

## Nepotism Controversy Manifests With City Clerk & Police Chief In Upland

The long dormant conflict within the administrative level of Upland's government has now manifested into an actual crisis that has impacted a significant number of employees in the police department and which threatens the continued tenure of either police chief Jeff Mendenhall or administrative services direc-



**Stephanie Mendenhall**  
tor/city clerk Stephanie Mendenhall, or both.

In 2010, Jeff Menden-

hall, then a captain in the police department, was elevated to the position of acting police chief when then-police chief Steve Adams took what was expected to be a temporary stress leave. Adams' stress leave continued well into 2011 and in September of that year, he retired. Shortly thereafter Jeff Mendenhall was elevated by



**Jeff Mendenhall**  
then-city manager Stephen Dunn to the position of police chief, and

that choice was approved by the city council.

Meanwhile, Jeff Mendenhall's wife, Stephanie, who was Upland's city clerk, had likewise advanced professionally, having been given the added assignment of administrative services director. Stephanie Mendenhall remained in the post of city clerk in the newly created **See P 3**

## Berk Says She Offers Change From Upland's Old Guard



**Susan Berk**

Susan Berk said she is running for the Upland City Council because "Upland needs strategic and experienced leadership focused on getting our financial house in order. The water and sewer privatization issue spurred me to action; I realized we are going down the wrong track and we can no longer maintain the status quo. Returning the same council members or electing the former city manager to the city council is not a good path forward. These people are the ones who put us where we are now. They say they have unfinished business. Their business is not unfinished; it's an approach that has moved us in the wrong direction and it must be stopped."

Berk told the *Sentinel* "Protecting management of our water and sewer asset is the most significant issue facing us today, and I am disappointed that a vote on it has been pushed out until after the election. Outsourcing management of our water and sewer assets is a bad idea and it is an end run around securing rate increase approvals. This concept will do nothing to reduce our costs; in fact, predictions are it will more than double our water and sewer bills. It's a ploy to get more money to cover past management mistakes. We need **See P 2**

## State Controller Pegs Public Employee Pension Spiking Cost At \$800M Thru 2034

Public employees' continuing use of the tactic of pension spiking, a practice that has now been made inapplicable to their colleagues hired since January 1, 2013, will cost California's taxpayers and local governments close to \$800 million over the next twenty years, according to California Controller John Chiang.

Chiang said he came to that conclusion based on his office's most recently completed audit of the California Public Employees' Retirement System, which provides benefits to 1.7 million retired state and local government workers and their spouses out of what is currently a \$301.5-billion investment portfolio funded by taxpayers.

The audit that focused on eleven state and local government agencies turned up no direct evidence of illegal pension enhancements, or "spiking," but found that the California Public Employees' Retirement System has not conscientiously monitored the payroll records of its 3,100 constituent agencies.

Pension spiking is the process whereby employees inflate their compensation, either by promotion or the reception of long accumulated benefits in the years or even final year preceding their retirement in order to receive larger pensions than they otherwise would be entitled to. The California Public Employees Retirement

System calculates its members' pensions based upon the compensation they received during the three years of highest compensation.

Public pension spiking in California was outlawed in 1938, but that law went largely unenforced. In 2012, the state legislature prohibited its practice by any government **See P 4**

## Chino Unified School Board Hands Itself A 5 Percent Raise

On a split vote, the board members of the Chino Valley Unified School District moved to up the stipend they are provided for their service.

Board members Irene Hernandez-Blair, Charles Dickie and Sylvia Orozco voted to increase their compensation by five percent, elevating from \$747 to \$784 each board member's monthly pay.

Trustees James Na and Andrew Cruz voted against the raise.

The salary increase, which went into effect on September 5, will add \$2,050 to the district's annual \$52 million budget.

Taking the raise was a symbolic show of confidence in the future, following more than half a decade of dwindling revenue to the district in the face of the **See P 2**

## In Yucca Council Return Effort Herbel Cites Need For Town Water Treatment Program

Former Yucca Valley Town Councilwoman Lori Herbel, who served a single term on the council from 2006 until 2010, said she is running to regain a position her position to "address the concerns of the people and the business community by holding quarterly open Town Hall community meetings and to encourage the growth of local small businesses by making it the town's pri-



**Lori Herbel**

mary goal to understand expectations and assist in making the permitting process easy."

If elected, Herbel said

she would "examine the annual budget line-by-line to justify all expenditures and restore the Hi-Desert Nature Museum to full service and honor its past contributions to community education and cultural activities."

Herbel said it is vital that the town "expand and enhance community programs for our youth and seniors." She said she was com- **See P 9**

## Former Upland City Manager Quincey Pleads Guilty To Single Felony Count

Former Upland City Manager Robb Quincey entered a no contest plea on September 9 to a single count of conflict of interest, bringing to a close the case lodged against him by the San Bernardino County District Attorney's Office in 2012.

Dismissed as a consequence of the plea arrangement worked out between Quincey's attor-

ney, Michael Zwieback, and prosecutors were two additional charges, perjury and embezzlement/falsification by a public officer.

The case against Quincey in some measure grew out of the circumstances surrounding former Upland Mayor John Pomierski, who was himself indicted in 2011 and in 2012 was convicted of public cor-



**Robb Quincey**

ruption charges. Pomierski was instrumental in

hiring Quincey as city manager and maintaining him in that position for more than five years. Quincey, who had a doctorate in public administration with an emphasis in economics and organizational development from the University of La Verne, was hand-picked by Pomierski in March 2005 to succeed Upland's previous city manager, Mike Milhis-

er. Over the more than five-year span Quincey worked for Upland, he was provided, primarily at Pomierski's behest, a series of salary and benefit enhancements such that by January 2011 he was receiving a base salary and add-ons of \$368,529 with benefits of \$92,096, for a total annual compensation of \$460,625, making him among the high-**See P 10**

**Chino School Board Raises Its Compensation** *from front page*

stagnating economy that has beset the nation, state and region since 2007. Because deficits of \$8.1 million were projected for the current 2014-15 academic year and a \$9 million deficit in 2015-16, the board was earlier reluctant to up its own compensation.

The raise means that members will get roughly \$470 per meeting. The board met 27 times in 2012 and 27 times in 2013. In 2014 it has 20 meetings scheduled. Meetings typically last three hours, meaning the board members get about \$157 per hour if meeting time alone is calculated.

Board members are provided with staff reports relating to the materials contained in the

meeting agenda, which they are expected to review prior to the meetings. There is no set amount of time required of them to do such reviews.

The move came at the same time that the board approved a raise for district superintendent Wayne Joseph. The board agreed to increase Joseph's contract, which had been providing him with an annual \$195,575

salary, to reflect a 3 percent salary increase for 2013-14, retroactive to July 1, 2013; a 2 percent salary increase for 2014-15. The board also agreed to provide Josephs with a 10 percent increase in the district's contribution towards his benefits, which are provided in addition to his salary, for this school year.



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**Berk** *from front page*

look no further than Claremont or Rialto to understand the negative long-term effect on the city. I am against outsourcing management of our water and sewer assets. It's a shortsighted, bad idea with severe ramifications for the people of Upland."

At the same time, Berk said, "I am firmly against any tax increases

and any new taxes. If there's anything we don't need, it is more taxes. I will use the management skills I've honed in industry to identify cost reduction opportunities and assets with which we can generate cash, and to build our fund reserves. We have to learn to live within our means."

While Berk said the city should maintain ownership of its water division, she said the city did possess property and

operations it could conceivably dispense with.

"Upland has land and other assets that are not being used to our advantage," she said. "We need a complete list of all city assets including our land holdings, and we need to either find ways to put these to work for us or sell them. This information has been hard to obtain; it won't be when I am on the city council."

Berk called for reducing the city's reliance on

consultants.

