed sufficient to redress the truck circulation problem.

The four-and-a-half year legal battle over, work on the project proceeded and on October 30, the supercenter held its grand opening.

WalMart, which was founded by Sam Walton in 1962, grew to become a leading commercial retailer in the United States in the 1970s and early 1980s, in large measure by promoting itself as offering an exclusively

American-made product line. In 1988, Wal-Mart was the most profitable retailer in the US and in October 1989 became the largest in terms of revenue. It abandoned the marketing strategy of offering an entirely domestic-made product line in 1992, however, and has since become the leading retailer of Chinese-made merchandise in the U.S., which has invited much bitter criticism and boycotts. Nevertheless, the company remains at the forefront of the retail industry. It has also invited

the enmity of organized labor, which has targeted the company for its successful strategy in preventing its workers from unionizing, maintaining wage and benefit rates significantly below the industry standard and engaging in what union officials maintain are "predatory" efforts to drive its competitors employing unionized labor out of business.

The complex of discontent aimed at Walmart coalesced in

Continued on Page 11

Cohen Yet Questioning Disqualification of Yucca Valley Recall

from front page

criticism, including the mayor, Merle Abel, and councilwoman Dawn Rowe, Lombardo and Huntington. Cohen and his cohorts decided to concentrate their recall efforts against Lombardo and Huntington, who had been reelected to the council without opposition in November 2012, and seek to remove Abel

and Rowe when they come up for reelection in 2014.

The recall committee began gathering signatures for the Lombardo and Huntington recalls in late April. That drive entailed door-to-door canvassing, as well as signature gathering in public areas such as in retail centers and on street corners.

In the case of both Huntington and Lombardo, the recall petitions had to be endorsed with the valid signatures

of 2,461 voters residing within the town of Yucca Valley to force the recall vote. Recall proponents insist they carefully screened the signees and, in the case of Huntington, turned in petitions containing 2,712 signatures, and in the case of Lombardo 2,720.

Upon examining the petitions and the signatures, the registrar's office initially concluded 458 signatures on the Huntington petition were invalid and 448 on the Lombardo petition were

invalid. Thus, according to the registrar's office and Yucca Valley Town Clerk Leslie Copeland, the Huntington petition contained 2,264 valid signatures and the Lombardo petition contained 2,272 valid signatures.

"Each petition needed 2,461 valid signatures to qualify for a recall election," Copeland said in October. "Because of the insufficient number of valid signatures, the current recall process of Robert Lombardo and George Huntington is

considered complete."

Cohen, however, did not take that lying down and he approached County Registrar of Voters Michael Scarpello to demand that the processing of the petitions be double-checked. Accordingly, Cohen had so-



Ron Cohen

considered complete." Cohen, however, did not take that lying down and he approached County Registrar of Voters Michael Scarpello to demand that the processing of the petitions be double-checked. Accordingly, Cohen had so-

considered complete." Cohen told the *Sentinel* he had demonstrated to the registrar's satisfaction that many of the signatures that were disqualified were in fact valid.

After the second count, which Cohen personally monitored, the registrar's office made changes to the original tally, but that difference was insufficient to overturn the finding that the recall effort had failed. Thirty or more of the signatures on each petition that were initially disqualified have now been certified as valid.

Thus, according to the registrar, the petition targeting Huntington for recall actually had 2,294 valid signatures and the petition to recall Lombardo had 2,310 valid signatures. Both new counts are below the 2,461 valid signatures threshold needed to trigger a recall question for the ballot.

Of the 2,722 signatures verified on the petition against Huntington, 428 were declared invalid by the registrar of voters. The registrar found 410 of the signatures out of 2,720 on the Lombardo petition invalid.

Michael Scarpello, the San Bernardino County Registrar of Voters, said the second count was "very thorough."

Cohen has not indicated whether he will force the issue with legal action, though his lawyer has notified town officials that he wants all documentation relating to the recall preserved.

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Route 66
from page 3

the management plan. The first phase entails scoping and brainstorming as to what would eventually become a plan to maintain and protect the road for this and future generations. The goal of the tour: "Experience the trail itself, determine how to communicate it, how to enhance it and how to make it a draw while still being an enjoyable, safe, and attractive experience" Klein instructed.

But there's a kicker in all of this. If it were just the road that is to be preserved and protected as a historic linear site, that would be a simple, howbeit, costly matter, as estimated by the San Bernardino County Public Works Department to the tune of about a hundred million dollars' worth of road, guard rail, bridge repairs and maintenance.

