

Coronavirus Death Toll At Yucaipa Acute Care Facility Climbs To Sixteen

The death toll from coronavirus at the Yucaipa nursing home where in the most intensive known clustering of the disease in San Bernardino County has occurred has grown to 16, the San Bernardino County Public Health Department announced late today.

From shortly after the onset of the COVID-19 crisis, the Cedar Mountain Post Acute Rehabilitation facility, located at 11970 4th Street

in Yucaipa, has been at the epicenter of the contagion locally. One of its residents was the third confirmed county fatality to have resulted from the condition last month. By March 28, it was acknowledged that an even dozen of its residents had contracted coronavirus.

At this point, 70 of the facility's residents, nearly all of them elderly, have tested positive and 33 staff members were likewise infected. All 16

deaths were of patients.

A report received by the *Sentinel* that went unconfirmed by the Department of Health at press time was that 13 nursing homes in San Bernardino County had coronavirus outbreaks.

There are over 320 nursing homes, convalescent care, recovery, acute care, board and care, long-term recovery, support care and skilled nursing facilities licensed and functioning

at a level below that of a hospital in San Bernardino County. The lion's share of the residents in those facilities are elderly and infirm, and most of those are considered vulnerable to the coronavirus.

Two other such facilities in San Bernardino County have experienced a significant incidence of infection. Three patients at the Reche Canyon Rehabilitation & Health Care Center in

Colton have died among 15 of those in residence there who were infected, along with another 14 staff members who came down with the virus.

At the Plymouth Village Retirement Estates in Redlands, six residents were known to be infected as of yesterday, with a single death. Another eight employees at the sprawling 37-acre facility had tested positive for coronavirus antibodies. **See P 5**

Rialto A Cauldron Of Dedication, Ambition & Scandal In March To Political Prominence

By Mark Gutglueck

Often overlooked and similarly as often politically overwhelmed, Rialto is on the brink of reasserting itself, with a crucial stride in its re-emergence to come in November.

At that time, one of its foremost native sons, Joe Baca, Jr., will vie in a runoff election for San Bernardino County

Fifth District supervisor. Baca is now in his fourteenth year as a member of the Rialto City Council. Should he emerge, as most political observers believe he will, the victor against his rival, Fontana City Councilman Jesse Armendarez, the Fifth District's political center of gravity will shift to align with its geographical center, which is Rialto

alto itself.

At present, Rialto is the sixth largest of San Bernardino County's 24 cities population-wise. Only the county seat San Bernardino, Fontana, Rancho Cucamonga, Ontario and Victorville claim more inhabitants than the 104,000 who call Rialto home.

Sandwiched between Fontana to the west and

San Bernardino on the northeast and Colton on the southeast, historically Rialto has lost out to its larger neighbors when it has come to political representation. Most of the political leaders representing San Bernardino County's Central Inland Valley on the board of supervisors at the county level and in the Assembly or California

State Senate in Sacramento as well as in Congress have hailed from San Bernardino, with a few from elsewhere. Beginning in the 1980s and for roughly a quarter of a century, a succession of Rialto politicians – one-time Rialto Mayor Jerry Eaves, Eaves' protégé John Longville, and Joe Baca Jr.'s father and Eaves' rival Joe **See P 2**

Fish & Wildlife Mulls Protecting Joshua Trees Under California Endangered Species Act

The once plentiful desert tree named by California's earliest Mormon settlers after the Old Testament character who was Moses's right hand man during the exodus of the Jews from Egypt to the Promised Land is under serious consideration for being listed as an endangered species.

The state Department of Fish and Wildlife, in reaction to an environ-

mental group's assertion that western Joshua trees have been brought closer to extinction by development, climate change, drought and increasing numbers of wildfires, recommended on Monday, April 13 that its board of commissioners take action to give the desert-specific yucca brevifolia, as the Joshua tree is known scientifically, protection.

A monocotyledonous

tree, meaning its seeds are typically contained in only one embryonic leaf or cotyledon, the Joshua tree is native to the arid southwestern United States, specifically California, Arizona, Utah, and Nevada, where it is confined mostly to the Mojave Desert between 1,300 feet and 5,900 feet in elevation.

"Scientists earlier this year projected that the Joshua tree will be

largely gone from its namesake national park by the end of the century," according to a statement from Brendan Cummings of the Center For Biological Diversity, an environmental group.

Last year the Donald Trump Administration denied federal protection for the species.

"California needs to ensure these spectacular trees remain part of California's landscape in

perpetuity," said Cummings. "The Trump administration has abdicated its responsibility to save Joshua trees and hundreds of other species threatened by climate change. The state must fill that void and lead efforts to ensure the Joshua tree's survival."

Cummings pointed out that Joshua trees already are failing to reproduce at drier, lower elevations. **See P 10**

SB Council's Non-Vote Rejects Mayor's Request For Separate Abuse Suit Defense Lawyer

Without actually taking a direct vote on the request, the San Bernardino City Council declined to provide the \$50,000 Mayor John Valdivia had asked the city to spend to defend him personally against what currently stand as claims and are anticipated to soon turn into lawsuits based on allegations that he mistreated former and current city employees.

Former mayor's office employees Mirna Cisneros and Karen Cervantes as well as one of Valdivia's current legislative field representatives, Don Smith, have lodged claims with the city citing Valdivia's abusive behavior, which included engaging in unwanted sexual advances made toward the two women, inappropriate or sexually-tinged comments made in their presence as well as threatening all

three, involving all three in activities beyond their legitimate work assignments and then engaging in threatening or abusive behavior against them when they proved uncooperative.

A claim filed against a public entity is a precursor to a lawsuit. After 45 days, if the public agency in question has not acknowledged the veracity of the claims or in some fashion made an agreement or arrangement to

satisfy the individual making the claim, then the claimant is free to file a lawsuit based upon the elements outlined in the claim. The 45-day window for the city's response to the claims filed by Cisneros and Cervantes has elapsed. It is anticipated that their attorney, Tristan Pelayes, will follow through with a lawsuit. The city is yet within the 45-day window to respond to Smith's claim. He too is

represented by Pelayes. Three others, Matt Brown, Valdivia's chief of staff; Jackie Aboud, Valdivia's one-time legislative field representative who was fired in January; and Alissa Payne, a city commissioner, have also alleged mistreatment by Valdivia and are represented by Pelayes. They have yet to file claims against the city.

On Wednesday, the council considered a request by **See P 5**

Some Local Officials Using State Mandated Closures To Give Residents Short Shrift

There is widespread concern that local politicians are exploiting California Governor Gavin Newsom's mandates relating to the coronavirus pandemic to rubberstamp aggressive land use proposals by their political supporters, avoiding accountability in doing so and giving short shrift to the concerns of the residents bearing the hardship of those projects' impacts.

On March 12 and again on March 19, Governor Newsom issued orders that set out guidelines relating to social distancing and curtailing social gatherings. Those restrictions extended to traditional public meetings and hearings, the convocations in which public agencies come together, in the presence of the public generally and their constituents specifically, to consider and deliberate on public issues and take official action by means of a vote. These assemblages are an intrinsic part of the manner in which democracy is administered in California, and the legislature codified the protocols and restrictions to ensure public participation in the governing process through the Ralph M. Brown Act.

The Brown Act, formalized within California Government Code § 54950 et sequitur, was authored by Assemblyman Ralph M. Brown and passed in 1953 as an act of the California State Legislature. It guarantees the public's right to attend and participate in meetings of local legislative bodies. Originally a 686-word statute enacted in response to mounting pub- **See P 3**

Joe Baca, Jr. Appears To Be On A Trajectory To Become Next 5th District County Supervisor *from front page*

Baca, Sr. - achieved success and acceded to the state legislature, and in Joe Baca Sr.'s case, to the U.S. Congress. But those three were the exception rather than the rule.

For a host of reasons, it now appears that the November election for Fifth District supervisor is Joe Baca, Jr.'s to lose and that Rialto will see its political reach extended. Baca, as a Democrat, holds an advantage over the Republican Armendarez, as the registration numbers in the Fifth Supervisorial District strongly favor the Democrats. As of this week, 94,446 or 50.8 percent of the district's 185,800 voters are registered Democrats. Registered Republicans in the district number 34,699 or 18.7, and are outnumbered by the 44,881 or 24.2 percent of the voters in the district who are not registered with any party. 6.4 percent of the district's voters are registered with the Libertarian, Peace & Freedom, American Independent, Green and more obscure parties. Though in California local offices such as county supervisor or city council are officially considered non-partisan and the party of a local office candidate does not appear on the ballot when election for those posts is being conducted, in San Bernardino County party affiliation is nevertheless a de facto primary consideration in the election of officeholders at all levels. Thus, Baca has a substantial leg up going into the campaign. Another consideration is that all of Rialto lies within the Fifth District. Only the eastern portion of 214,000 population Fontana is enclosed within the Fifth District. Moreover, by virtue of his father's wide-ranging political career, the younger Baca enjoys name recognition and positive name identification that Armendarez lacks.

In this year's primary

election held last month, Armendarez conducted a campaign in which he outraised all three of the others in the race - Baca, Colton Joint Unified School District Board Member Dan Flores and radio personality Nadia Renner - in terms of campaign cash. Baca captured first place, despite having less money - \$116,443 in political donations - to spend than Flores with \$312,966.39 in his campaign war chest or Armendarez's electioneering account of \$336,299.86. Armendarez clearly believed in himself, as \$91,076.83 that went into his campaign fund was a loan to himself. Renner banked, overall, \$19,100 to carry out her campaign. His greater spending power bought Armendarez a second place finish, with 13,330 votes or 26.88 percent, comfortably ahead of Flores, a Democrat and the chief of staff to the current Fifth District Supervisor Josie Gonzales. Flores polled 8,998 votes for 18.14 percent. Renner managed 7,319 votes or 14.76 percent. Baca outdistanced all three with 19,948 votes, which equated to 40.22 percent.

Moreover, at present Josie Gonzales is the only Democrat on the five-member board of supervisors. Two Republicans vying in this year's election in San Bernardino County's First and Third districts, Paul Cook and Dawn Rowe, won outright with a majority of the vote in the March 3 Primary Election, such that they have bypassed the need to run in November. The Democrats are loathe to surrender all five seats on the board of supervisors and can therefore be counted upon to marshal their forces to ensure that as the party's standard bearer in the Fifth District, Baca will succeed.

Baca was last elected to the city council in 2018. If he is elevated to the board of supervisors in November, he will be obliged to resign from the council to accede to the county post. Simultaneous with the November Fifth District board race, three of the positions on the Rialto City Council will also be up

for contest - those held by Mayor Deborah Robertson and councilmen Rafael Trujillo and Andy Carrizales. It is thus possible, though perhaps not likely, that there could be a significant turnover with regard to Rialto's leadership by the end of the year.