"Our senior city executives are extremely well paid to manage and to do their own analysis," she intoned. "That's their job – it's not to hire consultants every time a tough budgetary decision comes along. We recently threw \$27K away by having a team of consultants ask Upland citizens if they were in favor of higher taxes. There are many troubling things about

this, including the city's initial decision to not release the survey results. The city initially claimed attorney-client privilege as the reason for not releasing this information, which is outrageous. It required the involvement of the First Amendment Coalition to make the report public."

The city has been plagued by less than diligent government oversight, she maintained.

"I view the city council's job to be the same as a board of directors in a publicly-held corporation," she said. "The council is there to provide strategic oversight, to guide the city manager, and to always have the best interests of the citizens of Upland, who are the shareholders of the city, as their number one priority. That hasn't happened in recent years. I see the failure of our city council to prevent or even detect the unethical and unprofessional behavior that has occurred in Upland city government as the most pressing reason for significant change. I owe nothing to the special interests. I will work for the citizens of Upland, and I will answer to them."

In identifying her game plan for governance if elected, Berk said "Upland needs to get its financial house in order, and that will be my first priority."

Berk said the city should leave well enough alone and not even consider water and sewer privatization. "We're not having problems in these areas," she said. "It doesn't make sense to 'fix' something that isn't broken. I will oppose this backdoor tax increase. We aren't going to get out of our current situation by digging deeper into our residents' wallets."

Berk said the city can avoid the need for sales or business tax increases by "getting our spending under control. That starts with defining budgets for every depart-

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## Glimpse Of SBC's Past Lopez V. Seccombe

By Mark Gutglueck

The city of San Bernardino played a somewhat regrettable role, ending up on what is now the wrong side of history, in the battle for desegregation.

Throughout much of its early history and lasting well into the 1940s, the Hispanic population of San Bernardino was subject to discriminatory practices that were accepted as par for the course by most of the region's inhabitants. Children of Mexican descent attended segregated schools, and Latinos in San Bernardino were permitted to use public pools only on Sunday, the day before the pools were drained and cleaned.

On August 1, 1943, the Mexican American Defense Committee of

San Bernardino held a meeting at San Jose Hall on Fifth Street and Pico Avenue to discuss what could be done about these practices.

The meeting had been coordinated and was hosted by Eugenio Noguera, the editor of a local Spanish language

newspaper, *El Sol de San Bernardino*. The attendees resolved to meet the issue head on and confront city officials about the policies they had put in place or were perpetuating which subjected the entire Hispanic population of the city and in particular those living in the Westside barrio, along Mount Vernon Avenue to second and third class citizenship.

On August 19, 1943, the Mexican American Defense Committee sent a letter to Mayor W.C. Seccombe and the city council demanding that "Mexicans" be allowed to use the municipal pool at Perris Hill Park. Tommy Richardson, the city of San Bernardino's municipal recreation supervisor and the coordinator of baseball games held on Mount Vernon Avenue, voiced his support of the policy change. Nevertheless, the city council rejected the Mexican American Defense Committee's demands. Noguera found further support in the person of Ignacio Lopez, editor of *El Espectador*, yet another local Span-

ish language newspaper. The information campaign with regard to the demand escalated and ultimately, on September 17, 1943, Los Angeles-based attorney David C. Marcus representing the Mexican American Defense Committee and petitioners Ignacio Lopez, Eugenio Noguera, Father Nuñez, Virginia Prado, and Rafael Muñoz filed a class action

lawsuit against the mayor and the city council. Lopez vs. Seccombe made issue of the segregated swimming pools in San Bernardino.

Marcus asserted that as taxpayers and United States citizens, the Mexican Americans of San Bernardino were entitled to use parks and recreational facilities within the city and that barring their admittance

was unconstitutional under the Fifth and Fourteenth Amendments.

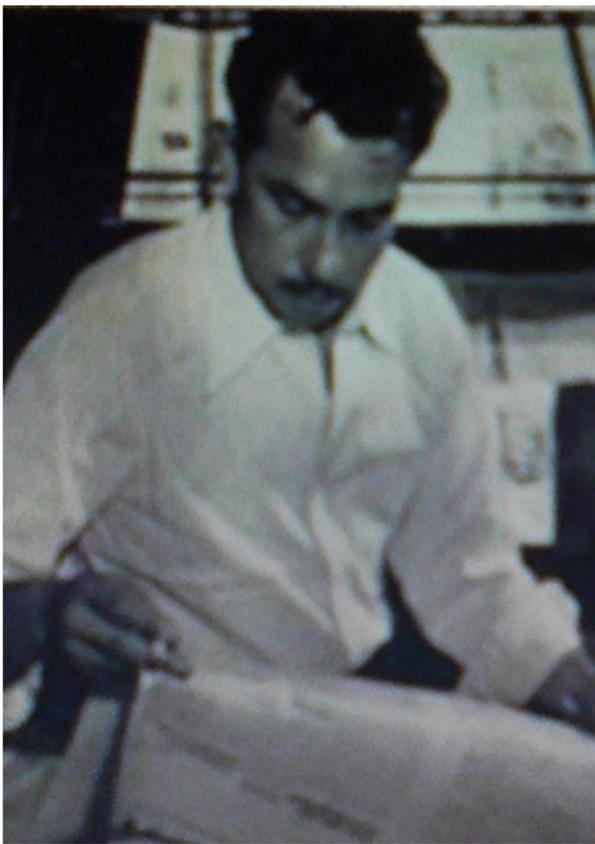
The case was heard in District Court of the United States for the Southern District of California, Central Division (Los Angeles).

Seccombe and the city denied the allegations and stated that the city charter provided the mayor and the city council with the legislative and administrative "authority to acquire, own and maintain public libraries, common museums, gymnasiums, parks and baths," and in so doing run them in any manner they deemed appropriate.

The district court's presiding judge, Leon Yanckwich rejected the city's assertion of overriding authority, ruling that the city had to abide by the Constitutional guarantees provided to all citizens, including San Bernardino's Mexican American residents. Yanckwich declared, in a ruling handed down on February 5, 1944, "...respondents' conduct is illegal and is in violation of petitioners' rights and privileges as

guaranteed by the Constitution of the United States... as particularly provided under the Fifth and Fourteenth Amendments. That petitioners are entitled to such equal accommodations, advantages, and privileges and to equal rights and treatment with other persons as citizens of the United States, in the use and enjoyment of the facilities of said park." Lopez v. Seccombe was among the earliest successful desegregation court cases in United States history. The decision desegregating the city's recreational facilities set a precedent for other local desegregation challenges, including the much more celebrated Mendez v. Westminster, a school desegregation decision in 1947 involving a school district in Orange County, and influenced the landmark Supreme Court decision of Brown v. Board of Education in 1954.

*This narrative took as a primary source Mark Ocegueda's tractate on the case Lopez v. Seccombe.*



Ignacio Lopez looking over an edition of his newspaper, *El Espectador*.

### Nepotism Controversy In Upland from front page

assignment of administrative services director, which carried with its authority oversight of the city clerk's office, human resources, information technology, and risk management, and provided her with a base salary and add-ons of \$175,606, plus benefits of \$55,624 for a total annual compensation package of \$231,230.

There was concern at the time that the promotion of Jeff Mendenhall to the position of police chief created a circumstance that was fraught with conflict and peril for the city and its taxpayers. Essentially, filling the administrative services/city clerk and the police chief positions, which on occasion

require some degree of articulation with one another and/or superintendence of or answerability to one another, with individuals who were married to one another raised the specter of favoritism or the possibility that standards that would otherwise be applied to conduct, actions and the review thereof might be compromised.

City officials, however, sought to downplay such concerns, indicating that arrangement would be permitted, since such conflicts were merely theoretical or potential. They suggested that if such a conflict were to manifest, it would be addressed at that time and Dunn, as city manager, would intervene to alleviate the conflict.

The city had no nepotism policy in place. Previously, the city had

faced similar, though not identical circumstances. In the 1980s, while Frank Carpenter was a member of the city council, his wife Dee had been city clerk. In the 1990s, while Gail Horton was a member of the city council, her husband, John Scanlon, was fire chief.

Despite what government reform and open government activists decried as unhealthy arrangements, no scandal over these incestuous relationships in Upland has, until now, erupted.