But as it turns out, there seems to be a consensus of opinion that extends beyond our county and even beyond this country into far reaches crossing international borders. That consensus is that the stretch of the highway in San Bernardino County, particularly that between the Colorado River and Barstow has such a mystique

about it with its 1930s-1940s vernacular structures spiced up with nostalgic whoop-dee-dooos and post war "atomic" style neon signs--sparsely spaced road side attractions set against the vast background of the wide desert expanse that to not include the entire viewshed of that which is visible to the eye from the road would be incomprehensible.

The intent is to go beyond the physical "in-kind" repair, replacement and maintenance of the road. The overarching question posed to participants is "what constitutes the road?"

Klein expounded, "It's the whole desert experience and what you see along it." Looking over the desert expanse from the tall perspective of the tour bus, the question begged to be asked, should this now pristine corridor be filled up with solar energy production fields, housing developments or similar or would doing so make driving along Route 66 a different experience? Would it have the same feel, the same character, and the same charm if massive industrial, agricultural, commercial or residential development will be situated here in the future.

Klein's job is to document, assess and de-

scribe the special scenic, historic, recreational, cultural, archaeological and natural qualities associated with the desert segment of Route 66 and to get them recognized as such through legislation and official designation. To do this, Klein's firm has let subcontracts to a cultural resource management firm Thom-

son & Associates based out of Nashville, Tennessee and a landscape architect, Dean Apostol, Portland, Oregon whose role on the team is how the landscape or viewshed might change in light of recent energy development proposals and how to manage potential developments to keep the impacts low.

This documen-

tation would not just be used as a management tool but also for documenting the linear corridor site and the various individual sites along it for the National Register of Historic Places and as supporting evidence of a hopefully near future designation as a National Scenic Byway in need of preservation and fed-

marketing strategy that will provide accurate travel information, correct historical, cultural and natural history information, and better access to recreational experiences associated with the corridor, including safety and community pride." The participants were to consider as the corridor everything the map to help identify "important places and landscapes that contribute to a high quality travel experience and to identify any potential issues and concerns." The types of notations to be made were for "features" any landmarks or places that are felt to be worthy of including as part of a travel itinerary along Route 66 for example, the "must sees," places as well as destinations that require a side-trip but are worthy of the extra time spent and "views" towards recognizable, distinct and memorable landscapes. Participants were to draw arrows in the direction of the view and to identify "roadway issues or opportunities," places along the road that present an issue that needs to be addressed in the plan such as an old bridge in need of preservation or place along the road that should be considered for interpretation.

A further category for identification was "landscape issue or opportunity" such as a proposed change in land use or a place that offers opportunities for more in-depth exploration to learn about natural or cultural resources or values or provide recreational opportunity. Examples provided were historic bridges in need of repair, mountain bicycle opportunity areas, and views toward a unique geologic or cultural feature like Amboy Crater or General Patton's World War II maneuver areas.

Participants were asked to rate the "setting or "context" of the stops along the tour using the following scale 1) not very scenic, 2) barely scenic, 3) somewhat scenic, 4) very scenic and 5) extremely scenic where "scenic" was not defined. The stops included: El Garces Harvey house in downtown Needles and the Casa del Desierto Harvey House in Barstow. Other points of interest included Klinefelter townsite, Goffs Schoolhouse, Am-



A landmark "ghost-station" the Road Runner Retreat Restaurant between Amboy and Essex on RT66 in contrast with the pristine desert expanse "viewshed" naturally draped in the background.

eral funding to implement the management plan. "Visitors come from around the world as well as the US and California--yet little information exists" Klein observed, "except for a few wayside stops and some Route 66 markers. The project will lay out the steps needed to implement a comprehensive interpretive and

that could be seen from the road—potentially the entire landscape beyond. A National Scenic Byway designation "refers not only to the road itself but also to the corridor through which it passes."

Each equipped with a map of the route, participants were asked to provide their "expert advice and opinions" by making notations on

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Continued on Page 11

Bankrupt SB Mulling Pension Cutbacks from front page

ing as a significant question in that matter is whether public pension obligations are to be held as sacrosanct, no matter how generous or reasonable individual pensions are, or whether troubled municipalities can skip out on their commitments to continuously fund the retirement accounts of their current and past employees.

Public employees, their pension fund associations and their advocates maintain that under the law, municipalities and other governmental entities must honor their payment schedules for contributions toward pension funding, no matter the governmental entity's state of solvency or if it is seeking bankruptcy reorganization.

The relatively few California cities that have found themselves in the position of having to declare bankruptcy have shied away from testing whether, in fact, employee pension funds enjoy a specialized status vis-à-vis claiming to be first in the line of creditors to be paid by a governmental entity that is struggling financially.

