

Measure Reducing Supervisors' Compensation To \$60K Sent To November Ballot

By Mark Gutglueck

It appears that a measure which would, if passed, reduce the compensation of each of the members of the board of supervisors to \$5,000 per month has qualified for the November ballot.

The Red Brennan Group last year began circulating a petition to force the referendum, gathering 75,132 signatures which were affixed to copies of the petition.

Those documents, consisting of 10,121 pages, were handed over to the San Bernardino County Registrar of Voters Office on March 20.

According to Registrar of Voters Bob Page, a "3% random sample," of the signatures, consisting of 2,255, were examined. Of those, 1,840 were found to be the valid signatures of registered county voters and 415 were what Page

deemed "insufficient." He found among the valid signatures one duplicate. Thus, he projected, were the full 75,132 signatures to be examined, 60,228 would be determined to be valid. The three percent sampling standard can be used to certify an initiative petition drive, Page indicated, if the sampling projection shows that more than 110 percent of the required number of voter

signatures have been attained. The 60,228 signatures is equal to 112.1 percent of the 53,725 signatures needed to qualify the initiative. "Therefore," Page said, "the petition has been signed by the requisite number of qualified electors needed and based thereon is deemed sufficient."

The Red Brennan Group, which is named after the late govern-

ment reform advocate who qualified a similar initiative for the ballot in 2012, in 2017 undertook petition drives to qualify two countywide initiatives, one aimed at reducing members of the San Bernardino County Board of Supervisors to part time status and imposing on that panel's members a commensurate reduction in pay, and another more comprehensive mea-

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Upland Residents Responding To Amazon Facility Approval With Writ Of Mandate

A writ of mandamus is being prepared by an attorney working on behalf of a recently-formed citizens group to force the City of Upland to revisit its environmental certification of the controversial Bridge Point development proposal and rescind the approval of that project based upon flaws in that certification as well as what

those citizens maintain was an inadequate public hearing process for the undertaking, the *Sentinel* has learned.

Beginning in early 2018, Bridge Development Partners initiated backroom discussions with planning division employees and senior management with the City of Upland with regard to a massive distri-

bution facility for on-line retail giant Amazon.

In June 2019, during a so-called workshop involving city officials and Bridge Development Partners, the project was previewed as a proposal for a three-building warehouse complex involving 977,000 square feet under roof. Over the next several months, as objections to the scope

of the proposal manifested, the tentative site plan was modified several times until in October, a revamped conception of the project was presented, one that was reduced to a single structure of 276,250 square feet. When the environmental review documentation for the project was posted on December 16, 2019, it came in

the form of a negative mitigated declaration as opposed to an environmental impact report. In that documentation, the project was shown as a 201,096-square-foot distribution center to be located north of Foothill Boulevard and south of Cable Airport. After feedback from the public was accepted in conjunction with the

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Adelanto Hemorrhaging Red Ink With Hefty Payments To Lawyers

The City of Adelanto is being eaten alive by attorney fees it is paying out to defend itself against lawsuits brought against it by both former and current employees.

In the last payment register ratified by the city council – that is payments made over a two week period this month - \$135,547.04 in checks were cut to lawyers.

That is merely the lat-

est of the city's outlays in this regard, as the city has been plagued with a glut of lawsuits since about midway in the administration of the immediate former mayor, Richard Kerr. And there is little prospect those steep payments will end anytime soon.

Following the election of 2014, in which Mayor Kerr and councilmen John Woodard and Charley Glasper were

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Less Than One Percent Of The County's Population Has Been Coronavirus Tested

Six weeks after the regimen of isolation in the face of the coronavirus pandemic began in earnest, this week the number of known/confirmed cases of the condition in San Bernardino County eclipsed two thousand and the death toll was approaching 100.

Simultaneously, millions of the county's residents remain untested,

and substantial numbers of those who are currently evincing or once experienced the symptoms or those who fall into high risk categories associated with the disease cannot get tested.

As of Tuesday, the 29th of April, 1,827 San Bernardino County residents had tested positive for the coronavirus, according to the San Bernardino County Depart-

ment of Health, and 85 had died.