Within the last two months events have manifested that are threatening to put the Mendenhalls and the concentration of authority over internal municipal administrative processes in their hands in sharp relief, to the embarrassment and potential legal detriment to the City of Gracious Living.

In recent years, the Upland Police Department, like nearly every other law enforcement agency in California, has outfitted its patrol cars with high powered shoulder fired weapons to augment the sidearms their officers carry. In the case of Upland, each patrol car carries an AR-15, a lightweight, intermediate cartridge magazine-fed, air cooled rifle with a rotating-lock bolt, actuated by direct impingement gas operation or long/short stroke piston operation.

The officers almost universally endorse the AR-15 as a highly practical back-up to their 9 millimeter or .45 handguns, which have proven, in some cases, to be inadequate in the face of the heavier weaponry often in the possession of criminals. The

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## Pension Spiking from front page

employees in California hired on or after January 1, 2013.

Chiang highlighted his concern with regard to 97 local agencies which he said routinely increased a worker's pay during his or her final year of employment

when the collective bargaining agreements in place in those jurisdictions call for the agency to pay both the employer's and the employee's share of the total pension contribution.

This is projected to cost the state and local agencies and taxpayers roughly \$796 million in additional pension costs

over the next two decades, Chiang said.

In its response to Chang's audit and accompanying remarks, the California Public Employees' Retirement System said it has no discretion to prevent such legal spiking when the local agency has complied with the law. It said that the subject

of pension spiking fell "outside the stated scope of the audit."

The California Public Employees' Retirement System lacks sufficient audit capacity, said Chiang, who stated, "On the current audit schedule a local government that contracts with the California Public Employees Retirement System,

for example, would only face an audit once in every 66 years."

In recent years there has been increasing concern that the cost of funding the retirement benefits of public employees is consuming an ever greater share of the revenue available to both local and state government to the point that the

traditional function of local governments, i.e., the provision of services at all levels, are being neglected.

In many jurisdictions, the cost of pension payments exceeds that of current payroll and in some jurisdictions, the cost of pensions exceeds the cost of all current operations

## Berk from page 2

ment and holding those department managers accountable. If they feel they don't have enough, it will be up to them to find solutions, and the default answer cannot always be 'I need more money.' My industry experience is that when people realize there is no more money, they find solutions. That's what I believe has been missing in Upland. We have a lot of good people a level or two below top management and I know they are interested in finding solutions to our budget problems if we engage them in the process."

Berk said Upland, as other cities, must come to terms with having made unrealistic and financially onerous commitments to provide its employees with overly generous pensions.

"We have a huge issue with our pension obligation," Berk said. "It's growing and Upland can't solve this problem on its own; it's a state-wide problem. We certainly need to honor the pension obligations we have already made. Upland has a two-tier pension system for new employees, but that's a solution that will only start to work 20 years or more down the road. We are where we are now because of terrible prior management decisions. In order to address this problem now, we need to take a very hard and very public look at our future negotiations in the upcoming contract renewals. One of our former city managers and his finance director worked a deal where their compensation was based on what

the public safety unions negotiated, so that if the public safety folks got more, these executives got more. That's a blatant conflict of interest and it should have never happened. That's the kind of unethical behavior I won't allow, and which I'll make sure the public knows about."

Berk said "We need to critically review all city assets and all planned expenditures. We need to determine what we can afford, and which of our assets we either need to sell, thereby raising cash, or put them to good use. Some might argue that privatizing our water and sewer management will do this, but it won't. It will just increase the price of these services to our citizens, even though the cost of providing these services hasn't gone up."

If entrusted with a position on the council, Berk said, "I'll take a very hard look at the proposed use of any consultants. My first question to any manager who wants to hire a consultant will always be: 'Why can't you do this?'"

Berk said she has the moxie to take on the job of directing the city through the rough times ahead.

"I didn't get to where I am today as a senior executive by being timid," she said. "I will work with the other council members and the mayor to develop solutions that benefit Upland residents and to ensure that the city manager follows our direction."

A program manager with Raytheon for the last 17 years who previously worked at Lockheed for four years, TRW for 10 years, and Honey-

well for four years, Berk said she is qualified to serve on the council, because "I've run large defense and commercial programs with budgets of up to \$200 million with diverse stakeholders – those to whom I report, those who report to me, subcontractors, and customers. Our primary stakeholders here are the residents of Upland and I'll never forget that. I have a strong management and operations background. I've written five books on management and financial analysis. I'm tireless and I'm relentless in doing the right thing. And, I love Upland. I've lived here for 30 years. I want the next stories in *The Daily Bulletin* and *The San Bernardino County Sentinel* to be about something good going on in Upland City Hall.

I'm the only city council candidate with the financial management experience to dig us out of the hole our prior poor leadership put us in. I want the residents of Upland to know that I will answer to them and not the special interests. I won't allow the city to keep secrets from the people who live here. Most importantly, you won't be making a mistake when you vote for me."

Berk graduated from Arroyo High School in El Monte and obtained a bachelor of science degree in mathematics from Cal Poly, Pomona. She returned to Cal Poly to obtain a Master of Business Administration degree after she had been employed for a few years. She is a member of the Howard Jarvis Taxpayer Association

and Leadership California, a group of senior woman business leaders who address California

business issues.

She has been married for 31 years and has two adult children.

## Nepotism In Upland from page 3

AR-15 provides officers with adequate response capability in those circumstances where they encounter armed and determined resistance.

Law enforcement agencies are required to keep their officers up to date in both training and certification for the equipment and weapons they utilize. In California, the Commission on Police Officers Standards and Training is the state entity that provides the criteria and protocol by which law enforcement officers are given training and certified.

To remain employ-

able in the field, officers must undergo periodic training and certification for the firearms they are issued and use in the course of their employment.

Because the city of Upland through its police department had obtained the AR-15s for its patrol cars, traditionally the department had paid for the periodic AR-15 use training the officers had to undergo, provided them with the means, i.e., the ammunition and shooting range availability, required to complete that training, paid its officers for the time they attended the range cer-

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## Wilson Seeking To Bring His Building And Planning Savvy To GT Council

Doug Wilson who has been a figure of some note with regard to governance and public affairs in Grand Terrace for more than two decades, is vying for the city council in the upcoming November election.

This year, two positions on the council are up for election, the mayor's position and the now vacant post formerly held by councilman Bernardo Sandoval. The race is wide open



**Doug Wilson**

but only two candidates, Wilson, along with Bill Hussey, tossed their hats into the ring.

Wilson, a self starter since before he gradu-

ated from high school, has made his way in the world in the years since in the construction industry. A licensed contractor, he also holds certificates in building inspection and plan examination and has so mastered his craft he is certificated to teach contracting, inspection and plan examination. He moved to Grand Terrace 34 years ago. Because of his recognized expertise in development issues, he was nominated to the

Grand Terrace Planning Commission, a panel he served on for 21 years, 12 of those as chairman.

In 2006, when the city went to direct mayoral elections, Wilson was persuaded to run for mayor. He lost to longtime councilwoman Maryetta Ferré in that contest. Four years later, he ran against Walt Stanckiewicz, again for mayor, narrowly losing that contest.

This year, he is running for city council.

Wilson is a fiscal and political conservative who has a track record of supporting limited government. He was a leader in the effort against city officials' effort to have Grand Terrace's voter pass Measure C in 2013. Measure C was a ballot measure that called for the imposition of a five percent utility users tax. Ultimately, Grand Terrace voters rejected Measure C by a significant margin, with 60 percent or, 1,141 voting against it

and 760 supporting it.

One of the reasons he is running this year, Wilson said, "is I want to make sure the message we sent about Measure C is not missed. I am advertising myself as the budget watchdog. We opposed Measure C, which would have floated an open-ended tax that would have yielded \$1.5 million to be used by the city any way it chose. I said it would be better if we restruc-

*Continued on Page 9*

## Gonzales Gunning To Reestablish His Past Colton Political Machine In 21st Century

Frank Gonzales, who has already served as an elected official in Colton for over a quarter of a century across two centuries, two millennia, four decades and three generations, is seeking to return to the mayoralty of the 52,000 population city, capping his political career as the Hub City's most influential politician.