In California, San Bernardino is one of three cities with populations of over 100,000 which have sought bankruptcy protection. The other two, Vallejo and Stockton, have elected to continue to stay current on their pension fund obligations. San Bernardino, however, has taken

the position that pension payments should not be excluded from the list of debts it wants to reduce, and that the California Public Employee Retirement System, known as CalPERS, should accept for the time being a pendency plan that reduces the payments it will receive from the city in the same ratios

that the city is reducing its payments to its other creditors, including its bondholders and suppliers of goods and services, until such time as the city is able to regain its financial footing. San Bernardino, which currently has a \$25 million annual obligation to the retirement system, withheld more than \$14 mil-

lion in pension fund payments from July 2012 until July of this year. The city wants to continue to make partial payments until such time as it gets back on its feet financially. Even more alarming to CalPERS is the perception that the city is looking down the road at a longer-term solution that would include

renegotiating the amount of its commitment to the retirement system, one that would indeed set a precedent in California of reducing the pensions of retired or soon-to-retire city employees.

CalPERS opposed San Bernardino's bankruptcy petition, asserting that the pension fund system has a special sta-

tus.

Moreover, CalPERS has, disputed since shortly after the municipality's filing of its August 2, 2012 bankruptcy petition, San Bernardino's contention that it is in dire fiscal straits. The pension system maintains that San Bernardino has hundreds of millions of dollars worth of assets that can be tapped into or liquidated to satisfy its many creditors. CalPERS asserts San Bernardino is simply skipping out on its financial responsibility and is not eligible for bankruptcy.

U.S. Bankruptcy Judge Meredith Jury, who is overseeing the city of San Bernardino's Chapter 9 bankruptcy filing, has consistently ruled that San Bernardino is as insolvent as it claims. In August, she ruled that the city's bankruptcy should be granted pursuant to a pendency plan by which the city continues to pay its employees and other expenses critical to its day-to-day operations but services its other debts on the basis of the limited financial means available to it.

CalPERS wants out of Jury's courtroom and is pressing for leave to appeal the matter to another judge, a request Jury has already denied.

This week, CalPERS has been forced to contemplate the consideration that other bankruptcy judges may prove every bit as, if not even more, accommodating of the city's requests to back away from its pension commitments to current and former employees.

U.S. Bankruptcy Judge Steven Rhodes is hearing the city of Detroit's bankruptcy case. Detroit, the largest U.S. city to ever declare bankruptcy, is beset with an estimated debt – \$18 billion – that makes San Bernardino, with its \$180 million in ongoing unfunded liabilities and \$49 million annual operating deficit, by comparison seem as if it is almost flush with cash.

Some citizens opposed to Charter Section 186 have remarked that the cities chosen for the salary survey are better fixed financially than San Bernardino. Defenders of the charter section maintain that San Bernardino's elevated level of crime entitles police officers who work there substantial remuneration.

Continued on Page 8

Per Charter, SB Ups Police Department Salaries

SAN BERNARDINO—For the second time since the city of San Bernardino declared bankruptcy in August 2012, the city council has given its police officers raises.

The pay increases, which are scheduled to go into effect next August, like last year will entail an additional million dollar drain on the city's already decimated budget compared to the previous year.

The automatic raises are a consequence of a provision in the city's charter known as Section 186, which requires that the salaries of police and firefighters in San Bernardino be based upon the average remuneration of their public safety counterparts in ten selected California cities with populations comparable to San Bernardino.

The city council is constrained under the terms of the city charter to provide the raises. The San Bernardino Municipal Charter, which can be altered only through a vote of the city's residents, dictates, under its Section 186, that police and fire department pay is to be determined by

averaging the pay provided to similar positions in ten California cities with populations between 100,000 and 250,000. Those ten cities are selected by a process in which all California cities in that population range are considered and the union eliminates from the list the lowest paying municipalities and a city management representative eliminates the highest paying cities until the ten from which the average is taken are determined.

The council voted to comply with the Charter Section 186, nearly eight months before the raises are to go into effect, in part to provide the city's finance department adequate time to work the numbers into the upcoming 2014-2015 budget.

Accordingly, 163 police officers will see a 2.91 percent or \$210.69 per month increase and will now be paid between \$5,235.98 per month and \$7,463.19 per month, depending on seniority. Forty-four detectives and corporals will receive a 3.41 percent or \$279.20 per month increase and will now be paid between \$6,411.02 per month and \$8,477.40

per month, depending on seniority. The department's 39 sergeants will receive a 2.79 percent or \$261.61 per month increase and will now be paid between \$7,618.33 per month and \$9,634.21 per month. The pay increases for police officers, detectives, corporals and sergeants will cost the city \$56,830.06 per month.