By Wednesday, according to the San Bernardino County Department of Health, the death toll had climbed to 89 and the number of infected countywide stood at 1,928.

At that point, nearly one in ten of those who had been tested – 9.9 percent – had evinced indications that they

Yucca Valley to take what he referred to as his "dream job" coaching at Big Bear High School.

2019 had been Stewart's first year as the Trojan's football coach. He had done an exemplary job, leading the team to an overall 7-4 record and a Desert Valley League Championship last fall, and into the California Interscholastic Federation playoffs. It was widely thought that he

would remain in place for some time to come.

Stewart had previously been the head coach at Victor Valley High School in Victorville and Silver High School in Yermo prior to that.

He reportedly told Yucca Valley High School Principal Justin Monical that he was leaving for Big Bear both because of what he felt the mountain community offered

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positive and 94 have perished.

The breakdown on those infected throughout the county shows that 30 of those cases involved residents of Adelanto, one case was in Angelus Oaks, 29 in Apple Valley, nine in Barstow, three in the unincorporated area of Big Bear City, five in the incorporated City of Big Bear Lake, 27

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Fourth Claim Against SB Mayor Details More & Deeper Depredations

The fourth of five current and former employees within San Bernardino Mayor John Valdivia's office who maintain they were mistreated by him while serving in their official capacities has filed a claim against the city.

The claim for damages filed by Valdivia's former legislative field representative, Jackie Aboud, intimates more directly than the claims of the two other women whose filings preceded hers that Valdivia expected her to have sex with him as a condition of her employment.

Valdivia, who previously served as councilman in San Bernardino's Third Ward, was elected mayor in 2018, defeating then-incumbent Carey Davis. He came into office as the first mayor elected under the city's new charter, which was passed by the city's voters in 2016, replacing the governmental model the city had functioned under for more than 11 decades. The city's former charter, put in place in 1905, provided the mayor with no vote on the council but did give him/her veto power over any 4-to-3 or 3-to-2 votes, which in practicality gave him/her two votes; it instilled in him/her tie-breaking authority when a council vote deadlocked; he/she presided over the council meetings and thus controlled the ebb-and-flow of discussion and debate, with the power to recognize or ignore the members of the council as he/she willed; and with the city manager he/she had authority to hire and fire city personnel. This combination of political power and ad-

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Knowing Development Proposal Embodied Multiple Issues Relating To Zoning Compatibility And Environmental Impacts, Upland Council Scheduled It For Consideration At A Meeting From Which The Public Was Excluded *from front page*

processing of the negative mitigated declaration, which some residents said was marred by the city's failure to post all of the public input and commentary submitted with respect to it, the planning commission, with Commissioner Alerxander Novikov absent, met on February 12 to consider the project. A total of 57 people, 33 of them Upland residents, addressed the commission with regard to the project during the five-hour meeting. Thirty of those residents expressed opposition to the project, while three voiced support of it. The majority of the 24 others who went on record, consisting of construction workers, representatives of the construction industry, construction union members or others who had a financial interest in the proposal proceeding, expressed project support.

Preparatory to its other votes, the planning commission first took up whether the Bridge Point project was compatible from a land use standpoint with the city's Cable Airport Land Use Compatibility Plan. On that item, Airport Land Use Committee members Ronald Campbell and Howard Bunte participated in the decision, which ended with a unanimous 7-0 finding that the project was in keeping with the plan's parameters.

Thereafter, the five present members of the planning commission voted 4-to-1, with Commissioner Yvette Walker dissenting, to recommend that the city council accept the environmental certification for the project, in the form of a mitigated negative declaration; 4-to-1, with Walker dissenting, to recommend that the city council approve a lot line adjustment for the project; and 3-to-2, with Walker and Com-

missioner Gary Schwary in opposition, to recommend approval of the development agreement. The most significant vote of the evening was a 3-to-2 vote to recommend that the city council reject the site plan, with Schwary, Walker and Commissioner Linden Brouse prevailing and commissioners Robin Aspinall and Carolyn Anderson dissenting.