Until quite recently, Mayor Robertson appeared to be in firm control of the city, having built her power into a formidable political machine over the course of 17 years. First elected to the Rialto City Council in her maiden foray into politics in 2002, Robertson was reelected in 2006. In 2008, she suffered the lone defeat in her political career when she challenged then-Rialto Mayor Grace Vargas. Vargas's power of incumbency tided her to victory with 12,355 votes or 54.55 percent to Robertson's 10,296 votes or 45.45 percent. Two years later, in the 2010 election cycle, neither Robertson nor Baca, who had first been elected to the council in 2006, had to stand for reelection, as no one deigned to run against them. In 2012, with Robertson again intent on challenging Vargas, and Robertson's popularity surging among the Rialto electorate, Vargas chose to not seek reelection. Instead, Robertson found herself in a contest against longtime Rialto political figure Councilman Ed Scott. When the dust cleared after the election, Robertson had cruised to victory by a comfortable margin, 12,013 votes or 57.21 percent to Scott's 8,985 votes or 42.79 percent. In her 2016 mayoral reelective effort, Robertson faced a single challenger, Councilman Ed Palmer. She handily won that contest, 14,784 votes or 59.79 percent to Palmer's 9,950 votes or 40.23 percent.

As a member of the council and as mayor, Robertson parlayed her professional expertise with the California Department of Transportation, having worked in that agency's administrative division for two decades, to take up leadership positions on regional governmental joint powers authorities relating to urban plan-

ning and transportation, such as Southern California Associated Governments and San Bernardino County's transportation agency, formerly known as San Bernardino Associated Governments and now known simply as the San Bernardino Transportation Agency.

As mayor, Robertson has become a virtual kingmaker in blue collar and heavily Democratic Rialto, and her endorsement carries substantial weight among the electorate. Her most notable recent achievement in this regard was her sponsorship, support and successful coaching last year of political newcomer Channing Hawkins, who was elected to the board of the West Valley Water District in November in his first attempt at public office.

Hawkins is the most electrifying figure to come onto the Rialto political stage in decades. A graduate of Howard University in Washington, D.C., from which he has both a bachelor of arts and a law degree, Hawkins did not take up a career as a lawyer. He worked for a time as a field representative for Congressman Joe Baca, Sr., then did a stint as a lead representative with the Service Employees International Union, then went to work for the Barack Obama Administration in the U.S. Department of Agriculture's Office of Civil Rights. After more than two years as a federal employee, he returned to the Service Employees International Union to work within its governmental relations division, leaving that position in 2016 for his current post with the Laborers' International Union of America as a labor relations representative.

Well spoken, indeed eloquent, Hawkins is capable of fielding questions he may or may not have anticipated and formulating an answer on the spot indistinguishable from a response reflecting many hours worth of work by a team of public relations specialists.

Considered in multiple circles to be the most likely political prospect

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to come out of Rialto or San Bernardino Valley for some time, it is widely assumed that he will seek a position on the Rialto City Council in November. Such speculation was fueled by the circumstances surrounding his transition into the West Valley Water Agency.

In the race for the board, he found himself in a head-to-head duel with the only Democrat on the board, long-time member Don Olinger. At 92 years of age, Olinger was then the oldest serving elected official in San Bernardino County. Beginning in 2018, Olinger had empowered himself by forging an alliance with two of his fellow board members, Dr. Michael Taylor and Kyle Crowther, two Republicans whose once cordial relationship with the two other Republicans on the board, Dr. Clifford Young and Greg Young (no blood relation to Clifford Young), had devolved into a bitter rivalry and struggle for the control of the district.

The West Valley Water District holds its elections in odd-numbered years. As the 2019 campaign began to heat up, the degree to which Taylor and Crowther were committed to keeping Olinger in place on the board became clear. Crowther transferred \$3,000 from his own electioneering fund into Taylor's political war chest, and \$2,500 to the Inland Empire Taxpayers Association. Taylor then provided Olinger \$22,620.48 worth of contributions, in-kind support or other financing in his campaign against Hawkins. The

Inland Empire Taxpayers Association was likewise active in supporting Olinger. Despite those efforts by Taylor and Crowther in backing Olinger, ultimately Hawkins prevailed in the race, defeating Olinger convincingly with 623 votes or 64.83 percent in the district's Division 4 race to Olinger's 338 votes of 35.17 percent cast on November 5. On the other side of the contest, Clifford Young and Greg Young had lent Hawkins assistance, though more discretely because they did not want it to be known that they were supporting a Democrat even though both competitors in the race were Democrats.

Exactly one month after the November 5, 2019 contest, at its December 5 meeting, the West Valley Water District swore in the victors in that year's election - Crowther, Greg Young and Hawkins.

Unbeknownst to the public, intense jockeying and no little degree of intrigue had followed the election. Those in the know, or what was taken as being the know, anticipated that as soon as Hawkins acceded to the board and displaced Olinger, the ruling coalition of Taylor, Crowther and Olinger would dissolve, and that a new regime composed of Young, Young and Hawkins would assert itself. And indeed, in the 30-day gap between the end of the election and the swearing in ceremony, the trio conferred with one another serially, being at liberty to do so since Hawkins

Continued on Page 4

Coronavirus Precautions Run Head On Into Traditional Open Government Principles *from front page*

lic concerns over informal, undisclosed meetings held by local elected officials, the Brown Act has grown substantially over the years, embodying the concept and spirit of open government, and the degree of seriousness with which that openness is enshrined in American and California culture. It prohibits city councils, county boards, and other local government bodies from avoiding public scrutiny by meeting in secret, or holding “workshops” and “study sessions” from which the public is excluded. It further prohibits a majority or a quorum of elected or appointed members of governmental decision-making bodies from conducting so-called serial meetings in which one member of a panel speaks with another member of the panel and then a third member of the panel is contacted by either of the two that have already conferred with one another to form a consensus on official action to be taken. In this way, all discussion by a quorum of a public board must take place in public. The act requires that all issues or items to be discussed in an official meeting be disclosed on an agenda for that meeting at least 72 hours in advance of the meeting taking place. The act requires that members of the public be afforded the opportunity to address the panel with regard to each issue to be voted upon by the panel prior to any vote taking place. The Brown Act closely circumscribes the concept of confidentiality or secrecy in government, specifying four subjects which a governmental decision-making panel can discuss during an executive or closed hearing outside the earshot of the public, those being negotiations relating to the purchase or sale of property; potential or pending litigation; employee performance evaluation, discipline or termina-

tion; and labor contract negotiations. The Brown Act does allow a quorum or even all of an elected or appointed local body to attend a seminar or conference or similar educational gathering; neighborhood meetings, town hall forums, chamber of commerce lunches or other community meetings sponsored by an organization other than the city at which issues of local interest are discussed; meetings of other legislative bodies of the city or of another jurisdiction (such as the county or another city); purely social or ceremonial events without treating such attendance as a meeting of the body, in all cases provided that a majority of members do not discuss among themselves matters of public business. Members of a decision-making body who are not members of a standing committee of that body can attend an open and noticed meeting of the standing committee without violating the Brown Act, provided they are present only as “observers.”

The act has been interpreted to apply to letters and email communications as well, leading to restrictions on the number of parties that can be copied on electronic messages.

In response to the increasing threat posed by the coronavirus, Governor Newsom’s March 12 order suspended certain meeting requirements and restrictions of the Brown Act and Bagley-Keene Act, the latter of which applies to state legislative officers rather than local officials.

The governor further ordered that “all requirements in both the Bagley-Keene Act and the Brown Act expressly or impliedly requiring the physical presence of members, the clerk or other personnel of the body, or of the public as a condition of participation in or quorum for a public meeting are hereby waived.”

With regard to open public access safeguards relating to teleconferencing that are normally applied, the governor’s order suspended the requirement that each location from which the officials participating

in the meeting be disclosed in advance; that each teleconference location be accessible to the public; that members of the public be able to address the body at each teleconference location; that agendas be posed at all teleconference locations; and that at least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction.

A major upshot of the order was that the decision-making body need not be in the presence of the public or its constituents during the course of the meeting, including while the public was offering its input electronically, telephonically or in proxy by writing.

Nevertheless, Newsom’s executive order yet required that local governmental entities abide by the Brown Act requirement that meetings be agendized and noticed 72 hours in advance; that the agenda be posted in at least one publicly accessible location from which members of the public would have the right to observe and offer public comment at the public meeting, consistent with the public’s rights of access and public comment otherwise provided in the Brown Act.

In issuing the order, Newsom called upon public officials to “use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the provisions of the Bagley-Keene Act and the Brown Act, and other applicable local laws regulating the conduct of public meetings, in order to maximize transparency and provide the public access to their meetings.”

The order did not affect other key provisions of the Brown Act, including requirements to notify the public on each agenda of what is to be discussed at an open or closed session of the teleconferenced meetings, or the ability of the public to obtain agenda packets or other documents used by decision-makers for the meetings. Nor did the order dispense with the require-

ment that the decision-making panels publicly report what action they had taken after a closed session is concluded.

In his March 19 order, Newsom suspended some of the provisions of the Brown Act, most specifically those relating to the requirement that the meetings be held in a public venue. While considerable numbers of Californians accepted that the exigency of the coronavirus crisis dictated that certain adjustments in everyday activities as well as those of the government would be made, at least some of those closely attuned to the function of government assumed that officials functioning at the local level would accept the governor’s restrictions in the spirit in which they were made – as a gesture to ensure public safety and health – and that restrictions would not be abused by local officeholders who would seize the exclusion of the public from the deliberative process to take action that under normal circumstances would provoke controversy and tempestuous opposition so that those decision-makers could duck accountability for their decision-making.

To the chagrin of residents in several San Bernardino County cities, however, city staff members, council members and appointed commissioners have perceived the current circumstance to be one in which they are free to act without the restraint of public disapprobation, holding hearings on highly contentious issues outside the presence of the public, giving officeholders the luxury of voting in ways that they perhaps would not otherwise were they not physically isolated from those they were elected or appointed to serve.

For officials in a number of locales, the new ground rules have presented them with an opportunity to take action with regard to certain things which they know are out of favor with a vocal element of the communities they represent, and this has allowed and is allowing them to do so without being subjected to the rip current

of resistance they would need to endure during the traditional public hearing process. Some public officials in jurisdictions where their city or agency was faced with projects, proposals or official undertakings that were out of step with the attitudes of at least some of their constituents utilized Newsom’s order to ramrod action through during these virtual hearings, where no prospect of them having to face the constituents whose sentiments they had defied existed.

Recent cases in point involve the cities of Upland and Redlands.

In Upland, two projects massively unpopular with the residents directly impacted by them have been considered by the city council and given go-ahead since the beginning of the month, in each case by a 4-to-1 margin when the vote was taken. In both cases, Upland residents impromptu city officials to suspend action on the items until such time that crowd-gathering restrictions that are in place to limit the spread of the coronavirus are no longer in effect, allowing the issues to be more fully vetted in a conventional public hearing setting, where the give-and-take of interchange between city residents and those who represent them on the council is possible. In making those requests for a delay, it was asserted that consideration of the projects in question did not constitute essential governmental activity. City officials disregarded that assertion.

Originally scheduled to consider Bridge Development Partners’ proposal to construct on a 50-acre site north of Foothill and south of Cable Airport a 201,096-square-foot distribution center to be operated by on-line merchandise marketing giant Amazon at its March 23 meeting, the city council delayed considering the matter until April 1, at what was a special meeting to be exclusively devoted to the project. At its March 23 meeting and again at a specially called meeting held on March 31, the council was asked and then ultimately declined

to postpone the April 1 meeting/hearing date for the project, which the Upland Planning Commission had considered and then originally recommended against proceeding with. Subsequently, the planning commission made an unprecedented reversal of that decision, and endorsed the project after being heavily lobbied by its proponents.