In the case of the police officers, corporals, detectives and sergeants, the salaries were based upon the average paid to comparable positions in the cities of Fairfield, Fullerton, Garden Grove, Irvine, Lancaster, Norwalk, Oceanside, Palmdale, Pomona, and Santa Clarita.

The salary paid to law enforcement trainees will be upped to \$4,188.78 per month (\$24.17 per hour), which is 80 percent of the lowest grade of pay for a police officer.

Adding annual fringe benefits and other salary-driven costs which rise with salary increases such as the state public employee retirement system contributions, unemployment and Medicare, the total increased general fund cost for the police officers, corporals, detectives and sergeants for fiscal year 2012/13 is \$823,357.89; overtime costs are estimated to be \$216,269, for a projected fiscal year 2013/14 increase of \$1,039,626.69.

In making adjustments to the salaries of the department's management personnel, the department's nine lieutenants, assistant chief and chief will all see cuts in pay. Only the



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Detroit Bankruptcy Sets Pension Busting Precedent For SB

from page 7

On December 3, Rhodes ruled that Detroit is not only eligible for bankruptcy but can also cut pension benefits as part of its strategy to map its way out of the financial abyss it has found itself in. Pensions, just like any other contracts, can be altered, given the exigency of bankruptcy, Rhodes ruled.

Rhodes' ruling provides a precedent that outfits San Bernardino with more leverage in its match with CalPERS, providing the city with the potential option of abrogating a contract that CalPERS and the city's municipal employ-

ee's unions considered sacrosanct, unbreakable, and absolutely ironclad.

CalPERS' position appears to be eroding by the minute. The pension system has maintained that it has special status among the city's creditors and that it should go to the front of the line when the city begins to pay those to whom it is in arrears. Jury did not accept that, ruling that CalPERS has no greater or lesser standing than the scores of other entities the city owes money to.

In the cases of two other cities in California that have sought bankruptcy protection, Stockton and Vallejo, those cities have chosen to stay current on their obligations to CalPERS. However, in the Stock-

ton case, the federal bankruptcy judge hearing the matter, Christopher Klein, granted Stockton's request to set aside the city's health benefit debts. And while he ratified the plan to make good on the city's obligation to CalPERS, Klein indicated that had the city requested the authority to modify its pensions, he would have gone along with the request.

With Rhodes' ruling in the Detroit matter, financially troubled cities may now be emboldened to do battle with the managers of their employees' pension funds.

And while CalPERS maintains that municipal retirees are due all retirement moneys they qualify to receive under current formulas since

those pensions represent "promises made in exchange for the financial and physical investments that public employees and retirees make in our communities," others see the matter somewhat differently. Many retirees are availing themselves of pensions utilizing a formula based not upon a percentage of their maximum salaries as municipal employees but a percentage of their salaries plus vacation pay, overtime pay, vehicle allowances, educational allowances, travel allowances, computer and cell phone allowances, clothing allowances and other stipends. In recent years, there have been several highly publicized cases of pension spiking, including examples of high ranking public em-

ployees who, while employed earned salaries in the \$200,000 per year range but by adding on various addenda to their salaries and other forms of compensation for their retirement calculations, are now receiving yearly pensions approaching \$300,000.

Unexplored in the bankruptcy proceedings so far is an examination of the tactics used by employees and their unions to extract from elected city officials generous salary and benefit packages, including concerted efforts to elect or reelect politicians willing to provide them with those budget-busting salaries and benefits and chase from office those elected officials unwill-

ing to break the city treasury to accommodate the unions.

Upon the demonstration that such tactics were used by unions to strong-arm elected leaders into providing their members with generous retirement benefits, a judge who is requested to grant pension modifications might seriously entertain such a remedy under the principle of the "balancing of hardships" whereby a city in a state of financial duress beset upon by a multitude of creditors, all of which could not be fully satisfied by that city's available financial means, would appear to have grounds to seek to reduce pensions deemed to be excessive.

Bald Eagle Count

from page 2

uled for the Saturday mornings: December 21st, January 11th, February 8th, and March 8th. No experience is needed. Volunteers need not sign up ahead of time

and can just show up at the designated time and location, warmly dressed and with binoculars and a watch.

Big Bear Lake area volunteers will meet at 8:00 a.m. at the Forest Service's Big Bear Discovery Center on North

Shore Drive for orientation. Contact Drew Farr (dpfarr@fs.fed.us or 909-382-2816) for more information. Call 909-382-2832 for cancellation due to winter weather conditions – an outgoing message will be left by 6:30 am on the morning

of the count if it has to be cancelled. There will be a free slideshow about bald eagles at 11:00.