Gonzales was first elected to the city council in 1972. He was re-

elected in 1976. In 1978, he successfully ran for mayor. That ushered in the Gonzales regime, as he bettered his perennial political rival Abe Beltran and headed what was then and for the next 16 years Colton's dominant political machine. The mayor at that time served two-year terms and Gonzales was re-elected in 1980, 1982, 1984 and 1986, at which point the mayor's term was increased to four

years. He was reelected in 1990.

In 1994, incessant school board candidate George Fulp ran for mayor. Fulp who had never been able to prevail in a school board race, faced long odds in the mayoral contest. Colton was one of the first cities in the state of California where the long dormant Hispanic political giant had awoken. As early as the 1940s, Colton had distinguished itself in this re-



**Frank Gonzales**

gard by having elected a Latino council member, which at that time was virtually unheard of. Over the years, Hispan-

ics in Colton had flexed their political muscle yet more, as evinced by Gonzales's firm grip on the city's scepter. Fulp, casting about for an effective strategy, knew that longtime Gonzales political rival Abe Beltran could be counted upon to again run for mayor. In a shrewd political move, Fulp purchased Colton resident Jesse Valdivia a pickup truck on the proviso that Valdivia, too, would run

for mayor. In this way, with three Latinos in the race, Fulp was banking upon being able to fragment Colton's Hispanic vote. Moreover, Fulp launched a full frontal attack on Gonzales, casting him as corrupt machine politician who had compromised the integrity of City Hall through the use of political patronage that involved providing jobs to his po-

*Continued on Page 7*

## Lunn Campaign In 29 Palms Revolves Around Effort To Shore Up Fire Department

It is not surprising that ensuring the continued viability of the Twentynine Palms Fire Department is for Adam Lunn, one of six candidates for the Twentynine Palms City Council in the November election, the issue he sees as the most critical one facing the city.

Lunn was a member of the advisory committee formed by the Twentynine Palms Water Dis-

trict in April to assist it and its board of directors with mapping out a strategy for funding the fire department.

Since 1958, the fire department in Twentynine Palms has been overseen by the water district. The department has grown to include two fire stations and seven firefighters to cover the 59 square miles within the Twentynine Palms City Limits and the 29

square miles of unincorporated county area that also falls under the water district/fire department's 88-square mile jurisdiction. The city does not contribute to, participate in or subsidize the fire department's operational budget.

In 2012, water district voters rejected Measure H, a tax increase proposal, and the water district explored surrendering authority over the fire

department to the county fire department.

That same year, the San Bernardino County Local Agency Formation Commission indicated the water district would need to find augmenting funding for the fire department or relinquish control of it.

The water district and the city of Twentynine Palms worked on a proposal to have the county's fire division subsume the

fire department but that goal was not achieved after county fire chief Mark Hartwig said that in working within the confines of the \$1.244 million in available special tax funding for local fire service, he would need to close down one of the fire stations and reduce the department to no more than four firefighters.

So far the water district has maintained

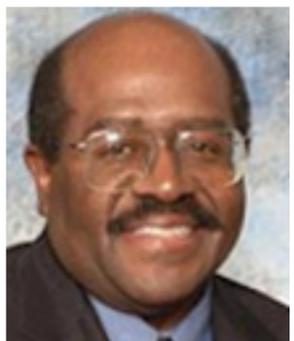


**Adam Lunn**

control of the fire department but as of July 1,

*Continued on Page 6*

## His Experience Outclasses That Of All Other Victorville Candidates, Dew Says



**Lionel Dew**

Lionel Dew said he is vying for the Victorville City Council "because we need someone who can govern from day one."

Dew said he is that in-

dividual. Pointing to his varied experience, Dew said he stands head and shoulders over the competing candidates.

The others in the race don't have the government experience that I do," he said. "I worked in the Gray Davis Administration. I worked in the Schwarzenegger Administration after that. I had 21 years experience in the U.S. Air Force, serving as an executive officer. I have a strong background in management. I have made deci-

sions to hire directors and management staff at the state level. I am an experienced decision maker. I have government experience the others lack. I can govern from day one."

115,903-population Victorville is faced with challenges, Dew said, not the least of which is the ongoing drought that the city must overcome if it is to continue as a viable municipal entity. "We need infrastructure. We need to enhance public safety. The airport itself

is a billion dollar industry all by itself. I don't think you want to those type of decisions in the hands of someone who is not experienced. The city needs people who are experienced and are able to make business and executive decisions and be accountable. I have experience that exceeds that of all of the other candidates combined. I am the most capable and most qualified of anyone in the race."

Victorville, Dew said, "has to be built smartly.

We have small lots and larger lots. I think we have needs for all types of lots given the sorts of places industry is looking to build on. When we make a decision about a lot of any size that is to be built, we have to think about the infrastructure that will serve that property. Victorville has access to electricity. We have to make use of what we have in a smart way."

Dew said he will be a leader who "will be proactive and sensitive. I have a tendency to weigh

issues carefully. The citizens are deserving of not just anyone who wants to run for election. They deserve someone who has a clear record of public service who has actually governed. I have 21 years in the military and a strong background in management.

Born in Virginia, Dew attended Victor Valley College and Southern Illinois University, studying liberal arts and health care management.

Lunn from page 5

2013 the district closed out its Lear Avenue Fire Station. The water district is now leasing the station to Copper Mountain College, which is using the facility to conduct fire science courses.

All of the fire department's operations are now run out of the Adobe Road Fire Station, known as Station 421, and its paid personnel have been reduced to five. Response times to certain portions of the 88-square mile fire protection jurisdiction have increased.

The water district earlier this year made a commitment to keeping the fire department in place and under control, creating the Twentynine Palms Citizen Advisory Committee, of which Lunn was named chairman. The committee has recommended that the city of Twentynine Palms pitch in with regard to making sure the fire department is adequately funded. Incorporated in 1987, Twentynine Palms has yet to evolve into a full service municipality. It contracts with the San Bernardino County Sheriff's Department for law enforcement service and the water district exists as an independent agency that provides water and sewer service as well as fire protection for

the city of 25,768 and its surrounding area.

Earlier this year, Twentynine Palms Fire Chief Jim Thompson and Twentynine Palms Water District General Manager Tamara Alaniz obtained an endorsement from Lunn and the committee he chaired to again seek voter approval of an increase to the parcel tax imposed on residents within the water district's boundaries.

The current parcel tax is \$80. Lunn and his cohorts have advised that the district ask their customers to approve a \$20.40 per year increase to that assessment on developed property and a \$10.20 increase on vacant parcels. The committee has further suggested that the measure authorize the increase for three years and give the district the ability to add a three percent annual inflation adjustment in the years beyond 2018.

Lunn has followed that recommendation up with his city council candidacy.

"Here in Twentynine Palms, we have an issue with fire department funding," Lunn said. "Specifically, the goal of the advisory committee was to seek out more funding and ideas to assist in running the fire department, which in Twentynine Palms is part of the water district.

What it comes down to is the water district has limited resources and we are looking for any avenue for funding, anything that would help to pay for fire department operations. This requires that the district work with the city. Either the city gets on board and helps with the issue of the fire department funding or the department has to fold in the next couple of years."

The city's involvement "does not necessarily require a takeover of the fire department but the city and water board working together to solve this issue," Lunn said.

He is now looking to get on the city council, Lunn said, because as it is currently composed, the city council has not shown the same enthusiasm for preserving the fire department as exists at large among the city's residents.

"They have had a few joint meetings with the water district board over the last couple of years, but the city has pretty much been against co-operating with the water district and working together on this problem," Lunn said. "The perception of the public is 'We are a community and why don't we solve this as a community.'" Lunn said that if the voters recognize what his position on this issue is, he is

likely to be elected.