The council convened in the early evening of April 1, not physically in Upland’s city council chamber, but rather virtually from its respective members’ homes or professional offices, with Mayor Debbie Stone being the only elected member of the panel at City Hall, where, from her office by means of a video hook-up with the others, she conducted the meeting. A video of the council members and the audio of the proceedings, with a 30 to 40 second delay, was broadcast or displayed on the city’s local cable network as well as on the city’s website.

Upon Mike Poland, Upland’s contract planner, briefing the council on the project, and Community Development Director Robert Dalquest providing an encapsulation of the development agreement, Heather Crossner, Bridge Development’s first vice president for development, and Brendan Kotler, Bridge’s executive vice president, touted the project to the city council, after which 49 members of the public, virtually all of them Upland residents, weighed in with regard to the proposal. Of those, 19 inveighed against the project. One resident took no stand with regard to approval or disapproval. The other 29 spoke in favor of the project. As the last of the speakers, one who was not in favor of the project, began to marshal evidence that the project proponent had paid several of those who had made statements in support of the project money to make those statements, the final speaker’s access to the meeting microphone was terminated. The city council did not ques-

Continued on Page 6

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At The Pinnacle Of Rialto Politics, Robertson Now In Danger Over Faux Pas Involving Her Daughter's Nonprofit from page 2

was not yet a member of the board, so that their discussions could not officially be considered a violation of the Ralph M. Brown Act, California's open public meeting law which prohibits a quorum on an elected panel from discussing in private business related to the offices they hold. In their separate discussions with Hawkins, both Young and Young indicated they would be willing to see him appointed to the position of the district board's vice chairman, or vice president, shortly after he took his place on the panel. Hawkins countered to both that his expectation was that he be elevated to president of the board. Neither Clifford Young nor Greg Young was prepared to accommodate Hawkins' request, and thereafter Hawkins consulted with Taylor, who saw in the younger man's approach the possibility that he would not need surrender control over the district to Young and Young.

Immediately after the swearing in ceremony on December 5, the board, still chaired by President Taylor, took up the issue of the board's reorganization. Without opening the matter for discussion, Taylor instead used his possession of the gavel and therefore the floor to immediately promote Hawkins, against

whose election he had only recently worked assiduously to prevent. "Tonight, I see a unique opportunity that I think could go a long way to doing a lot of good for the community and the board itself," Taylor said. "So, with that I'm going to make the motion to nominate a new president. I'm going to nominate Mr. Channing Hawkins as president of the board. I'm looking for a second, please."

Without waiting for Crowther to make the second, Hawkins did so himself. The board then voted 4-to-0 with Greg Young abstaining to confirm Hawkins as board president.

A little later in the meeting, Taylor said, "I've had conversations with Mr. Hawkins. I find him to be a very bright, gifted person, who has a level of maturity not often seen in people his age. So, I'm looking forward to his leadership, and I'm looking forward to working very closely with him. I know, just by the nature of his personality, that I've had the privilege of meeting with, that I truly believe he's going to do a very good job for the district, for the community and for the employees who work here at the district itself."

Hawkins' ability to play the warring factions within the water district off against one another for his own advancement was perceived at once as an indication of his political skill. Further, his unwillingness to accept anything less than the presidency of the board was widely seen as an aggressive move toward

positioning himself to make his next political jump, which is assumed to be to the Rialto City Council in the upcoming November election.

Hawkins, however, denies that his ambition, at present, extends to taking up a place on the Rialto dais.

"Right now, I'm completely focused on reforms at the district, and especially while we are in the middle of the coronavirus crisis," he told the *Sentinel*. "Over the last two to three weeks, we have had our staff working at full throttle to protect our residents and ratepayers and most logically utilize our resources, to make sure we have the equipment and manpower so we can adhere to the mandates for social distancing in the workplace so we don't have service interruptions. That is what I am 100 percent focused on."

Virtually no one believes that Hawkins is not purposed to run for city council. Indeed, some believe he is being prepped to replace Robertson for mayor.

At the time of Hawkins' election and elevation to the water board presidency, there had been talk of Robertson having cleared the way to make her own advancement, potentially to a state legislative position, in that she could at last move on, confident that her legacy would be filled out by her protégé Hawkins following her. Thus, Hawkins was perceived to be on a trajectory that would see him elected to the city council in November 2020, running as a team with Robertson in her second

reelection bid for mayor. In 2022, if her bid for Assembly or State Senate succeeded, Hawkins would then be the logical heir to the mayoralty.

In the intervening time, however, the wolves of scandal have been heard howling near Robertson's door, necessitating, perhaps, that the timetable for Hawkins' next move up the political evolutionary chain be steeper than was anticipated, such that he will be vying not for the council but mayor six months from now.

In December, the Riverside-based auditing/accounting firm of Teaman, Ramirez and Smith, Inc, which had been tasked in September to examine Rialto's books with regard to the city's provision of pensions to former employees and the impact those are having on the city's financial situation, budgetary comparison schedules, the city's financial statements and how its federal grants had been spent, alerted city officials to a potential instance of fraud or noncompliance. Specifically, Teaman, Ramirez and Smith, Inc.'s bean counters had found that there was some order of irregularity with \$38,475 in federal Community Development Block Grants that were doled out at the discretion of the Rialto City Council in the 2018-19 fiscal year to the Bethune Center-National Council of Negro Women. Milele Robertson, Mayor Robertson's daughter, is the president of the Bethune Center-National Council of Negro Women, which offers what is described

as job training services. Though the Bethune Center-National Council of Negro Women was formerly identified as being headquartered at 649 E. Foothill Boulevard in Rialto, it has been operating out of a city-owned building at 141 S. Riverside Avenue in Rialto for at least four years, having done so free of charge for that entire time.

Teaman, Ramirez and Smith, Inc.'s accountants delineated the federal grant funding received by the Bethune Center-National Council of Negro Women, and traced out the blood relationship between Deborah Robertson and Milele Robertson.

It has been publicized that since 2012, the year that Robertson became mayor, the Bethune Center-National Council of Negro Women, as a non-profit corporation, had received over \$200,000 in Community Development Block Grants distributed by the Rialto City Council.

Robertson did not recuse herself from approving, as a voting member of the city council, that arrangement, nor had she made adequate disclosure that the recipient of the federal funds and what has been tantamount to free rental space was her blood relative.

The finalized version of that audit is to be presented to the city council for public review and acceptance on April 28.

Under California law pertaining to public officeholder conflict of interest, assisting or promoting a family member by participating in a vote

on a contract involving that family member, providing that family member with employment with the public agency the politician heads or approving a project the politician's family member has an interest in is not illegal unless it can be demonstrated that the politician and the family member have financial interests in common. While it is generally considered illegal for a politician to vote with regard to any issue benefiting a spouse since it is assumed their financial interests are one and the same, a similar vote impacting a grown child, parent or sibling is not necessarily illegal under state law. Federal law, however, is far more strict with regard to nepotistic situations. That the Bethune Center-National Council of Negro Women received federal funding in the form of Community Development Block Grants puts Robertson, at least potentially, within the crosshairs of the U.S. Attorney's Office.

Theft or bribery involving programs receiving federal funds, commonly known as program fraud or program bribery, is a federal crime under 18 U.S.C. § 666. A conviction for fraud or embezzlement under 18 U.S.C. § 666 can net the perpetrator up to a 10-year prison sentence and fines equal to the value of the embezzlement or amount gained through the defraudment.

A first major determinant in the matter involving Robertson will be the conclusion of the

Continued on Page 8

Public & Council Sentiment Runs Against Using Taxpayer Money To Defray Valdivia's Lawyer's Fees As Scandal Proceeds from front page

Valdivia that it authorize the expenditure of \$50,000 in city funds to retain an attorney separate from the law firm of Liebert Cassidy Whitmore, which has already been retained to represent the city in the face of the claims filed by, and potential lawsuits to follow from, Cisneros, Cervantes and Smith.

In response to Valdivia's request, City Manager Teri Ledoux, apparently in consultation with Deputy City Attorney Sonia Carvalho, generated a staff report in which two options were outlined. One of those options called for authorizing Valdivia to select an attorney and provide for a maximum hourly rate or total representation at an initial maximum expenditure of \$50,000 to that attorney on his behalf; or selecting an attorney for him from the recommended list of four lawyers designated by Carvalho as equal to the task.

Curiously, Ledoux's report did not include a third option, that being the action which the city

council ultimately took, which was to simply allow the general defense the city is currently constructing for the city as a whole against the claims and possible lawsuits to suffice as Valdivia's defense, as he falls under the umbrella of the city.

The four attorneys considered by Carvalho and featured in the report were Patrick "Kit" Bobko, who had agreed to work on the mayor's behalf at a rate of \$250 to \$330 per hour; Michael Zweiback, who committed to working on the case in conjunction with other members of his firm at a "blended" rate of \$400 per hour; Gerald Sauer, who was willing to work the case at a cost of \$495 per hour; and Sonya Goodwin, who stood ready to go to bat for Valdivia for \$450 per hour. Of note was that Valdivia had previously communicated with Zweiback directly, informing him that he was intent on having Zweiback's firm represent him, as was indicated in an engagement letter sent to him at his city office from the firm of Zweiback, Fiset & Coleman dated March 11, 2020.

Owing to continuing precautions being taken in response to the coronavirus crisis, the meeting itself was held in a virtual format that did not involve an actual

physical convocation but rather an electronic hook up in which there was an audio and visual presence for councilmen Jim Mulvihill, Henry Nickel and Fred Shorett, along with councilwoman Sandra Ibarra, City Manager Teri Ledoux and City Clerk Genoveva Rocha and some city staff members; while Mayor John Valdivia, councilmen Ted Sanchez and Juan Figueroa, Councilwoman Bessine Richard and Deputy City Attorney Sonia Carvalho participated by means of an audio connection, though at times Sanchez and Figueroa were visible on camera as well.

Before the council began its discussion of the mayor's request, statements from members of the public who had provided audio or written input prior to the meeting were put onto the record. In a prerecorded audio statement, Tim Prince, who had backed Valdivia in his successful 2018 run for mayor, was heard referencing the "\$50,000 request to hire more attorneys to handle cases involving the mayor's intentional and negligent acts. That request should be denied. \$50,000 won't begin to defend the mayor's indiscretions. The mayor has been very open, and has bragged more times than I can count about his ability to raise mon-

ey. So, he should raise money for his defense from all his liquor store, importer and other undesirable business interests that can fund the mayor's defense. This city is \$5 million under water. We should not spend our reserves on defending this failed mayor."

A statement from Luis Ojeda was read into the record by Councilman Sanchez.

"I do not believe the residents of San Bernardino should have to pay the legal costs of defending Mayor Valdivia," Sanchez quoted Ojeda, continuing, "Mr. Valdivia through his own negligence and reckless behavior has invited many of the claims against him. The money can be better spent on more pressing issues in our community. The mayor has bragged in the past about being able to raise large amounts of money. This is a good time for him to put those skills to work for him."