Lake Arrowhead/Lake Gregory volunteers will meet at 8:00 a.m. at the Skyforest Ranger Station for orientation. Contact Drew Farr (dp-

farr or 909-382-2816) for more information. Call 909-382-2832 for cancellation due to winter weather conditions – an outgoing message will be left by 6:30 am on the morning of the count if it has to be cancelled.

Silverwood Lake State Recreation Area

volunteers will meet at the visitor center at 8:00 a.m. for orientation. Contact Kathy Williams or Mark Wright for more information about volunteering or taking an eagle tour (760-389-2303 between 8:00 and 4:00; or email: khwilliams@parks.ca.gov).

Scott Markovich Candidate for Assembly District #33

Thomas Jefferson said it best, "We hold these truths to be self-evident; that all men are created equal, that they are endowed by their creator with inalienable rights; that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whatever any form of government becomes destructive of these ends, it is the right of people to alter or abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such a form as to them shall seem most likely to affect their safety and happiness."

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Upland Brown Act Violation Allegations
from front page 2

a hearing at its November 25 meeting at which it officially made the committee appointments in public. With regard to Dunn's request that the council members fill out questionnaires, Barlow wrote, "We believe that the conduct was not a violation of the Brown Act. The Brown Act does not require all city council actions to be taken within the context of an open meeting. It only requires that, with few carefully defined exceptions, all 'meetings' of a city council must be open to the public. Therefore, the written submission of documents by council members to the city manager outside of a regular meeting would only violate the Brown Act if the act of submitting those documents itself constituted a meeting."

Barlow's letter continued, "Government code Section 54952.2 makes clear that for a 'meeting' to occur, there must be some discussion, deliberation, or communication among the council

on a topic within the subject matter of its jurisdiction that results in the development of a collective concurrence. By individually submitting information to the city manager, no interaction among council members occurred, no deliberation took place and no consensus was reached."

Despite that defense of the council's action, Barlow's letter also stated, "In order to avoid unnecessary litigation and without admitting any violation of the Ralph M. Brown Act, the Upland City Council hereby unconditionally commits that it will cease, desist from and not repeat the challenged past action as described above. Rest assured that the city council takes the obligations of the Brown Act very seriously, and it is for this reason that the commitment contained in this letter is made. Even though we do not believe a violation occurred, the city council wants to ensure that the public maintains confidence in the process through which these difficult issues will be discussed and decided.

With regard to the council's selection of the committee members outside the forum of a public meeting, Barlow wrote Musser-Lopez another letter, also dated November 26, in which she repeated her representation that "The Brown Act does not require all city council actions to be taken within the context of an open meeting." Barlow pronounced, "Therefore, the written submission of ad hoc budget committee appointees by council members to the city manager outside of a regular meeting would only violate the Brown Act if the act of submitting appointee names itself constituted a 'meeting.' By individually submitting names of their individual appointees to the city manager, no interaction among council members occurred, no deliberations took place and no consensus was reached. To the contrary, the complete discussion and deliberation regarding the committee occurred in a duly noticed and open public meeting. In that process, it was made clear that each council

member would have 2 appointees to the ad hoc committee. Any member of the public wishing to address the formation of the committee, its membership, process for appointment, etc., could have done so at the meeting of October 28th. Therefore, the appointments did not qualify as a 'meeting' under the Brown Act and was not required to be made during an open meeting. If post-appointment ratification of those on the committee had been required, it would have to have been done at a public meeting; however, no ratification was required by Upland ordinance or by the process expressly agreed upon at the public meeting. Thus, the committee is not illegal as you contend in your letter dated November 11, 2013 (sic). As no action was taken outside of a noticed and public meeting there is nothing to cure. Nonetheless, the full council acted to ratify the appointments at their meeting of November 25, 2013."

Musser-Lopez, who formerly resided and was registered to vote

in Upland, now divides her time between her residence in Needles and Upland, where she is a caretaker for an elderly family member. She was formerly a councilwoman in Needles.

"I had to pay money to obtain documents that included information that should have been readily accessible online in the minutes or as a part of an agenda discussion," she said of her recent experience in Upland. "Instead, I had to go out of my way, make a special trip and expend my own personal funds to obtain information that a majority of the council had acted on. When I was on the city council in Needles, I was given instruction on the Brown Act. There is a reason why this kind of written communication involving a majority of the council is illegal. They are discussing and deliberating outside of the public's view as to how they would likely vote on the budget or fiscal matters. The public can't see or hear that discussion. In California, we voted to have open meetings, not meetings

behind our backs. When there is a majority involved in the discussion, they are not allowed to use an intermediary to communicate with each other outside the purview of the public," she said.