Beyond the fire department issue, Lunn said, he is animated about how Project Phoenix will ultimately play out.

In 2011, through its redevelopment agency, the city of Twentynine Palms gave final go-ahead to Project Phoenix, which is to include a community center, a 250-seat theater, classrooms, a civic plaza, a park, a paseo, residential units, a wastewater treatment plant, and improvements to the downtown fire station.

That action came just three months before the legislature passed AB X1 26 and AB X1 27, which shuttered more than 400 municipal and county redevelopment agencies up and down the state.

Despite warnings from the state that the city needed to dispense with its redevelopment efforts, the city nevertheless proceeded with the Project Phoenix initiative.

Twentynine Palms officials maintained that AB X1 26 and AB X1 27 are trumped by federal securities regulations, meaning the money the Twentynine Palms Redevelopment Agency bonded for in 2011 must be utilized only for the purpose that bondholders were told the money

would be applied toward.

Twentynine Palms City Attorney A. Patrick Muñoz, of the law firm Rutan & Tucker, asserted in filings with the Sacramento Superior Court that the non-taxable bonds issued in 2011 created specific obligations between the city, as the issuer, and the bond purchasers, and as such are enforceable obligations. If the city allows the state to use the money for a purpose other than what the city had specified in marketing the bonds to the bond buyers that would constitute fraud, according to Munoz.

The city filed its paperwork in Sacramento Superior Court because AB X1 26 and AB X1 27 contained language requiring any legal challenges to the law take place there.

The city in 2012 followed Muñoz's recommendation to have the city's successor agency lay claim to the redevelopment money and declare its intent to proceed with Project Phoenix. AB X1 26 and AB X1 27 provided for the creation of locally based oversight boards to see to the discharging of remaining redevelopment money.

The state of California and its Department of Finance insisted that Project Phoenix could

not proceed. The city of Twentynine Palms, however, persisted in its challenge with regard to the Phoenix funds. The key issue in the case was the question of whether an agreement between the city and the successor agency known as the bond proceeds agreement is valid in light of the laws which dissolved redevelopment agencies. The California Department of Finance asserted the agreement was not valid and as a result the city could not spend the bond proceeds on Project Phoenix. The department further asserted that the city acted in bad faith and hence the bond proceeds agreement should be invalidated.

Sacramento Superior Court Judge Michael P. Kenny disagreed, and instead held that the city acted appropriately, in good faith, and in compliance with the laws that existed at the time the bond proceeds agreement was adopted.

The state has appealed that ruling.

"Project Phoenix is also going to be a big issue in the election," Lunn said. "The judge ruled that yes, the city does have the ability to spend the bond money, but the state has appealed the ruling, so it is not over yet. Right now we are in limbo. We can't spend the money because we'd have to pay it back if we lose the appeal.

"As a candidate, I'm on the fence," Lunn continued. "The project is a lot bigger than it needs to be, on the whole. I am all for building the infrastructure, and improving our ability to build because we have infrastructure in place. I approve of the necessities, but I am not in favor of the niceties [such as the theater]."

Lunn said his election to the city council would push the city toward a slightly different theory of governance.

"The safety of the community is the most important thing the city council needs to look after," he said. "I would re-examine the budget.

Continued on Page 7

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## Gonzales Looking To Revive His Political Machine

from page 5

political cronies and over 30 members of Gonzales's extended family. The strategy worked, and Fulp eked out a razor thin victory over Gonzales in the 1994 election.

Fulp, a bombastic and alcoholic demagogue, set about dismantling as many elements of the political institution at City Hall long dominated by Gonzales as he could, making several inroads during the relatively short time he remained in office. Colton, which was the political legacy of would-be railroad baron David Colton, one of California's more colorful characters from the middle-late-1800s, was among San Bernardino County's most expansive municipal operations. It was a full service city, boasting its own police and fire departments, water division, sewer division cemetery district, electrical utility, and sanitation division. Fulp seized on the last of these, successfully dissolving the division by convincing a majority of the council to privatize trash and refuse hauling as well as recycling services. The contract went to Taormina Industries, a company that had proven to be a major Fulp political backer. Subsequently, an examination of that

chapter of the city's history was made by former Riverside County deputy prosecutor Mark MacDonald. McDonald concluded that the contract competition had been corruptly skewed in favor of Taormina, involving highly questionable actions including graft that involved Fulp and council members Don Sanders and Abe Beltran.

In time, questions about the deal would lead to an investigation by the FBI and the district attorney's office, the ultimate outcome of which led to Beltran's and Sanders' convictions on political corruption charges. Fulp avoided such a fate himself, falling victim to his own excesses before the authorities were able to bring him to account. Drunk with power and whisky, he made a practice of driving around town in his signature Cadillac under the influence, immune from action by the police department, which was unwilling to act against the city's most powerful political figure. He often arrived at city council meeting inebriated, and his liquor-fueled tirades at his perceived political enemies during those meetings soured the public on him, including many of his earlier supporters who had seen him as an effective means of breaking the Gonzales political machine. He was ignominiously recalled from office in 1996, two years

after he was elected.

Despite Fulp's dismal political end, the blow he had delivered to Gonzales in 1994 remained in effect for some time. Fulp's replacement after his recall was Karl Gaytan, not Gonzales. After his defeat by Fulp in 1994, Gonzalez wondered in the political desert for 16 years.

In 2010, a resurgent Gonzales signed on to the political movement that was promoting David Zamora in his effort to unseat then-mayor Kelly Chastain. Zamora had been hired to serve as community development director in Colton while Gonzales was still mayor. Zamora had a rough go of it under Fulp, who had wanted to fire him. Zamora for the most part fared better after Fulp was gone, but by 2009, as the city was staggering financially as a result of the recession that began in 2007, the then-newly arrived city manager, Rod Foster, engaged in a series of bloodlettings at City Hall that cost Zamora, who by that point was able to rely upon a comfortable pension, his job. A coalition was cobbled together that included vestiges of the old Gonzales regime, and Chastain was swept from office and replaced by Zamora. Gonzales too was victorious in his District Two council race. Foster was able to survive the transition, convincing Zamora and the rest of the council

that the massive number of layoffs and the demand for salary and benefit concessions from the surviving city employees were necessary given the fiscal reality the city faced. Less than a year after he came into office, Zamora suffered a heart attack and died. He was replaced by his wife, Sara. Sara Zamora is not seeking to remain in office after this year and Gonzales tossed his hat in the ring. He is opposed by former councilman Richard Delarosa.

This week, Gonzales told the *Sentinel*, "I simply am running because, as you know, two and a half years ago the city was almost \$5 million in the hole. We laid off 100 maintenance workers. Our utility bills were sky high. The city was going under. All the businesses were leaving. After I left as mayor in 1994, Kmart left and Albertson's shut down. The city was full of empty buildings. The city was unkempt. There was a lot of neglect. You could drive around the city and see what was going on. I don't see any reason for that. If you run the city right, it is a multi-million dollar business. I ran a store for nine years. I am an experienced hand at running my own business and in running the city as mayor. I did it for sixteen years. I do not feel that the city has been run right. We have been paying a lot of money for consultants."

While there remains a lack of clarity about what the city's precise financial circumstance now is and vocal critics maintain the city's general fund is currently running at a substantial deficit and is only being sustained by more than \$4 million in borrowing from the city's enterprise funds, Gonzales asserts that since coming to the council "I did make a difference and I did balance the budget. We had a \$2 million reserve within a year after I was elected in 2010. We have built a new senior citizen complex. We are now ahead of our expenditures by \$2.2 million. A lot has already been done, but

you are not going to have everything happen overnight. That is why I want to be mayor."