Tressy Capps was heard in an audio recording, saying, "I don't think the residents of San Bernardino should be on the hook for his behavior."

Because the item related directly to Valdivia, he did not participate in the discussion of the matter, and Sanchez, who is serving in the capacity of mayor pro tem, chaired that portion of

the meeting.

A consideration for the council was that by having the city fund Valdivia's defense, it would put the city in the position of having to pay any settlement or judgment against Valdivia as a consequence of the suit. According to Ledoux's report, "A public entity's duty to defend is not unconditional. If there is an issue whether an employee was acting outside the scope of employment, it is in the best interest of the public entity to provide for the defense of the employee, but it may do so under a reservation of rights. If a public entity provides a defense for its employee, or former employee, without reserving its rights against him or her, and the employee reasonably cooperates in good faith in the defense of the action, the entity has an absolute duty to pay the judgment or any compromise or settlement to which it agreed. (Gov. Code § 825(a).) The entity may have to pay even if the judgment established that the employee was not acting within the scope of his or her employment at the time of the tort. The public entity may condition an agreement to conduct the defense for an employee or former employee on the employee's consent to a reservation of the entity's right 'not to pay

the judgment, compromise or settlement until it is established that the injury arose out of an act or omission occurring within the scope of his employment [by] the public entity.' (Gov. Code, § 825(a).) When so agreed, the entity's duty to pay arises only when the requisite fact is established."

Almost immediately upon Sanchez opening the floor for discussion, Ibarra said, "I move that we reject providing legal representation for the mayor."

"I will second that," said Sanchez.

At that point, Councilwoman Richard, who with Figueroa remains as one of the last two members of the council yet politically aligned with the mayor, said, "I just want to know why you guys want to do that when we already talked about this. We talked to the city attorney about what to do. She brought it back to us and all of a sudden there's a rejection. This should not be emotional. This should be based on fact. He has the legal right to have representation. If you guys were all in the same position, you guys would want the same, and some of you guys have been in a certain position – not a position of allegations about sexual whatever

Continued on Page 10

County Coronavirus Death Count Steadily Escalating from front page

There have been an undisclosed number of cases involving patients, staff or both at the Apple Valley Post Acute Care Center in Apple Valley, the Spring Valley Post Acute Center in Victorville and the Hi-Desert Medical Center in Joshua Tree. There was reportedly one death at the Spring Valley Post Acute Care Center and two deaths at the Hi-Desert Medical Center.

The rash of infection at those six facilities has created a substantial problem, as those personnel with the condition are unable to return to work, because their close contact with elder-

ly and vulnerable residents would put those populations at risk. This has led to a shortage of healthcare workers and maintenance crews at the facilities, and, as a consequence, diminished care levels, attention and a downgrade in sanitation.

Compounding the problem is that since April 6, San Bernardino County has been functioning under an order by Public Health Officer Dr. Erin Gustafson enjoining healthcare workers or those who do custodial work at nursing homes, convalescent care facilities or the like who are employed at multiple locations to discontinue their employment at more than one such facility. This has contributed to the manpower shortage, and

the facilities have had to scramble to find suitably trained and qualified replacements.

On Wednesday, 996 people countywide had tested positive for coronavirus and 39 had died. By Thursday, the number of confirmed cases had reached 1,032, and 47 had perished. As of press time today, there were 1,096 verified cases of infection among county residents and 55 deaths directly attributed to coronavirus.

As of today, something over half of a percent of the county's roughly 2.2 million population had been tested, according to the health department, with the exact number of officially registered tests being 11,808, although it is believed there have been a smattering of

tests done privately that have not been reported. The 1,096 known cases weighed against the 11,808 known tests indicates an infection rate of 9.2818 percent, which most assuredly does not reflect the actual rate of infection throughout the county population given the likely statistical error based on the limited sampling the testing represents.

The latest available breakdown of the geographical locales where infection has taken hold was from yesterday, when the whereabouts of all but 32 of the 1,021 people in the county known to have contracted the virus up to that point were provided.

Fontana, the county's second-largest city, led the county in this dubious category with 123

cases, ahead of San Bernardino, the county's most populous city, which had 114 confirmed cases at that point, and Yucaipa, which had 113, a number bloated by the presence of Cedar Mountain Post Acute Rehabilitation facility within its city limits. Needles, the least populous of San Bernardino County's 24 incorporated municipalities, bore the salubrious distinction of being the only city without any known cases of the virus.

According to the San Bernardino County Department of Health there were eight confirmed cases in Adelanto, including a member of its city council; 15 in Apple Valley; eight in Barstow; five in Big Bear Lake, including the city's mayor; 14 in

Bloomington; three in Blue Jay; 60 in Chino; 43 in Chino Hills; 17 in Colton; four in Crestline; 123 in Fontana; two in Fort Irwin; 11 in Grand Terrace; 31 in Hesperia; 42 in Highland; two in Joshua Tree; two in Landers; 19 in Loma Linda; four in Mentone; 11 in Montclair; four in Morongo Valley; five in Oak Hills; 54 in Ontario; two in Phelan; 66 in Rancho Cucamonga; 62 in Redlands; 44 in Rialto; one in Rimforst; two in Running Springs; 114 in San Bernardino; four in Twentynine Palms; 38 in Upland; 47 in Victorville; one in Wrightwood; 113 in Yucaipa; eight in Yucca Valley and 32 in unspecified or undetermined locations.

-Mark Gutglueck

Upland & Redlands Officials Give Nonchalant OK To Development Proposals As Public Meeting Restrictions Sty-mie Citizen Protest *from page 3*

tion Crossner nor Kotler about the veracity of that report, nor did it address during its deliberations the issue of whether the proponent had provided money to Upland residents to secure their statements of support for the project during the hearing.

Recurrent elements in the arguments made against the project were that despite its scope and intensity its advocates had used an inadequate mitigated negative declaration process rather than a full environmental impact report to achieve environmental certification for it and that city staff had misapplied and misinterpreted the city's current land use and zoning codes to certify that a distribution facility project constituted a permissible use on the site, which bears industrial/mixed use zoning.

A common theme in the arguments made on behalf of the project was that it represented a substantial step forward for the city in terms of economic revitalization.

After discussing the project, the council voted 4-to-1 to give it go-ahead, approving the site plan and signing off on the mitigated negative declaration, a finding

that the project had no irremediable environmental impacts.

Less than two weeks later, at its first regularly scheduled meeting this month, as opposed to the aforementioned specially-called one, the Upland City Council met Monday night, April 13. The most time-consuming item on the agenda was another highly controversial project, a proposal by FH 11 LLC, a subdivision of Frontier Homes, to develop 65 single family detached residential units on 9.2-acres within a 20.3 acres site near 15th Street that had previously been committed to serve as a stormwater detention basin, an intrinsic element of an elaborate flood control network serving as a repository for water that during a deluge is channeled away from properties to the north, including the Colonies at San Antonio subdivision, as well as other surrounding properties on the city's northeast side.

Once more, city residents earnestly requested that the city council postpone a consideration of the matter until such time as a proper public hearing could be held, wherein the council would have the opportunity to hear in person the full gamut of residential input on the matter. City Officials declined to do so, and the city council once more held a virtual hearing in which the public was unable to have direct contact with the city's elected decision-makers.

On Monday, April 13, Development Services Director Robert Dal-

quest and Joshua Winter, the city's planner on the project, gave an overview of the project proposal, known as the Plaza Serena subdivision, explaining that it consisted of a residential specific plan, and would require that the council sign off on a general plan amendment along with a zone change and certify the mitigated negative declaration done for the project to give it an environmental certification. Andrew Winterstrom, of Frontier Communities, also fielded questions from the council relating to the project.

Thereafter, 22 members of the public, most of whom live in the immediate environs of the project, addressed the council. All 22 registered opposition to the project. Thereafter, the council voted, 4-to-1 to approve a motion by Councilman Ricky Felix seconded by Councilman Bill Velto to approve the residential specific plan, accede to a general plan amendment and parallel zone change, and then certify the mitigated negative declaration, tentative tract map and design review. Councilwoman Elliott dissented from the majority in the vote.

In Redlands, the planning commission met on Tuesday and the city council met on Wednesday, in both cases in virtual forums that excluded direct public participation, with the opportunity for those so inclined to participate telephonically.

At its meeting on Tuesday the planning commission convened, with Chairman Conrad Guzkowski, and commissioners Steven Frasher, Julie Rock-Ryner-son, Mario Saucedo, Joe Richardson and Karah Shaw participating through some order of electronic means. It was not clear where the commission was physically located, and whether they were jointly assembled or separate.

City officials had initially sought to use the planning commission to put its imprimatur on a request by Mistretta Canyon Partners, LLC for it to be granted a second one-year extension on a previously granted tract map and condi-

tional use permit for a subdivision of approximately 182 acres into 24 single-family residential lots and three lettered open space lots, located south of Highview Drive and east of South Lane, in the agricultural (A-1) district along Live Oak Canyon Road. In doing so, the city represented the proposed action as a simple one which required no discussion, placing it on the Tuesday April 14 meeting agenda's consent calendar. The consent calendar is reserved for routine and non-controversial items. Other than placing the item on the agenda, the city had made no effort to alert those in the immediate vicinity of the project or those who had previously weighed in on the project that the commission was poised to take action on the matter.

Live Oak Canyon is the first exit off the 10 Freeway east of Yucaipa Boulevard, most highly recognizable as the location of the seasonal outdoor Live Oak Canyon Christmas Tree Farm and Pumpkin Patch. Live Oak Canyon runs approximately four miles in a south-westerly direction where it intersects with San Timoteo Canyon. Along this roughly four mile stretch is a patchwork of five governmental agencies, a checkerboard of the counties of San Bernardino and Riverside and the cities of Yucaipa, Redlands and the sphere of influence of Calimesa.

Chairman Guzkowski, after being informed that there were members of the public who were intent on being heard with regard to the project, pulled the action item off the consent calendar.

"I know we have public comments on this," Guzkowski said. "We received an extensive amount of them."

Catherine Lin, the project planner for the subdivision proposal gave an overview of the project.

The project is located on vacant and unimproved property designated in the city's general plan for resource preservation. It is zoned for agricultural use. When the city in 2005 gave approval to the devel-

opment of the 180-acre property into 85 residential properties, a lawsuit ensued which resulted in the placement of Measure R on the ballot, as a result of which the city's voters had the option of keeping or changing the agricultural zoning on the property. The city's residents voted in favor of keeping the agricultural zoning there intact.

Nonetheless, permission to develop the property was sought using a loophole in the city's hillside grading ordinance. That resulted in a court case in which a stipulated judgment was entered on December 14, 2006, giving the applicant an entitlement to proceed with the project. The parties involved in the suit agreed to allow a planned residential development not to exceed 36 lots with no further environmental impact reporting or certification required. The city purchased 60 acres from the developer to ensure it would remain as open space, pursuant to an amendment of the stipulated judgment. In 2015, the city planning commission approved a tentative tract map for a subdivision of 24 homes on the now-approximately 121-acre site. When the project wasn't under way by 2017, the tentative map was given a two-year automatic extension under state law. It was subsequently given a further discretionary one-year extension by the planning commission last year. The planning commission was this week tasked with granting Mistretta Canyon Partners another extension.