"When Councilman Gino Filippi says he would like to see a discussion on 'privatizing of city utilities' and he does so on a piece of paper that can be viewed by his council colleagues but is not available to the public, to me that means they are discussing selling the water utility. The public should know that this is the direction that Mr. Filippi is interested in taking the city. Because this polling or questionnaire was done outside of view of the public, the only reason I know that Mr. Filippi is oriented this way is because I took the time and my own money to file a Public Records Act request to obtain those filled-out questionnaires. But the rest of the world has not seen the questionnaires. These an-

Continued on Page 11

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San Bernardino County Coroner Reports

Coroner Case #701308825 – On 12/3/13 at 7:42 PM, Kevin Michael Lowe, age: 27 from Apple Valley, was struck by passing vehicles on Central Road north of Earlimart Road in Apple Valley. The San Bernardino County Fire Department paramedics pronounced him dead at the scene. The California Highway Patrol is investigating the incident. [120413 0500 EM]

Coroner case #701308828 – Back on 11/29/13 at 5:15 PM, Calvin H Bottum, age: 87 from Coalinga, was walking across the 1500 block of Main Street in Barstow and was struck by a vehicle. Paramedics responded and airlifted him to Arrowhead Regional Medical Center where he was admitted. Due to his multiple injuries, he was pronounced dead on 12/3/13 at 8:20 PM. The Barstow Police Department is investigating the collision. [120413 0300 em]

Coroner case #701308750 – On 12/01/13, at approximately 6:50 A.M., deputies from the Highland Sheriff’s Station were dispatched to the 7000 block of Bonnie Street in the City of Highland following a report of a female being found deceased in her home. Upon arrival, deputies and fire department personnel located Loyce Comstock, a 76 year-old resident of Highland with upper body trauma. Comstock was confirmed dead on scene at 07:02 A.M. by paramedics. The San Bernardino County Sheriff’s Department, Homicide Detail, was requested and responded to the scene to conduct the investigation. An autopsy will be conducted to determine the cause of death. [120213 1830 TC] Date of occurrence corrected. [120413 1211 SY]

Coroner case #701308762 – On 12/02/2013, at 1:01 AM, California Highway Patrol responded to a pedestrian struck by a vehicle on the southbound Interstate 15 north of “L” St off ramp in Barstow. Robert Ruiz, a 26 year old Hispanic male resident of Barstow was pronounced dead on scene by paramedics. An autopsy will be conducted to determine the cause of death. San Bernardino County Sheriff Department is investigating the incident. [12022013 0635 EM]

Coroner case #701308759 – On 12/01/2013, at 6:35 P.M., Manuel Alfred Galvan, a 36 year old male from Redlands, sustained trauma to the upper torso by assailant(s), in the 1000 block of N. Mt. View Ave., in San Bernardino. Galvan was transported to Loma Linda University Medical Center where he later was pronounced dead at 8:07 PM. An autopsy will be performed to determine the cause of death. The San Bernardino Police Department Homicide Unit is investigating. [12022013 0525 EM]

Coroner Case #701308763 – On 12/01/2013 at 3:14 PM. San Bernardino Police Department responded to a check the welfare check in the 2000 block of College Ave, in San Bernardino. Arriving on scene, deputies found Ashley N. Atherley, a 28 year old resident of San Bernardino, with trauma to the upper body and was pronounced dead at the scene. An autopsy will be conducted to determine the cause of death. San Bernardino Police Department Homicide Detectives are investigating the incident. [12022013 0525 EM]

Coroner Case #701308760 – On 12/01/2013, at 5:26 PM, San Bernardino County Sheriff Department responded to a pedestrian struck by a vehicle on Sterling Avenue north of Baseline in Highland. When deputies arrived, they found William Richard Alvarez, a 53 year old Hispanic male resident of San Bernardino with head injuries and was pronounced dead by paramedics. An autopsy will be conducted to determine the cause of death. San Bernardino County Sheriff Department is investigating the incident. [12022013 0033 EM]

Coroner case #701308733 – On 11/30/2013, at about 6:54 a.m., Tammy Gosney McNeely, a 45 year-old resident of San Bernardino, was traveling southbound in a 2006 Mazda 3 on Del Rosa Drive in San Bernardino. The Mazda collided with a 2012 Toyota Tundra at the intersection with 9th Street. McNeely was transported to a local hospital where she died from her injuries. The San Bernardino Police Department is investigating this incident. [120113 1530 TC]