If elected, Gonzales indicated he is looking to even the score with history by reversing Fulp's legacy of having privatized trash service. "We need to bring all of our services in-house again," he stated. We should reestablish the city sanitation department. That way we can provide a better service to the taxpayers. Right now the trash is being picked up by an outside entity and you have no control. If you need trash picked up or the street cleaned you have to call out of town and hope the contractor will show up. If we own the trash utility, it will be accountable to us. If the council does not agree and does not want to bring it in-house, then I will push for us to go out to bid on the trash contract. The city gave the contract to Taormina 18 years ago and then Taormina became Republic and we still have the same company. We have to go out to bid, in my opinion, to see whether we can get a better deal. Like I said, I am pushing to bring it in-house, but if that fails then I will insist we go out to bid."

Gonzales said he is obviously the superior choice in this year's race for mayor.

"To put it simply, what is right is right and what is wrong is wrong," he said. "I have the experience. More than anyone, I know how to put it together. I know budgets. All you have to do is be conservative with your budget and not overspend. The city is a nonprofit. All we have to do is make sure our budget is balanced and make sure our employees are made whole so we have a good, healthy working environment for people and a better quality of life. There is no reason, in my opinion, for us to be cutting back on services. We have a cash flow that is unbelievable. We have our own utilities, water, sewer electrical and we should own our trash service once

more. There is no reason for us to lay people off as long as the city is run properly. We can do that by treating the city like a giant household and run it the way you would run your own home, without squandering your resources."

A Colton native, Gonzales graduated from Colton High School and attended San Bernardino Valley College. While working with Griffith Wheel Company he became a union steward and went on to become the president of AFL-CIO Local 5647, serving in that capacity for 22 years. He is married with four grown children.



## Lunn from page 6

I have slightly different priorities. A dog park is not a necessity. We could better use that money for the fire department."

Lunn said he is qualified to hold office.

"I've been teaching city government with the American Legion for years," he said. "I'm probably the most learned candidate on the ballot regarding the fire issue."

A graduate of Twentynine Palms High School, Lunn attended Copper Mountain College and American Public University.



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## Nepotism Conflict In Upland

from page 4

tification and the classes related to the AR-15 use, and reimbursed them for whatever mileage costs they accrued in driving to the range and the class.

This summer, police chief Mendenhall, in keeping with budgetary restraints imposed on his department, informed the officers under his command that they would need to complete their retraining and recertification with regard to the AR-15 entirely at their own expense and on their own time, and that the department would not cover the cost of their ammunition used in the training and certification, that they would not be reimbursed for their mileage in achieving recertification and that they would not be paid for the time they spent attending AR-15 classes and the certification testing.

An individual officer's failure to attend the training and obtain cer-

tification would result, without exception, in his/her disqualification for patrol duty in any department patrol car outfitted with the AR-15s.

While the change in policy dictated by chief Mendenhall without conferring with the police union was not gladly received by the rank and file, the predominant attitude among officers was that they would comply with the new order of things and that the AR-15 is too important of a tool for them to function without. The officers begrudgingly agreed to attend the classes at their own expense to obtain the necessary certification.

The officers learned, however, that the sergeant conducting the training for the department was, per chief Mendenhall's orders, being paid for conducting the classes and was being reimbursed for all his incidental expenses.

The *Sentinel* has learned that several of the department's officers, angered by the apparent favoritism shown

toward the sergeant, consequently took exception to chief Mendenhall's order, asserting that he had violated not only the employment contract the city has with its police officers through its union, the Upland Police Officers Association, but California labor law as well.

A law enforcement professional who was in contact with the *Sentinel* said that what he characterized as a "significant minority" of the department's officers – as many as a dozen or more – expressed a belief that the filing of a grievance over the matter was called for. No such grievance was filed, however, the *Sentinel* is told, because the individual with whom such grievances are lodged would be Stephanie Mendenhall, who in her capacity as administrative services director is the head of human resources, i.e., personnel.

"No one wants to go into her office and say, 'Your husband just did this to us and we don't think it's right,'" a law enforcement officer told

the *Sentinel*. "If it wasn't his wife, people would go right down there and complain. But they can't because of who she's married to and the fear of retaliation and harassment. No one believes they could really get a fair hearing in that situation. People just have to accept it. In this case there really isn't a grievance process."

Stephanie Mendenhall declined the *Sentinel's* invitation to discuss the matter.

"I don't have a comment for you," she said. "Sorry."

As chance had it, however, at this week's city council meeting, the council was poised to consider the proposed reorganization of the city's executive staff, which included the elimination of an executive assistant in the city manager's office, filling the vacant position of accounting supervisor in the finance department and arranging it so that the finance manager reports directly to the city manager.

When that item came up for a vote, council-

woman Debbie Stone made a motion to amend the reorganization proposal such that the city would eliminate the position of administrative services director altogether. Saying he believed elimination of the administrative services position would, ironically, help to meet chief Mendenhall's call for the hiring of more police officers, Councilman Gino Filippi seconded Stone's motion and supported it with his vote. The motion died, however, when Mayor Ray Musser and councilmen Glenn Bozar and Brendan Brandt voted against it. They approved the reorganization proposal, as originally put forth by interim city manager Martin Lomeli and incoming city manager Rod Butler.

Lomeli, who is vacationing in Hawaii, was not present at the meeting. Chief Mendenhall was filling in for him as stand-in city manager. Chief Mendenhall did not appear pleased at Stone's motion to terminate his wife, nor at Filippi's support of the

gambit.

After the meeting, Stone told the *Sentinel*, "I want to make it clear on why I made the motion that I did tonight in regards to the administrative services director. The position of administrative services director was created in 2011 to justify the high compensation of the then city clerk, by creating a position. Now that the finance manager directly reports to the city manager and is adding another employee in the form of an accounting supervisor to the tune of approximately \$90,000, it seems that further reorganization is in order. We are on this council to make the hard calls and this is one of them."

When she was informed about the looming controversy in the police department relating to officers' reluctance to utilize the grievance process because they must file those complaints with the police chief's wife, Stone said she had not been aware

*Continued on Page 12*

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**Wilson**  
from page 5

tured the city to get it down to where we first started. We need to provide a minimum level of services but there is no reason to have big waste in our city's operations. I'm all for good government, but we can afford no more than that."

Wilson continued, "Right now we have an interim city manager who is doing a very good job. He is just here temporarily and we need to determine who will fill that role in the future."

The city needs to come to terms with the fact that it must function within very restricted financial parameters, prioritize what it intends to accomplish and abandon counterproductive activity.

With regard to this last point, he referenced the city's sign ordinance. "In this atmosphere, I would like to know who decided it was a good idea to hassle 30 business owners along Barton Road and who decided that business people are culpable for

advertising their businesses. I am not the only one who is wondering about this. The planning commission chairman has asked if it would not be a good idea to stay the fines we are imposing on business owners for this. One business has been hit with 17 different fines at \$235 a pop. We can't fine our way into a good economy. I am pro-business. Government has to fund itself properly."

Wilson elaborated on his philosophy.

"The only way we are going to fix our financial problems is a business/public partnership," Wilson said. "You can't tax your way out of it but should be able to build out it. The city, through its former redevelopment agency, owns almost 90 acres in the southwest part of the city that is available for development. If we put boxes [i.e., large stores] on it, it will become a tax base. The sale of the property and its development will right off provide us with at least a 20 percent increase over what we are getting in property tax there. Once the stores are there they will start pro-

ducing sales tax revenue for us."

Wilson said the city can facilitate the development of that property, which lies near the 215 Freeway by expanding its existing Barton Road Specific Plan area. "I would like to expand the Barton Road Specific Plan area so it picks up other vacant lots. We have a new freeway ramp coming in that will knock out a few of our existing businesses because there is condemnation involved, so we are going to have to work with businesses. We have to understand the situation in terms of the coordination with Caltrans and show those businesses we are not working against them and will cooperate with them in relation to access, signage and so on."

Wilson said he believes city officials have to seriously consider the impacts and unintended consequences of well-intentioned improvement projects that the city, county or state is undertaking within Grand Terrace's City Limits.

"We might be goofing some businesses up pret-

ty bad, as with the Caltrans stuff or with the divider on Barton, which is going to kill commercial traffic coming from the other direction. I think we have to look ahead at those types of things," he said.