Pat Meyer, the representative of Mistretta Canyon Partners, said the project had been reduced from the original development proposal to 36 units by the Mistretta Family, who then reduced it to 24 lots clustered in the northwest sector of the property after the city purchased 60 acres of what he said was the roughly 180 acres involved. He said that the project now sets aside 81.48 acres of the approximately 120 remaining acres currently owned by the family in its natural state, including wildlife corridor.

"Out of the original 180 acres, 141-and-a-half-acres are now preserved as open space," Meyer said.

Though the city officials had hoped the matter would zoom quietly past the commission, an alert activist informed other like-minded individuals on Monday that the item relating to Live Oak Canyon was going to be discussed at the meeting the next day, and the city received as of 3 p.m. on Tuesday 18 emailed comments and three voicemails, all opposed to the extension, which the commission was thus obliged to have read into the record or hear.

Redlands Planning Manager Brian Foote read the 18 written comments into the record, which took him 20 minutes and 15 seconds.

The three voice mails in opposition to the extension were not heard during the hearing.

The written communications raised issues with regard to biological resources, drainage, erosion, cultural resources, open space preservation, traffic, aesthetics and fire prevention.

Lin said it was her professional opinion that the issues raised in the most recent round of comments had been addressed in the previously filed environmental impact report for the development and that mitigation measures relating to those issues had been included in the original conditions of approval, such that no further environmental analysis was warranted.

On a motion by Richardson, seconded by Frasher, the commission voted unanimously to grant the extension and make a finding that no further environmental review was required.

Dave Matuszak, the president of the Friends of Live Oak Canyon, told the *Sentinel* he did not believe the commission should have considered the extension, given the intense public passion with regard to the project and the inadequate opportunity to express those opinions available at Tuesday's forum, giv-

Continued on Page 10

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Public Notices

FICTITIOUS BUSINESS NAME STATEMENT FILE NO- 20200002831

The following person(s) is(are) doing business as: Calgreen Recycling Center, 57980 Twentynine Palm Hwy, Yuca Valley, CA 92284, Mailing Address: 2162 Carefree Way, Corona, CA 92880, Dhudi Inc, 2162 Carefree Way, Corona, CA 92880

Business is Conducted By: A Corporation Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT.

NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk.

3/27/20, 4/3/20, 4/10/20, 4/17/20

FICTITIOUS BUSINESS NAME STATEMENT FILE NO- 20200002642

The following person(s) is(are) doing business as: Addashield; Checkthdocs; Documinate; B. Compliant, 215 N 2nd Avenue Suite B, Upland, CA 91786, 154A West Foothill Blvd Suite 281, Upland, CA 91786, B. Compliant Inc, 215 N 2nd Ave. Ste B, Upland, CA 91786

Business is Conducted By: A Corporation Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT.

NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk.

3/27/20, 4/3/20, 4/10/20, 4/17/20

FICTITIOUS BUSINESS NAME STATEMENT FILE NO- 20200002641

The following person(s) is(are) doing business as: Payshifts; Back Office Assistance; Accessitnow; C. More Profit, 215 N 2nd Avenue Suite B, Upland, CA 91786, 154A West Foothill Blvd Suite 281, Upland, CA 91786, C. More Profit Corporation, 215 N 2nd Ave. Ste B, Upland, CA 91786

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Public Notices

sions Code). 3/27/20, 4/3/20, 4/10/20, 4/17/20

ORDER TO SHOW CAUSE FOR CHANGE OF NAME CASE NUMBER CIVDS 1939353

TO ALL INTERESTED PERSONS: Petitioner: CHRISTIAN ROLAND KUENG filed with this court for a decree changing names as follows:

CHRISTIAN ROLAND KUENG TO CHRISTIAN ROULLAND KUENG

THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted.

Notice of Hearing: Date: MAY 18, 2020 Time: 8:30 a.m. Department: S16

The address of the court is Superior Court of California, County of San Bernardino, San Bernardino District - Civil Division, 247 West 3rd Street, Same as above, San Bernardino, CA 92415-0210.

IT IS FURTHER ORDERED that a copy of this order be published in the SAN BERNARDINO COUNTY SENTINEL in San Bernardino County California, once a week for four successive weeks prior to the date set for hearing of the petition.

Dated: JANUARY 15, 2020

Lynn M. Poncin Judge of the Superior Court.

Published in the San Bernardino County Sentinel on 3/27, 4/03, 4/20 & 4/17, 2020

T.S. No. 18-20238-SP-CA Title No. 180159254-CA-VOI A.P.N. 1076-081-19-0-000 NOTICE OF TRUSTEE'S SALE. YOU ARE IN DEFAULT UNDER A DEED OF TRUST DATED 07/08/2005. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE.

IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER. A public auction sale to the highest bidder for cash, (cashier's check(s) must be made payable to National Default Servicing Corporation), drawn on a state or national bank, a check drawn by a state or federal credit union, or a check drawn by a state or federal savings and loan association, savings association, or savings bank specified in Section 5102 of the Financial Code and authorized to do business in this state; will be held by the duly appointed trustee as shown below, of all right, title, and interest conveyed to and now held by the trustee in the hereinafter described property under and pursuant to a Deed of Trust described below.

Public Notices

forth below. The amount may be greater on the day of sale. Trustor: Jason Key and Carol A. Bono, husband and wife as community property with right of survivorship Duly Appointed Trustee: National Default Servicing Corporation Recorded 07/21/2005 as Instrument No. 2005-0525489 (or Book, Page) of the Official Records of San Bernardino County, CA. Date of Sale: 05/21/2020 at 1:00 PM Place of Sale: At the Main (South) Entrance to the City of Chino Civic Center, 13220 Central Avenue, Chino, CA. 91710 Estimated amount of unpaid balance and other charges: \$458,090.06 Street Address or other common designation of real property: 9960 Victoria St Rancho Cucamonga, CA 91701 A.P.N.: 1076-081-19-0-000 The undersigned Trustee disclaims any liability for any incorrectness of the street address or other common designation, if any, shown above.

If no street address or other common designation is shown, directions to the location of the property may be obtained by sending a written request to the beneficiary within 10 days of the date of first publication of this Notice of Sale. If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse.

The requirements of California Civil Code Section 2923.5(b)/2923.55(c) were fulfilled when the Notice of Default was recorded. NOTICE TO POTENTIAL BIDDERS: If you are considering bidding on this property lien, you should understand that there are risks involved in bidding at a trustee auction. You will be bidding on a lien, not on the property itself. Placing the highest bid at a trustee auction does not automatically entitle you to free and clear ownership of the property. You should also be aware that the lien being auctioned off may be a junior lien. If you are the highest bidder at the auction, you are or may be responsible for paying off all liens senior to the lien being auctioned off, before you can receive clear title to the property.

Public Notices

04/10/2020, 04/17/2020

FICTITIOUS BUSINESS NAME STATEMENT FILE NO- 20200003100

The following person(s) is(are) doing business as: VR Interpreter Services, 2928 Poplar Circle, Rialto, CA 92376, Victor Rojas, 2928 Poplar Circle, Rialto, CA 92376

Business is Conducted By: An Individual Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT.

A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing.

s/ Victor Rojas This statement was filed with the County Clerk of San Bernardino on: 3/6/20

I hereby certify that this is a correct copy of the original statement on file in my office.

Began Transacting Business: 1/31/20 NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk.

4/3/20, 4/10/20, 4/17/20, 4/24/20

FICTITIOUS BUSINESS NAME STATEMENT FILE NO20200001756

The following person(s) is(are) doing business as: Top Team Photography, 1221 N Vineyard Apt 40, Ontario, CA 91764, Albert J. Martinez, 1221 N Vineyard 40, Ontario, CA 91764, Geovanni Y. Gomez, 7450 Crescent Ave 217, Buena Park, CA 90620 Business is Conducted By: A General Partnership Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT.

A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing. s/ Albert Martinez This statement was filed with the County Clerk of San Bernardino on: 2/7/20 I hereby certify that this is a correct copy of the original statement on file in my office.

Began Transacting Business: 2/7/20 County Clerk, s/ D5511 NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk.

2/21/20, 2/28/20, 3/6/20, 3/13/20 Corrected on: 4/3/20, 4/10/20, 4/17/20, 4/24/20

FBN 20200001606 The following entity is doing business as: GAMESTOP 7818 411 MONTARA ROAD, SUITE 106 BARSTOW, CA 92311 GAMESTOP, INC. 625 WESTPORT PARKWAY GRAPEVINE, TX 76051 Mailing Address: 625 WESTPORT PARKWAY GRAPEVINE TX 76051 A Minnesota Corporation C1969245 This Business is Conducted By: A CORPORATION Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT.

Public Notices

FBN 20190014933 The following person is doing business as: JS HOBBIES 999 N. WATERMAN SAN BERNARDINO, CA 92410 999 N. WATERMAN SAN BERNARDINO, CA 92410

This Business is Conducted By: AN INDIVIDUAL Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT.

A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing.

s/ JAMAL THOMAS This statement was filed with the County Clerk of San Bernardino on: 12/27/2019

I hereby certify that this is a correct copy of the original statement on file in my office.

Began Transacting Business: 12/02/2004 County Clerk, Deputy NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk.

Published in the San Bernardino County Sentinel on 1/24, 1/31, 2/7 & 2/14, 2020. Corrected on 4/3/20, 4/10/20, 4/17/20, 4/24/20

APN: 1090-512-19-0-000 T.S. No.: 2019-2390 Order No.:1419741CAD NOTICE OF TRUSTEE'S SALE YOU ARE IN DEFAULT UNDER A DEED OF TRUST DATED 3/26/2019. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE.

IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER. Will sell at a public auction sale to the highest bidder, payable at the time of sale in lawful money of the united states, by a cashier's check drawn on a state of national bank, check drawn by a state or federal credit union, or a check drawn by a state or federal savings and loan association, or savings association, or savings bank specified in Section 5102 of the Financial Code and authorized to do business in this state will be held by the duly appointed trustee as shown below, of all right, title, and interest conveyed to and now held by the trustee in the hereinafter described property under and pursuant to a Deed of Trust described below.

The sale will be made, but without covenant or warranty, express or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by the Deed of Trust, with interest and late charges thereon, as provided in the note(s), advances, under the terms of the Deed of Trust, interest thereon, fees, charges, and expenses of the Trustee for the total amount (at the time of the initial publication of the Notice of Sale) reasonably estimated to be set forth below.

The amount may be greater on the day of sale. Trustor: Enrique Alvaro, Jr. A Single Man. Duly Appointed Trustee: S.B.S. TRUST DEED NETWORK, A CALIFORNIA CORPORATION Deed of Trust recorded 3/29/2019, as Instrument No. 2019-0097035 in book XX, page, XX of Official Records in the office of the Recorder of San Bernardino County, California. Date of Sale: 5/4/2020 at 1:00 PM Place of Sale: NEAR THE FRONT STEPS LEADING UP TO THE CITY OF CHINO CIVIC CENTER, 13220 CENTRAL AVENUE, CHINO, CA 91710 Amount of unpaid balance and other reasonable estimated charges: \$70,512.34 Street Address or other common designation of real property: 12883 Silver Rose Court Rancho Cucamonga, CA 91739

Public Notices

A.P.N.: 1090-512-19-0-000. The undersigned Trustee disclaims any liability for any incorrectness of the street address or other common designation, if any, shown above.