Coroner Case #701308717 – On 11/29/2013 at 4:11pm, 72 year old Roberto Garcia Cardenas, a resident of Fontana, was driving a Honda Odyssey Van southbound on Sierra Avenue north of Summit Avenue when a Toyota Yaris passed the Honda on the right shoulder and lost control, causing the Honda to broadside the Toyota. The Honda traveled approximately 300 feet into the desert and was catapulted by a berm before rolling and landing upside down. Cardenas was pronounced dead at the scene by paramedics. All other involved parties were transported to area hospitals. Fontana Police Department is investigating this collision. [11292013 2310 em]

Coroner Case # 7 0 1 3 0 8 6 6 0 - - On 11/27/2013 at about 10:00 a.m. Ray Martinez Jr., a 40 year old resident of Hawaiian Gardens, was traveling eastbound in a 2000 Chevrolet Malibu on National Trails Highway in Rural Cadiz. Approximately 2 miles east of Cadiz Rd., the vehicle left the road and rolled over coming to rest in the desert. Martinez was pronounced dead at the scene. The Needles CHP office is investigating this incident. [112713 1701 SY]

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Enterprise Zone Sign-up Deadline from front page

time runs out. Any qualified new hires or taxes paid on certain equipment purchases made between October 2006 and December 31, 2013 may be eligible for SB-VEZ credits.

The workshop will also provide a brief overview of Governor Jerry Brown's new Economic Development Initiative Program that will start on January 1, 2014 and offer tax credits to companies statewide.

To register for the workshop, contact zone manager Wendy Clements at 909.382.4538, or info@sbvez.com.

The San Bernardino Valley Enterprise Zone is one of 40 existing enterprise zones established by the California Department of Housing and Community Development to encourage investment, growth, development and job creation in economically distressed areas of the state. The enterprise zone program grants employ-

ers tax credits and incentives for pro-growth business investments that improve economic activity within designated zone areas.

The San Bernardino Valley Enterprise Zone is located in the central portion of the Inland Empire and includes the city of Colton, the city of San Bernardino and unincorporated portions of San Bernardino County. In addition to the tax incentive it offers, the San Bernardino Valley Enterprise Zone also features a highly developed network of road, rail and air transportation infrastructure, a skilled and educated workforce, affordable commercial and residential real estate, and many other pro-business programs that make the area a highly competitive location for business. Those wanting more information about the San Bernardino Valley Enterprise Zone or wishing to determine if their business is in the zone can visit www.SB-VEZ.com.

Wendy Clements is the zone manager for SBVEZ.

Renegade Santa Claus

from page 5

Ontario on November 29, as a well-organized cadre of Walmart protestors descended on the new store on what has become a culturally iconic event, the massive turnout of customers at retail establishments on what is hailed as the biggest retail sales day of the year, the Friday following Thanksgiving.

Among the leaders of the band of protestors that had come to Ontario on this occasion was Santa Claus, who otherwise goes by

his civilian name of Karl Hilgert. Determined to strike a blow against the heartless capitalistic ethos that had given rise to the superstore paying its staff barely more than a subsistence-level minimum wage, the crowd carried signs and placards, occasionally chanting slogans intended to persuade Black Friday shoppers to spend their money elsewhere. Hilgert, in his guise as Claus, the symbol of the commercialism of the just awakening Holiday Season, provided an air of ironic sophistication to the protest. When it

Continued on Page 12

by Diane Dragotto Williams

The only nocturnal squirrel in California is the seldom seen, but aerodynamically skilled, northern flying squirrel,



which actually doesn't fly at all! *Glaucomys sabrinus* has a flat furry membrane (patagium) extending along each side of the body between the ankle and the wrist, that acts like a parachute. This "gliding sail" enables the squirrel, when limbs are outstretched, to jump from high in a tree and glide to the base of another tree, sometimes over 150 feet, avoiding predators like bobcats, coyotes, foxes, raccoons, tree snakes, and its worst enemy, large owls. About 10 inches long, with very large, round, dark eyes, long whiskers, and a body of soft, cinnamon brown and gray fur on top and creamy, white fur underneath, the flying squirrel uses its flat tail as a rudder and an

air brake before landing!

These non-hibernating squirrels also do not store up food, but can live on moss in winter, and fungi in summer. As omnivores, they also eat

nuts, seeds, acorns, fruit, flowers, sap, bird eggs, small nestling birds, slugs, snail and insects! Breeding from March to May, the females raise 2 to 5 young and may share a communal nest with groups of 8 or more adults and juveniles, sharing body warmth for winter. This conifer and deciduous tree dwelling, forest-dependent mammal is a secondary cavity nester, preferring abandoned homes in live trees, snags and dead, hollow trees. However, it also adapts well to bird houses, house attics and "witches brooms" a tree parasite similar to mistletoe. Occasionally in summer, it may construct a tree "drey", a woven container of leaves, shredded bark and twigs that has an entrance hole

County Wildlife Corner Gliding Squirrels

up to 6 inches in diameter.