Wilson said he believes he is the right person for the job of councilman. "In my role as a professional, I am pretty much a nuts and bolts guy with regard to construction and development," he said. "I have worked on hundreds of projects. Right now I am working on a 1,000 acre parcel, so I have to know how this stuff works. No one is going to pull the wool over my eyes. The basic thing is to make sure the citizens of Grand Terrace have a good quality of life. That is the long run goal. Residents and businesses should not have the city climbing down their throats."

As to his opponent in the race, Wilson said, "Bill Hussy is a good Christian individual. He has been great helping as far as baseball and youth activities. He is a good guy. He served in the Marines. I think it is real

nice that he is willing to contribute and volunteer. It is just that I have a ton of experience in the areas where a councilman's responsibility lies. I have worked development from both sides of the counter. I have completed projects. I have been a member of the planning commission who approved projects. I know how to read plans."

Wilson went on, "I was the number one opponent to Measure C and I am still against new taxes. I don't see anything that justifies

any additional taxes in the city. They just didn't explore their options. I went to the budget meetings and meetings of the budget advisory committee. The city needs to be stripped down to fighting weight. We have pension debt. If we contract out our services, the companies we hire as consultants will pay the pensions, not us."

Wilson grew up in Ontario and attended Chaffey High School. He and his wife have one daughter and one granddaughter.

bel said. "The Hi-Desert Water District (HDWD), the sewer authority, is doing their best to address this prohibition with plans for a town-wide sewer collection system and waste water treatment plant. In 1974 the CRWQCB warned Yucca Valley that it needed a sewer. With no enforcement, permits for septic systems continued. When the town was incorporated in 1991, first priorities identified in the general plan was

Herbel  
from front page

mitted to "engage the community, the town council and Hi-Desert Water District in an immediate and intensive effort to make the sewer affordable for all."

She elaborated on this last point.

"Our greatest challenge is the prohibition on septic discharge placed on property owners in Yucca Valley by the Colorado River Water Quality Control Board (CRWQCB)," Her-

bel said. "The Hi-Desert Water District (HDWD), the sewer authority, is doing their best to address this prohibition with plans for a town-wide sewer collection system and waste water treatment plant. In 1974 the CRWQCB warned Yucca Valley that it needed a sewer. With no enforcement, permits for septic systems continued. When the town was incorporated in 1991, first priorities identified in the general plan was

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## San Bernardino County Coroner Reports

Coroner case #701406704 -- On 09/06/2014, at 11:43 PM, a 911 call was received reporting a single vehicle rollover in the center divider of Interstate 15 northbound approximately 1 mile south of Zzyzx Road in the rural area of Baker, CA. On 09/07/14, at 12:05 AM, the California Highway Patrol arrived and located a Lincoln Navigator rolled over onto its roof with the driver, 29 year-old Southgate resident, Walter Pena, deceased. The vehicle was traveling northbound on Interstate 15 when, for reasons unknown, it left the roadway into the center divider and began to roll over coming to rest on its roof. The California Highway Patrol-Barstow office is investigating the incident. [090714 1650 TC]

Coroner case #701406693 -- On 09/06/2014, at 3:49 AM, San Bernardino County Sheriff Department personnel were sent to the area of State Route 395 and Adelanto Road, Adelanto, after a 911 call was received stating that a pedestrian had been struck by a vehicle. 30 year-old Apple Valley resident Arthur Camacho, was declared dead on scene at 4:46 AM. The San Bernardino County Sheriff Department Major Accident Investigation Team is investigating the incident. [090614 1445 TC]

Coroner case #701406684 -- On 09/05/2014, at 10:54 PM, 35 year-old San Bernardino resident Anthony Paul Johnson Jr., sustained trauma to the upper torso in the 300 blk. of E. Baseline. Johnson was transported to Loma Linda University Medical Center (LLUMC) where he succumbed to his injuries and was later pronounced dead on 09/06/14 at 1:39 AM. The San Bernardino Police Department (SBPD) is investigating. [090614 0920 TC]

Coroner case #701406604 -- On 09/03/2014, at approximately 8:00 AM, the San Bernardino County Sheriff's Department received multiple 911 calls for a traffic collision in the 19300 block of Bear Valley Rd. in the Town of Apple Valley. Deputies and paramedics responded to the scene and found Kathryn Kilpatrick, an 88 year-old resident of Apple Valley, who had been driving a 1991 Mercury, had collided with another vehicle. Kilpatrick was transported to Desert Valley Hospital where she was pronounced dead at 8:40 AM. The San Bernardino County Sheriff's Department Major Accident Investigation Team is investigating the collision. [090514 1730 TC]

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### Quincey Pleads from front page

est paid city managers in the state.

The seeds of his fall had been sown some two-and-a-half years previously, when on July 27, 2008 Quincey and his former fiancé, Jennifer Stelzer, became embroiled in a heated argument at Quincey's Upland home, punctuated by Quincey's alleged vandalism to Stelzer's car and a series of profanity-laced text messages to her. The Upland police were summoned

and detective Craig Sipple under the supervision of then-sergeant John Moore generated an eight-page police report recommending that the matter be reviewed by the district attorney's office for possible prosecution. Quincey contacted Stelzer and persuaded her not to press charges and then sought to have then-police chief Steve Adams intervene in the matter.

Consequently, the eight-page report Sipple originally authored was reduced to six pages and

Sipple and Moore's recommendation that the matter be referred to the district attorney's office was changed to state that the case was given "Exceptional Clearance. Stelzer does not desire prosecution." The redrafted six-page version of the report was buried in an inactive police department file that prevented it from being open to public scrutiny. When Moore later applied for one of two open lieutenant posts with the department and was passed over, he retained

the services of attorney Dieter Dammeier of the law firm Lackie Dammeier McGill & Ethir to represent him. Dammeier worked out a solution to the problem by which Quincey and Adams upped the number of captain positions with the department from two to three, promoted a lieutenant into that new spot, thereby creating another lieutenant vacancy, into which Moore was promoted. Dammeier presented the city with a \$57,816 bill for his efforts on behalf of Moore.

To keep the matter quiet and from coming to the attention of the city council and the public, Quincey used his maximum \$25,000 annual discretionary spending authority as city manager to pay Dammeier's firm in two \$25,000 installments, one in the midst of the 2009-10 fiscal year on January 25, 2010, and another shortly after the initiation of the 2010-11 fiscal year on August 23, 2010.

According to former Upland City Attorney Bill Curley, Quincey

persuaded then-assistant finance director Ruby Carrillo, with whom Quincey was intimately involved, to miscode one of those checks to make it appear that the payment had been made for another police department-related matter the city was negotiating with the police, union, specifically payment to officers for the time they spent just before their daily assignments donning their uniforms and the time after their shifts ended doffing their uniforms.

In June 2010, FBI and IRS agents served search warrants at Upland City Hall as well as at Pomierski's home and the homes and offices of Pomierski's associates. As FBI agents were carrying out that search inside City Hall, Quincey had an impromptu conference with Curley, relating to him the circumstance with regard to the domestic disturbance incident involving Stelzer, the Sipple/Moore report relating to it and the action taken by Quincey and Adams to create a third captain position within the police department to open a lieutenant's slot for Moore. Though Quincey thought what he had told Curley would be kept in confidence, Curley informed the FBI of what Quincey had just related to him. After details relating to the train of events involving

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Continued on Page 11

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### Quincey from page 10

Quincey, Stelzer, Moore and Dammeier became public, the Upland City Council in January 2011 suspended Quincey and placed him on paid administrative leave. Four months later, two months after Pomierski's indictment, Quincey was terminated.

Quincey sued for wrongful termination and in the course of the hearings related to that suit, Quincey made what the district attorney's office latter said were false statements, amounting to perjury.

While the perjury charge and that of embezzlement was dismissed, a felony of conflict of interest by a public officer has been entered against him. He agreed to make restitution of \$50,000 to the city of Upland in accepting the plea bargain. He has already put up \$25,000 of that sum and will provide the rest by June 30, 2015. He is scheduled to be sentenced on October 10. Under the terms of his plea, he is to serve three years of supervised probation and other penalties, one of which includes up to a year in jail.