If no street address or other common designation is shown, directions to the location of the property may be obtained by sending a written request to the beneficiary within 10 days of the date of first publication of this Notice of Sale. NOTICE TO POTENTIAL BIDDERS: If you are considering bidding on this property lien, you should understand that there are risks involved in bidding at a trustee auction.

You will be bidding on a lien, not on the property itself. Placing the highest bid at a trustee auction does not automatically entitle you to free and clear ownership of the property. You should also be aware that the lien being auctioned off may be a junior lien.

If you are the highest bidder at the auction, you are or may be responsible for paying off all liens senior to the lien being auctioned off, before you can receive clear title to the property. You are encouraged to investigate the existence, priority, and size of outstanding liens that may exist on this property by contacting the county recorder's office or a title insurance company, either of which may charge you a fee for this information.

If you consult either of these resources, you should be aware that the same lender may hold more than one mortgage or deed of trust on the property. NOTICE TO PROPERTY OWNER: The sale date shown on this notice of sale may be postponed one or more times by the mortgagee, beneficiary, trustee, or a court, pursuant to Section 2924g of the California Civil Code.

The law requires that information about trustee sale postponements be made available to you and to the public, as a courtesy to those not present at the sale. If you wish to learn whether your sale date has been postponed, and, if applicable, the rescheduled time and date for the sale of this property, you may call FOR SALES INFORMATION, PLEASE CALL (855)986-9342, or visit this Internet Web site www.superiordefault.com using the file number assigned to this case 2019-2390.

Information about postponements that are very short in duration or that occur close in time to the scheduled sale may not immediately be reflected in the telephone information or on the Internet Web site. The best way to verify postponement information is to attend the scheduled sale. Date: 3/24/2020. S.B.S. TRUST DEED NETWORK, A CALIFORNIA CORPORATION. 31194 La Baya Drive, Suite 106, Westlake Village, California, 91362 (818)991-4600. By: Colleen Irby, Trustee Sale Officer. WE ARE ATTEMPTING TO COLLECT A DEBT, AND ANY INFORMATION WE OBTAIN WILL BE USED FOR THAT PURPOSE. (04/10/20, 04/17/20, 04/20/20 T\$# 2019-2390 SDI-18032)

SUMMONS - (CITACION JUDICIAL) CASE NUMBER (NUMERO DEL CASO) CIVDS1932490 NOTICE TO DEFENDANT (AVISO DEMANDADO): CHARLES PRESLEY; SHARLEENA PRESLEY; AND DOES I TO 10, INCLUSIVE, YOU ARE BEING SUED BY PLAINTIFF (LO ESTA DEMANDANDO EL DEMANDANTE): VETERAN SECURITY NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below. You have 30 CALENDAR DAYS after this summons is served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you.

Public Notices

Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association.

NOTE: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. ¡AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación

Tiene 30 DIAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no le protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted puede usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida si secretario de la corte que le de un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de referencia a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos gravamen sobre cualquier recuperación de \$10,000 o más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desear el caso.

The name and address of the court is: (El nombre y la dirección de la corte es): Superior Court of California County of San Bernardino San Bernardino, Central 247 West Third Street, San Bernardino, CA 92415-0210 The name, address and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: (El nombre, la dirección y el número telefónico del abogado de la parte demandante, o de la parte demandante, es:)

West Valley Water Board In Rialto Beset With Radically Shifting Political Alliances

from page 8

faces challenges of his own, having to overcome entrenched problems at the water district. The difficulties are myriad, indeed so deep and in some respects convoluted, that if Hawkins proves equal to the task of resolving them, his advancement is virtually assured. Conversely, his having attached himself to the district carries with it the potential that the district's tangle of predicaments will envelope him, dulling whatever luster he can be said to currently possess, and at worst end his political viability outright.

One problem that dogs the district is that it has far too many colonels and generals and not enough privates and corporals. Additionally, the general staff is not getting along with the district's single four star general.

Just a few days after Hawkins was installed as district president, a letter from sixteen of the district's eighteen department managers was delivered to Hawkins and the remainder of the board, pressing them to relieve General Manager Clarence Mansell of his position as lead staff member, alleging he had been dishonest and conspiratorial in hiring individuals unsuitable and untrained for the tasks they were to perform and promoting others who lacked qualifications, adequate experience and demonstrable competence to perform the assignments given to them. Many of those reading the letter were uncertain about whether to be shocked more by the accusations that touched on Mansell's cronyism, dishonesty and lack of transparency, poor communication, disrespect for employees and questionable professionalism than they were at learning that the district had 18 department heads in addition to three assistant general manager po-

sitions.

A pattern that had been established and had grown entrenched in the district prior to Mansell's arrival as general manager in 2018 was the provision of sinecures – high paying and mostly do-nothing positions – to the friends, political associates, supporters and family members of the board members.

The West Valley Water District operates five treatment plants, 385 miles of pipeline, 25 reservoirs and 17 wells in the Chino, Bunker Hill, Lytle Creek, North Riverside and Rialto-Colton water basins to serve more than 80,000 residents in Rialto, Fontana, Bloomington and north Riverside County through more than 24,000 service connections. Yet it is not the only purveyor of water to Fontana, Rialto and Colton. The 80,000 residents it serves are fewer than those residents in either Fontana, at 214,000 or Rialto, with 104,000. Nor is the water district responsible for anywhere near the range of services provided by the cities of Fontana, Rialto or Colton, and is limited directly to the provision of potable water to households and businesses within its jurisdiction. Fontana employs a city manager, an assistant to the city manager and 17 department heads overseeing 19 departments. Rialto employs a city manager, an assistant city manager and nine department heads overseeing nine departments. Colton, with a population of 55,500, and which contains its own utility division providing its residents and businesses electricity, water and sewer service, has a city manager and 13 department heads.

The top-heaviness in the West Valley Water District is evident in the consideration that at least 17 employees are receiving salaries alone in excess of \$100,000 per year, 25 employees are receiving salary and benefits in excess of \$150,000 per year, at least eight are receiving salary and benefits exceeding \$200,000 per year and four employees are receiving salaries

and benefits of \$250,000 per year or more.

One of those in the quarter-of-a-million-dollar-per-year bracket is Jeremiah Brosowske, a political operative upon whom the position of assistant general manager was conferred last May.

Brosowske, who possessed no experience, no training, held no certificates or licenses, and had no expertise in water operations, was given two areas of responsibility upon hiring, those being public information dissemination and customer relations.

Already in place at the district was another assistant general manager, Richard Pacheco, whose title, general manager for external affairs, implied that he too was responsible for overseeing public relations. He was moved into an assignment overseeing operations to make way for Brosowske. In addition, working for the district at that time was one of Brosowske's acquaintances from electioneering efforts at the level of the San Bernardino County Republican Party, Naseem Farooqi, the district's public affairs manager.

In October, just as the campaigns for the three positions on the West Valley Water Board were hitting fever pitch, evidence surfaced, consisting of some form of electronic media, showing that Brosowske was engaged in work on the premises of the West Valley Water District Headquarters at 855 West Baseline Road in Rialto on behalf of one of the district's board candidates. Within days, there were follow-up reports that Brosowske was actively working on behalf of Olinger against Hawkins as well as for Angel Ramirez, who was challenging incumbent Greg Young. In the wake of the accusation that he was engaged in partisan electioneering activity during work hours performed at the district's premises, there were calls for Brosowske's suspension. After the November electoral victories by Hawkins and Young, there was widespread anticipation that Brosowske's firing

would follow.

There was been even more pointed scrutiny of Brosowske's circumstance after the district board, in December at Hawkins' instigation, retained the services of ChamberlaynePR, a public relations firm headed by Charles Chamberlayne. Recently, when the need for employing a public relations firm was brought into question given that the district already had what many considered to be a redundancy in public information capability in the persons of Brosowske and Farooqi at a combined cost to the district exceeding \$400,000, word emanated from the district that the retention of ChamberlaynePR represented the first move in the direction of dispensing with both Brosowske and Farooqi. At present, ChamberlaynePR has been detailed to handling the district's communications with regard to the response to the coronavirus challenge, an assignment that logically would lie with Brosowske and Farooqi.

Of note, is that Charles Chamberlayne has devoted some time, in addition to his communications with regard to the virus, to defending the district and Hawkins in particular, in a recently-created webpage on the district's website devoted to news articles, primarily or exclusively ones that have appeared in the county's largest daily newspaper, the *San Bernardino Sun*. The *Sun's* reportage has extended to the district's retention of Chamberlayne, who attended Howard University in Washington, D.C. with Hawkins, as well as the district's retention of Rodney Diggs, an attorney with the Los Angeles law firm Ivie, McNeill & Wyatt, to do legal work on behalf of the district. Diggs also attended Howard University with Hawkins in the early 2000s. The webpage put together by Chamberlayne does not deal explicitly with the precise, and what many consider to be the actual, reason for Chamberlayne's work with the district, what is taken by some as an indication that Brosowske and

Farooqi are to soon be handed pink slips.

Hawkins skillfully shayed around the issue when questioned about the circumstance by the *Sentinel*.

"What I think I can safely say to you is that we have brought ChamberlaynePR in to make sure we have very clear communications with our ratepayers and customers with regard to the COVID-19 situation, so they have confidence we are making wise use of our resources," Hawkins said last week. "I will allow you to judge how well they are doing that. ChamberlaynePR – Charles – is also working on an evaluation and analysis of our external affairs department. I believe they should have something the board can review at this next meeting."

At the West Valley board meeting held last night, April 16, the Chamberlayne firm provided the board in closed session the assessment report for external affairs. The report, while not yet public, used devastating language in its assessment of Brosowske's performance and leadership. Brosowske, knowledgeable of the findings and sensing what was to soon come his way, offered a separation agreement effective Friday. The board considered Brosowske's proposal in a closed, executive session that evening and afterwards it was reported out that the board voted 4-to-0, with Greg Young abstaining, to accept Brosowske's offer.

Every bit as thorny for Hawkins is what the district is going to do with Mansell. Prior to Hawkins' election, Mansell had become a pivot point for the sharply divided board. Under the ground rules for political survival at that point, there were two choices for district employees. One option was siding with the Taylor-led faction, consisting of Taylor, Crowther and Olinger, which was in control; or one could side with the Clifford Young-led faction; consisting of Young and Young, which did not have sufficient political muscle to control the

district at that juncture; or one could endeavor to remain neutral. Before the election at which Olinger was displaced by Hawkins, the latter two choices carried some risk. The complexion changed somewhat once the November election was held in which Hawkins defeated Olinger and Greg Young and Crowther retained their positions.