Hairless at birth, with sealed eyelids and ear canals, the pups are fully furred after 25 days and weaning begins after 60 days, then the sub-adult becomes independent, several weeks later. Their "flight training" starts about 2 months old, resulting in many trials and errors overseen by watchful adults. What an adventure awaits them, as they encounter mites, fleas and lice that can carry disease to the young squirrels, or many predators causing a short life span of 6 years in the wild. Vocalizations in the flying squirrel family include chittering, chortling, sputtering,

spiders in webs, and chases down any other attractive, edible tidbit. At Wildhaven Ranch, in the past years rehabili-



tating these special animals, our experience has proven them to be gentle, clever, resourceful and beautiful. Launching itself into the air, from tree to tree and branch to branch, seemingly fearless and confident, this admirable squirrel could be considered the "Flying Supercreature" of the wild!



squawks, snorts, and a low "seep" and chuck-chuck sound.

While rarely observed in the day time, they are sometimes seen by campers, entomologists and nature lovers after dark, as the flying squirrel pursues moths,

Wildhaven Ranch is a wildlife sanctuary in the San Bernardino Mountains specializing in educating the public about wildlife in our ecosystem. Visit them at www.wildhavenranch.org or call for tours at (909) 337-7389.

Route 66

from page 6

boy, Essex, Danby courthouse, Cadiz, Chamblless, Dola Bridge Ludlow ghost town, the original Bagdad Café that once housed the only juke box between Needles and Daggett, the ruins of the Siberia Service Station, the Cliff House Resort and cliffside swimming pool, and the site of the historic Daggett inspection station made famous in the book *Grapes of Wrath*. Of particular interest to the group was some 30 miles of

contemporary rock art along the 1930 protective sheet flow berms along the north side of the road in the section between Essex and Amboy, backdropped by the beautiful Castle Dome in the Clipper Mountain Range. This rock art is basically people's names written with hand sized stones aligned as letters. Sometimes the names were colorfully painted.

How can you get involved and find more information about the National Scenic Byway plan for Route 66? Send

an email to dasanchez@blm.gov with a copy to cahistorict66@aol.com with "CMP Project" in the subject line. Go to www.byways.org to check out "Route 66"

Upland Brown Act Violation

from page 9

swers should have been made public as a part of the council packet that is prepared and published online by the city man-

to learn more about the potential benefits that National Scenic Byway designation may have upon both the economy and environment in San

ager. We should not be made to file a Public Records Act request. This goes way too far in keeping information from us, information that we need to have to get an equal start on trying to fight to protect our pocketbooks and our property."

California Style Happy Holidays

By Grace Bernal



There's so much to be grateful for and fashion



is one of them. It's fun, spontaneous and without it the seasons wouldn't be interesting. After surviving the great turkey tradition we have more

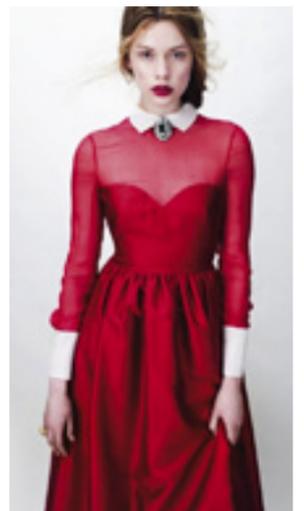


traditions that follow and they seem go on forever, too. There's something electrifying about holiday fashion. It's a nice change from normal life into the holiday period. It's so charming to see everyone come together and celebrate in their own way. It's all really neat. The Holidays are happening so fast this 2013. I hope you enjoy

all the great fun cocktail gatherings, gift exchanges, and in style. Have fun putting your classic party piece and 'tis the season with style. Happy Holidays!



"When a person is in fashion, all they do is right." - Lord Chesterfield



As always, if there's anything you need, I'd love to hear from you: Greygris@aol.com or visit my page I Love Your Style on Facebook Copyright Grace Bernal all rights reserved

Cops Take Down Santa Claus from page 11

became apparent that scores of protestors were lining the streets, police made their presence known.

In what was either a

desperate effort to discourage shoppers or a planned ploy to add emphasis to the statement of protest, ten of the protestors, including Hilgert/Claus, ventured out into the middle of the Mountain Avenue Intersection and sat down as a form of human blockade. Shortly thereafter, the

police marshaled their numbers and moved out into the intersection themselves, ordering Hilgert/Claus and his cohorts to disperse. When they did not, the officers read the dissidents their rights, handcuffed them and hauled them off.

Throughout it all,

Hilgert/Claus remained entirely in character, of-

fering his persecutors candy canes.



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