His sentence could also carry with it his

forfeiture of the \$90,000 per year pension he earned as a five-year city manager of the city of Hesperia and his five year's with Upland. California has a law that is applicable to any person receiving a public employee pension elected or reelected to public office on or after Jan. 1, 2006, which provides for forfeiture of all rights and benefits under, and any membership in, any public retirement system in which the person is a member, effective on the date of final conviction for certain felonies, including those relating to accepting or giving, or offering to give any bribe; the embezzlement of public money; extortion or theft of public money; perjury; or conspiracy to commit any of these crimes.

Quincey was an elected member of the Monte Vista Water District Board of Directors. He served as the president of that entity for more than 13 years.

The deputy district attorney who prosecuted Quincey, Reza Sadeghi, did not return phone calls seeking information about whether Quincey's conviction would result in the forfeiture of his public pension.

## County Wildlife Corner

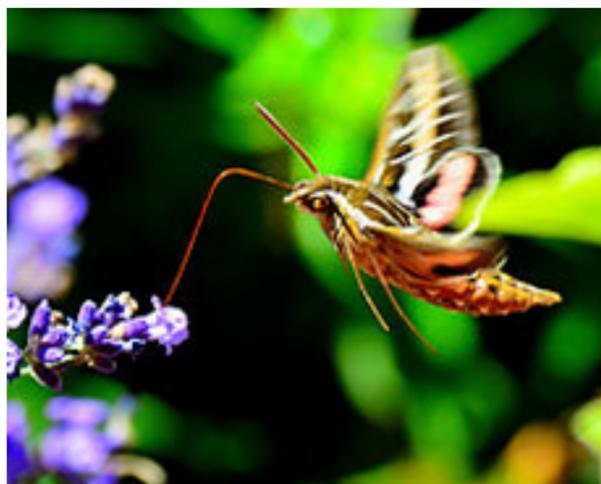
### White-Lined Sphinx Moths

The large white-lined sphinx (Hyles lineate), with its sleek wings and lines, can resemble a streamlined jet planes.

Larger than most moths, they are just a tad



smaller than the smallest hummingbirds, and are therefore sometimes referred to as hummingbird moth. They exhibit similar behavior and traits to hummingbirds and as such, provide an illustration of what is called convergent evolution. Although white-lined sphinx moths are insects and the hummingbirds are birds, they



are nearly indistinguishable in certain respects because they occupy the same ecological domain, specializing in obtaining nectar from trumpet-shaped flowers.

Since trumpet-shaped flowers such as are honeysuckle, lobelia and



beebalm are generally fragile, the insect or animal feeding upon it can't lodge on it, but needs to hover over it and use its beak or proboscis to obtain the nectar. This led to the hummingbirds development of the unique ability among birds to



hover for extended periods of time, as well as flying vertically or

while they insert their long proboscis into the flower. They do not use tongues, however, in-



stead sucking the nectar as if they were using a straw.

The flight patterns of the moths and hummingbirds are very similar to



one another. They beat their wings extremely quickly. The moths have a wingspread of 2.2 to almost three inches.

The larva of a sphinx moth is yellow and black or sometimes lime green and black. Many have a subdorsal stripe. The head, prothoracic shield, and the anal plate are a uniform color – usually either green or orange accompanied by small black dots. The horn varies from either yellow or orange and sometimes

has a black tip. Larvae bury themselves in dirt to spin themselves into cocoons, remaining in

that state for two to three weeks before emerging as adults.

The larva of sphinx moths are recognized by the general public as tomato hornworms. The caterpillars of this species eat not only tomato plants, but willow weed (Epilobium), four o'clock, (Mirabilis jalapa), apple, (Malus), evening primrose (Oenothera), elm (Ulmus), grape (Vitis), purslane (Portulaca), and Fuchsia.

Like all moths, they tend to feed in the evening around dusk. Sphinx moths, do on occasion feed in the afternoon. Sphinx moths hunt out nectar by its smell rather than by the coloration of the flowers offering that nectar.

Adult sphinx moths are key pollinators of California's rare lemon lily (Lilium parryi).

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# California Style Lengthing

By Grace Bernal



Fashion can be so sophisticatedly fabulous and that's not an overstatement. The fashion



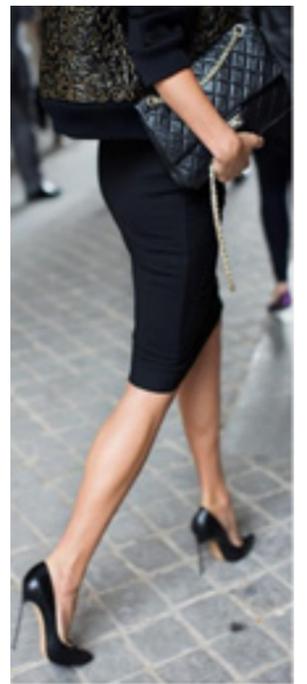
tour bus is turning the skirt and lengthy hems. The mid-hem lines look fabulous and we're on to a new season. The hem itself is a bit iconic because, they're a bit like Audrey Hepburn skirts circa 1953. The hem styles are inspired by Audrey's look in the movie Roman Holiday. If you're

going out and about, the charming lengthy small-waisted circle skirt will make you look phenom-



enal. Hems are sending a grand message, with a look is that dominates and wraps around the knees. All the wordly fashion people are wear-

ing them and the color gray is popping up, too. The Chanel length knee cap skirts make for great knee cover up. Here we are in the middle of the heat but that isn't stopping the fashionistas from looking ravishing this week. Fashion week is going to be fabulous this month, even though I won't be attending. Just remember the knee length is embracing this period and it comes with a skirt. The knee hemline also brings on a very



regal look. You don't have to be an icon to dress like one. Just have fun and experiment with lengths.

"Paris is always a good idea." -Audrey Hepburn

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

## Herbel from page 9

to work with the HDWD to ensure the town had a sewer. Unfortunately, this infrastructure was neglected, now property owners are dealt a huge financial shock and the daunting task of how to deal with the cost of the septic prohibition."

Herbel said, "Compliance is the responsibility of individual property owners; the town isn't responsible for indi-

vidual compliance, and neither is the HDWD nor the CRWQCB. We must solve this together and it must be affordable for all, otherwise, we are going to suffer greatly as community."

During her previous tenure on the council, Herbel said, "My votes were always informed, I came to each council meeting well studied and prepared with a listening ear to the voice of the people."

She said the town

needs to come to terms with "the cost of the sewer. Phase 1 is estimated at \$146 million."

She said solutions to the town's challenges can be had by "engaging the community, the town council and Hi-Desert Water District in an immediate and intensive effort to make the sewer affordable for all."

What qualifies her to be returned to the council, Herbel said, is that "as a resident of Yucca Valley for the past 11

years, a business woman, founder of Certified Farmers' Market and communication trainer for companion animals, I am highly aware of the challenges facing our citizens and business community. I have the time, the will, to faithfully listen and serve the people of Yucca Valley."

In touching on what she said she believes distinguishes her from the other candidates for town council, she said, "I have the highest regards for anyone that steps up to the plate to serve their community. It takes a lot of time and commitment. Each candidate is to be commended. Because of my experience as an elected town council member, I understand the workings of the town government and have kept abreast of relevant issues, I will be able to immediately focus on mitigating challenges facing our town. My business life keeps me in touch with the people. As a council member, I

will listen to their concerns and respond."

She vowed, "I will listen and represent the people with common sense, compassion and courage."

## Nepotism Conflict In Upland from page 8

of the matter.

"We are all professionals here and if there are emotions or personal relationships involved then we should still expect that those people

Herbel graduated from Lowell High School in Whittier and obtained an A.A. degree from Fullerton College in Orange County.

have to be able to look beyond that and do what their job requires," Stone said. "If we have people who are not willing to file a grievance because of that relationship, then it is a problem and we are going to have to do something about it."



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