Two days after the election, while Hawkins was not yet sworn in and Olinger remained as a lame duck, the board during a regularly scheduled meeting, ratified a separation agreement with Assistant General Manager Richard Pacheco, who had been placed on paid administrative leave in the spring of 2019 for reasons that have not been publicly disclosed. Pacheco is a member of the Baldwin Park City Council, in which capacity he had voted to rehire Dr. Taylor to serve as that city's police chief. After the once-close political relationship between Clifford Young and Taylor soured in 2018, Clifford Young had joined with former West Valley Water District Chief Financial Officer Naisha Davis and one-time Assistant West Valley Water District Board Secretary Patricia Romero, who has now been moved into the district's customer service division, in filing a qui tam lawsuit against the district, alleging a host of depredations, including elaborate quid pro quos variously described as kickbacks or bribes in which Taylor was rehired as police chief in Baldwin Park in exchange for Pacheco getting the assistant general manager's post at West Valley, and Robert Tafoya, the city attorney in Baldwin Park, being hired as general counsel at the West Valley Water District. According to the qui tam suit, there were various other "false claims" for payment made to and paid out from the water district involving a cast of individuals or firms tied in one way or another to Taylor, Pacheco and Tafoya, including the law firm of Albright, Yee & *Continued on Page 11*

Apply The Same Standard To Government That Government Applies To Citizens, Citizen Activist Suggests *from page 6*

en the coronavirus safety restrictions imposed on the public.

“I have concerns that the meeting was even held,” Matuszak said.

Matuszak said, “Our organization called the Friends of Live Oak Canyon came into existence more than thirty years ago for the purpose of preserving the natural environment of Live Oak Canyon. That is our stated goal. I have presided over the non-profit organization for about thirty years. I have been involved with all five different government agencies and regularly

attend many public hearings relating to any local government action to be taken with regard to development or any other issue. So, I was shocked that the meeting took place. I was given no notification of the meeting. I have been very active with the City of Redlands for over three decades. They know who I am and that if there is going to be any discussion relating to any type of development that I want to be noticed. I received no notification. I found out about it late the night before the meeting. I had to rally our organization at the last moment to make sure there was some public testimony that reflected the position of our residents. Our residents accounted for nearly half of the written public comments. All were against the extension.”

Matuszak continued,

“I am not aware of anyone whose testimony said it was a good thing to extend that permit, yet the planning commission voted unanimously to make the time extension. I would question whether the members of the planning commission were listening to the members of the public.”

Matuszak said, “My first question to the planning commission is: Are they being responsive to the people they represent? If you look at Tuesday night’s meeting there was a blatant disregard of the issues that were raised by the residents of Live Oak Canyon. Their decision to extend the permit was a slap in the face to our residents.”

Matuszak said he would further ask, “Is the City of Redlands doing what is reportedly being done in other jurisdictions? Are they minimizing public comment

by holding what should be considered non-essential public hearings? It’s not clear to me if this is an intentional attempt to minimize public comment and slip a decision through without it being noticed, or if it is simply an irresponsible and reckless policy to hold a non-essential public hearing during a state of national crisis brought about by the COVID-19 pandemic. Ultimately, it is the Redlands City Council’s decision to regulate their management’s public activity. And doesn’t anyone in the planning commission have any concerns about holding a non-essential public hearing in these times for their own safety? Perhaps the answer lies with an exposé of whether the Mistretta group donated to any of the council members’ campaign funds.”

Matuszak said he re-

sented local public officials using the emergency situation to slip out from under their obligation to hear and redress the public-at-large’s concerns.

“I frequently attend those meetings,” Matuszak said. “I’m in a high [coronavirus] risk category because of my age and preexisting medical conditions, so I intentionally didn’t attend the meeting. I did respond in writing, but public testimony is always more effective than written testimony. If you are sensing a pattern of this going on in other places as well, I believe there should be some questions asked of local government and particularly the City of Redlands. Quite frankly, I think that the governor of California should put a stop to all non-essential meetings and particularly meetings like

what was held yesterday with the processing of the request to extend the time for that project.”

Government should apply the same standard to itself that it is imposing on citizens, Matuszak said.

“Restaurants are closed,” he said. “Gatherings of more than ten people have been banned entirely and the City of Redlands was conducting a meeting that was non-essential. That meeting should have been postponed until it was safe for the public to attend.”

At Wednesday’s city council meeting, the mayor and council members discussed issues relating to the coronavirus emergency, but did not address the concept of limiting the city’s virtual meetings to essential business.

-Mark Gutglueck

Joshua Trees *from front page*

The trees have been afforded some level of protection within Joshua Tree National Park, which lies within San Bernardino County. However, outside the park off-road vehicle use, cattle grazing, pow-

erlines and pipelines and large-scale energy projects are destroying its habitat. Approximately 40 percent of the western Joshua tree’s range in California is on private land, with only a minute percentage protected from development. The Center For Biological Diversity has projected that virtually all of this

habitat will be lost without stronger legal protections for the trees.

“The California Endangered Species Act may be the only hope for saving these iconic symbols of the Mojave Desert,” said Cummings. “Joshua trees are uprooted or bulldozed on a daily basis to make way for roads, powerlines,

strip malls and vacation rentals right up to the borders of our national parks. If these beautiful plants are to have any hope of surviving the difficult decades ahead, we have to stop killing them.”

The Joshua tree has recently been recognized as composed of two distinct species,

the western Joshua tree (*yucca brevifolia*) and the eastern Joshua tree (*yucca jaegeriana*). The two species occupy different areas of the desert, are genetically and morphologically distinguishable, and have different pollinating moths.

The April 13 recommendation addresses the western species, and

came in response to a petition the Center for Biological Diversity filed with the state in October, asking for western Joshua trees to be protected under the California Endangered Species Act. In June California’s Fish and Game Commission will decide whether to accept the department’s recommendation. *Continued on Page 12*

Councilwoman Richard Advises Her Colleagues To Not Let Emotion Drive Them Into Refusing Mayor Valdivia Legal Support In Fighting The Abuse Allegations Lodged By His Current & Former Employees Against Him *from page 5*

or the same ones that he was in – but there’s certain people that have been involved and they needed representation and they asked for it. By law, being a city employee, we are obligated to give him representation, whether it be the people the city attorney brought forth or the city attorney themselves. So we need to think about it, and think about it long and hard. If that is that way you guys want it to be, you should have said that in closed session.”

Ibarra then cited Government Code § 815 3B, which, she said, holds that in cases involving sexual harassment or

corruption allegations against a public official, the governmental entity with which the person accused is affiliated is not obliged to defray the cost of legal representation. “Under that government code, we do not have the obligation to represent him legally,” Ibarra said.

Deputy City Attorney Carvalho said, “The issue of whether the city council has a duty to defend is a factual question that’s provided for in the government code. That duty to defend is not absolute. There are exceptions to that, and we have discussed those exceptions, and some of

those exceptions are set forth in your staff report, including whether that individual has been acting within the scope of their employment, including whether the city asked for a reservation of rights agreement, and finally whether the individual acted with malice or fraud or intent similar to that.”

Councilman Shorett said, “The fact of the matter is... we do have an obligation to provide legal representation in this particular case. We do not, however, have to hire a special or outside attorney, or expend any extra money. So my motion would be simply that Mayor Valdivia gets lumped in with all the rest of us with the current city attorney providing legal services for all of us, the city, including any employees who are involved, at least for the time being. In other

words, we do have to provide legal service and representation, but we do not have to hire a special or more expensive or a separate attorney for that particular employee. So my motion would be, simply, that we not hire any of the suggested attorneys, but that the mayor in this case just be lumped in with the representation by our city attorney staff to do what we need to do to go through this process.”

Shortly thereafter, Councilman Henry Nickel said, “I move to table this item. If it’s already under the authority of the city attorney, why are we even considering it? Let’s just table it.”

In American parliamentary procedure, tabling an item means to postpone or suspend consideration of the matter.

When the vote to do so was initially taken,

Sanchez, Shorett and Nickel voted to do so, but Ibarra, Figueroa, Richard and Mulvihill were opposed.

Figueroa’s and Richard’s rationale was different than those of Ibarra and Mulvihill.

Ibarra wanted to pursue having the council vote to not fund Valdivia’s legal defense altogether. She demonstrated that when she cited yet another element of the Government Code, this time § 995.2, which she said would justify leaving Valdivia on his own to construct a defense of his actions. “Based on the allegations that have come out, without us having the results of the investigation, which is beyond the 45 days [following the lodging of the Cisneros and Cervantes complaints], we need to be very careful of what we are voting on right now,”

Ibarra said. “That’s why I’m voting no. If we have the opportunity to deny the legal representation, especially when it’s been only one of us that’s been named in a lot of these allegations, I don’t think that’s something the city should be paying for.”

Mulvihill wanted an opportunity to discuss the matter further.

Figueroa and Richard were in favor of having the city defray Valdivia’s defense costs.

After some brief further discussion, Mulvihill indicated he wanted to withdraw his vote against tabling the matter. Nickel motioned that the proposal to pay \$50,000 toward Valdivia’s defense be tabled and Shorett seconded it. It then passed with Sanchez, Shorett, Nickel and Mulvihill prevailing.

-Mark Gutglueck

Kneejerking To Unfounded Press Reports Of Un-toward Activity Is “No Way To Run A Public Agency,” Hawkins Says

from page 9

Schmit; the Kaufman Law Firm; and consultant Robert Katherman, all of whom were given contracts with the water district. All, or much, of this was alleged to have been orchestrated by Mansell in his capacity as district general manager.

It was suggested though never publicly confirmed that Pacheco's suspension had come about because of information that had surfaced as a result of the qui tam suit. In November 2019, with Olinger's days on the board numbered, a quiet exit for Pacheco was arranged in the backroom and, after he had drawn some \$135,000 in salary and benefits in the previous six months while he was on administrative leave, the board in a closed session ratified a separation agreement with him on a 4-to-0 vote without Clifford Young participating that conferred upon him nine more months of salary, equal to \$142,194, and included Pacheco's pledge to forever relinquish any claims against the district based upon his employment there and his forced departure therefrom.

The terms of that agreement were worked out by Tafoya.

At that point, given the manner in which Taylor had politically militated against Hawkins in the just-concluded election and the greater and lesser amounts of money he and Crowther had put behind Olinger in the campaign, it was taken as an article of faith that within a relatively short period of time Hawkins would hew to the side of the political divide wherein Greg Young and Clifford Young were situated, such that it was probable that Tafoya and his firm would soon no longer be associated with the district and that Mansell would make his departure as general manager as well.

Taylor's adroit maneuvering in agreeing to advancing Hawkins directly into the president's position has succeeded, for more than four months now, in keeping both Mansell and Tafoya in place.

Another factor has been militating in Mansell's favor as well. Mansell was once employed by Veolia Water North America. In 2013, in what was perhaps the first major undertaking by the City of Rialto during Deborah Robertson's tenure as mayor, the city awarded Veolia Water North America a 30-year contract to take over operations of Rialto's aging and dilapidating water and wastewater systems. The 30-year contract, which is projected to provide Veolia Water approximately \$300 million in revenue over that time, allowed the city to slip out from underneath the very expensive burden of reconstructing and maintaining its water and sewer system infrastructure and managing its operations, while diverting any ire local residents may have had over the increases in water and sewer rates that have been imposed since from being vectored at the city and rather toward the company. Robertson developed a positive working relationship with Mansell as a result, and she has served as an influential voice in encouraging Hawkins to not give into Young and Young in their relentless advocacy of Mansell's firing.

Hawkins deflected the *Sentinel's* pointed inquiry with regard to Mansell's prospects for survival at West Valley.

“Every person is entitled to due process,” he said. “That is a fundamental element of what our founding fathers envisioned. I don't think our decisions should be based on spectacular reports of wrongdoing that have appeared in the latest editions of the newspapers. That is no way to run a public agency. I don't know anything about the hiring of cronies. I think it is very important that we convert these unsubstantiated reports of impropriety into something that can be proven before we

take action. Yes, there are a range of concerns with regard to how our district is being operated and managed. We have a process in place to evaluate that. There are questions about the directions that have been given and the lines of authority. One of the things being worked on is a new employee handbook. This should lay out what the objectives are, clearly. We are making strides in that direction. Our main priority is being responsive to the ratepayers in the district. Right now, Clarence Mansell is the general manager of the West Valley Water District.”

While Taylor from time to time finds himself frustrated at the direction the board has taken under Hawkins' stewardship of the district, those are relatively minor issues he is willing to reconcile himself to, as the two issues most important to him – keeping Mansell as general manager and Tafoya as general counsel – have been served by the fragile alliance he has been able to maintain with Hawkins.

Still the same, how long Mansell will remain is yet an open question.

A letter signed in December by Farooqi, General Services Manager Jon Stephenson, Acting Human Resources Manager Paul Becker, Operations Manager Joanne Chan, Engineering Services Manager Linda Jadeski, Business Systems Manager Albert Clinger, Accounting Manager Jose Velasquez, Geographic Information Systems Manager Telat Yalcin, Purchasing Supervisor Al Robles, Production Supervisor Joe Schaak, Water Quality Supervisor Anthony Budicin, Customer Service Supervisor Alberto Yulo, Chief Treatment Plant Operator Ernie Montelongo and Chief Treatment Plant Operator Sergio Granda stated, “General Manager Mansell has alienated employees by removing responsibilities from specific individuals to those who will do his bidding” and that “it is our fundamental belief that without a change in leadership, our once proud West Valley Water

District will continue to decline and water services will be at risk to our customers.”

The letter cautioned the board's members that Mansell had been less than straightforward in his dealing with them, asserting that “Mr. Mansell has justified all of his actions by stating that the board is aware of and in support. We believe this to be an untrue statement as his actions are oftentimes in direct contradiction to your statements on the dais.” The letter somewhat melodramatically intoned that “we have come to the firm conclusion that the only way to save our water district is to change the leadership of the West Valley Water District.”

Well recognized is that both Young and Young are gunning to be rid of Mansell, but that both Taylor and Crowther were adamant about having him stay as general manager, such that Hawkins' vote would be indispensable if Mansell is to be cashiered. That, however, might not be fully accurate, as there have been recurrent indications that Crowther has become displeased with several developments at the district, and has not accepted Mansell's explanation of what has occurred nor the general manager's assertion that he had no hand in them. Whether Crowther would prove willing to break ranks with Taylor on the issue of Mansell's cashiering and enter into a hitherto uncharacteristic alliance with Young and Young to do so against Taylor's wishes remains to be seen.

Ed Scott is the longest serving member currently on the Rialto City Council, which gives him both an historical perspective, a keen sense of the city's politics and tenor of governance, and a general feel for the pulse of the community. His status as a municipal insider is tempered by his being a Republican in an overwhelmingly Democratic town together with his loss to Robertson in the 2012 mayoral election. Having nevertheless managed to be reelected twice since unsuccessfully reaching

for that brass ring while forming a working relationship with his four Democratic colleagues on the council, Scott offered his perspective on where the city stands, and its prospect, based on Baca's inside track position for moving onto the board of supervisors later this year, of achieving the political prominence it has not had for some time.

Jesse Armendarez will have a hard time beating Baca in November, Scott opined. “It is clearly an uphill climb for him,” Scott said. “He is going to have a very difficult turn out on the hustings as a Republican in an area that is this heavily Democratic.” That is not to mention, Scott said, that he is himself supporting Baca. “I agree; This is Joe's race to lose,” Scott said. “I can't see, unless I am really missing something, Jesse coming in ahead of him. It is my personal opinion that it comes down to how hard you work and how engaged you become with the job at hand. Joe has that kind of work ethic, that level of commitment.”

With Baca seemingly destined to move his office out of Rialto City Hall to the fifth floor of the county administrative building in downtown San Bernardino along with the election/reelection of two members of the city council and the election/reelection of the mayor scheduled for November, Scott said, “There could be a significant change on the council by this time next year.”

Scott said that the matter relating to the allegations of nepotism against the mayor was serious, but that Robertson would likely “weather this storm. I don't know what the special auditor is considering or what the audit will say. The auditing firm came to us with something they were concerned about. That's what is being looked at now.”

Scott continued, “I think she'll come through this. Deborah's very popular in the community. She's been here a long time, as I have. No matter the outcome, I would think she would still have some degree of

influence.”

Scott said he is relatively “happy with the council as it is. I think together we have done a pretty nice job. As far as the mayor and I go, I see her as someone with a similar vision to mine on a majority of the things that come before us. We both want to move the city forward, in a positive direction, or at least not move it backward. For the most part, we have a pretty consistently unanimous council. I tend to be more conservative than the rest. I question things brought to us by staff more. In some cases, I have been able to persuade the council to rethink, sometimes, what our position is going to be. On some of the most important things I have succeeded. I don't always bring things up. When I do, I think they listen.”

Scott contrasted the circumstance at Rialto City Hall with what is going on in the water district.

“My opinion is there is a huge lack of transparency in West Valley,” he said. “I think they are an embarrassment to our community. I am concerned about the favoritism and misuse of funding, the hiring practices, promotions. They haven't done a good job in that regard. They have hired people, frankly, that we got rid of. I don't think that district is representative of what Rialto is or what Rialto should be. When you read about these things in the papers, it is an embarrassment.”

Scott said, “I really don't know Mr. Hawkins. I don't see that there has been a lot of change in the district since he got there. I know he campaigned on a platform that he would try to clean out what is going on there, and he did have a relationship with the mayor, who was promoting him.”

As for Hawkins moving into the presidency of the board immediately, Scott said, “I don't think that's a good practice. I frankly don't think he had the experience. I don't believe that when a person first gets elected he knows everything

Continued on Page 12

California Style Clutch

By Grace Bernal



bigger the better. It can be paired with anything from a spring dress, denim outfit, or shorts. The clutch, being large, is going to add a statement

Aside from masks and very little going on the streets, I am going to focus on another accessory, that being the clutch. Looks like the



clutches have interesting patterns and writing. I miss the hustle

and bustle of fashion on the streets of Southern California. It seems as if minimalism is going to take place, as many con-



tinue to work and study from home. What people are really doing is dressing the mind. All things considered, the mind is a powerful thing to waste, so keep bringing creative, even if you can't get out. Stay safe!



"Accessories are the perfect way to add something special. A hair comb or a beaded clutch can be a lovely detail to finish your bridal look."
Jenny Packham



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

At Present, Baca's Candidacy Is The Unifying Principle In Rialto Political Circles *from page 11*

there is to know. It's hard to be the leader of an organization to begin with, and to just overnight be the president of a district like that where you have significant challenges and you really don't know the ins and outs, it's going to take some time to get on your feet and know what you're doing so you can keep moving. I don't think it would be a good idea to make someone who was just elected to the council mayor pro tem. We just wouldn't do that. So, yeah, I think this is part of his being promoted to run for higher office. I think he will be running for council later this year."

As to the spectacle of Taylor working so hard to assist Olinger in getting reelected and keep Hawkins out of office only to make a 180 degree reversal to support

Hawkins' installation as board president, Scott said, "The only thing I can say is that in politics, sometimes things aren't what they seem. There is a lot of smoke and mirrors. I'm not sure what the deal is there."

There is, Scott said, "a real issue in the West Valley Water District with the way they hire consultants and contractors. We have a policy in the city where you don't vote on someone getting work you have a relationship with. You shouldn't get elected to hire friends and family members. You should hire the best qualified people to do the job. Some of the relationships I have heard about in the water district seem very strange to me."

Political ambition is not in and of itself bad, Scott said, but vaulting ambition is not good, he suggested. Baca's move toward the board of supervisors is coming nearly 14 years after he was first elected as a councilman, Scott pointed out. Hawkins running for the water board was reasonable, he said. His assuming the presidency

within 15 minutes of being sworn in was not, Scott insisted. There is no law against Hawkins running for the city council, he said, but he should remember that the voters of his district division just elected him to serve them in that capacity for four years. People are moving the timetable beyond itself by suggesting Hawkins should run for mayor in November, Scott said.

"It is strange how people end up in different relationships after they get into office," Scott said. "Sometimes people are nothing like what you think they are after they get elected."

Of Hawkins, Scott said, "I don't think this time is the right time for him to be looking at running for the city council, if that is what he is going to do."

Scott observed that in comparison to neighboring San Bernardino or Colton, Rialto has lagged behind in placing its native sons and daughters into the statehouse or onto the board of supervisors. But keeping its politicians local

isn't all bad, he said.

"Historically, Rialto has been one of the more politically stable cities in the region," he said. "That is at least partially because our council people and mayors haven't looked at moving up."

Baca's recent good fortune and the likelihood of advancing represents a change, he said. "I think it's a positive development for Rialto," he said. "I think it's positive because I know Joe really well. I can't say I have always agreed with him, but he has always listened to me. I have to say that he has always given me that courtesy. He has a lot of experience, and I think he will be good for the entire district. He will be an improvement. I don't think the county has done a good job addressing the homeless situation across the county or in our district. The county should be way more aggressive in trying to deal with it. I don't think our county leaders have done a good job at all. I don't see great leadership in the county. You need someone to step up to the plate

and lead on these issues. We have had enough of people with authority ignoring very obvious situations. I don't think that is what Joe will do. I think he will pay attention, not just to Rialto, but the whole district, the whole county. I have nothing against Jesse [Armendarez]. He's a good guy. I don't think he has the experience we need on the board of supervisors."

If Baca is victorious in November, Scott said, the council will not call for a special election on the heels of what will then be the just-concluded election. A special election would cost the

city upwards of \$70,000 to hold, and Scott said the council instead of throwing that money away will make an appointment to fill the void that will be created by Baca's resignation.

Hawkins, who in his exchange with the *Sentinel* consistently downplayed suggestions he is looking to move into higher office later this year, indicated that he was in strong agreement with Scott over one issue regarding the November election.

"I will be working to ensure that Joe Baca is elected Fifth District supervisor," he said.

State Contemplating Joshua Tree Protection *from page 7*

ment's recommendation and grant the imperiled plants candidate status under state law. A candidate designation triggers a yearlong review of whether the species should be formally protected under the state

act. The species is legally protected during the review period.

If the state makes that designation, it will join with the cities of Hesperia, Palmdale, Victorville, Yucca Valley and both Los Angeles and San Bernardino counties, which have already passed Joshua tree habitat protection ordinances.

-Mark Gutglueck