Thereafter, the members of the commission were subjected to considerable pressure by lobbyists working on behalf of Bridge Development Partners and other advocates for the project. A fortnight after its first February meeting, the planning commission convened on February 26. Without any notice to the public that it was going to reconsider the matter, the panel that night took up its already concluded recommendation against acceptance of the site plan. In a vote unprecedented in Upland history, the planning commission reversed itself, with Brouse and Schwary changing their advocacy that the city council reject the proposed physical form of the project to an endorsement of the proposal, such that the commission's final vote on the matter, including the participation of the at-that-point present Novikov, was a 4-to-2 endorsement of the site plan, with Aspinall, Anderson, Schwary and Brouse prevailing over Walker and Novikov.

Well established at that point was the Bridge Point project was a controversial one.

As March dawned, Bridge Development Partners was engaged in a full-court press to expedite the final approval for the project, hopeful that ground for the distribution center could be broken by mid-spring, such that the project, or a significant portion of it,

could be completed and ready for occupancy by late October or November, in time for Amazon to be operating from the facility during the 2020 Christmas shopping season. Prior to the city council considering the project in the forum of a public hearing, city staff recommended that Bridge be facilitated in achieving its goal, and comments by members of the city council indicated that the project was one that was viewed favorably.

Before March had run its course, the COVID-19 health crisis descended across the nation and California, and with it mandates on social distancing and restrictions on public gatherings. Accompanying the precautions against the rampant spread of the virus was the prospect that any construction activity would be delayed for several months. With the number of Upland residents opposed to the project burgeoning, City Hall found itself inundated with citizen requests that the council postpone its consideration of the project until the ban on traditional public hearings was lifted so the council could be presented with, and take stock of, the various perspectives on the development proposal before passing judgment on it. The council at one point was purposed to hold a public hearing to consider the project and potentially vote with regard to whether it should be allowed to proceed at its March 23 regularly scheduled meeting, the first convocation of the council at which the traditional open meeting format for such events was suspended.

Given the public discomfiture the concept of holding a non-public meeting provoked, city officials canceled the hearing. Pressured by Bridge Development Partners, city officials in short order called for holding a special meeting on April 1 at which the sole order of business would be for the council to consider staff's recommendation to proceed with the project.

At the March 23 meeting and again at a specially called March 31 meeting to consider city action in the face of the coronavirus crisis, there was an outpouring of public sentiment against considering the project in any sort of forum in which the public's ability to participate was limited, which was matched by similar expressions from council members Bill Velto and Janice Elliott. Those requests did not avail from the full council any action to postpone the consideration of the project.

At the specially-called April 1 meeting, Mayor Debbie Stone officiated over the proceedings from her office at City Hall and the four council members participated by means of a remote video/audio hook-up from their homes, with city staff present electronically. The public was not granted physical access to the meeting. Those residents/members of the public who did participate, did so telephonically and without an opportunity to make any sort of visual displays.

At the video conference meeting, the council ultimately voted 5-to-0 to accept a lot line adjustment for the project site and 5-to-0 to accept a development agreement with Bridge Development Partners that committed the company to providing the city with \$17 million in fees, much of it intended as money provided in lieu of sales tax to make up for the consideration that Amazon's internet sales model does not entail the collection of sales tax as normally occurs from businesses retailing merchandise.

The council also voted 4-to-1 with Councilwoman Elliott dissenting, in regard to the issues critical to the approval of the project, those being accepting the mitigated negative declaration for the project and the approval of the project's site plan.

The vote provided Bridge Development Partners with an entitlement to proceed, putting the ball into the court of the project's oppo-

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nents to take legal action if they were to follow through on their stated determination to prevent the project from going forward.

And indeed, over the two weeks following the meeting, a group of residents rallied and launched an entity, Upland Community First, which, the *Sentinel* has learned, retained attorney Cory Briggs to represent it.

Under the California Environmental Quality Act, those with standing can contest the approval of a project, but must do so within thirty days of the approving agency recording a document known as a "notice of determination," which in most cases is filed within a week after the vote giving the project approval.

There was a lack of clarity, at that point, as to whether the current state of affairs with regard to the suspension of court activity in the State of California extended that deadline. On April 22, Governor Gavin Newsom issued an order that suspended for 60 days the public filing requirements relating to the California Environmental Quality Act. By earlier this week, Briggs had assembled a draft petition for writ of mandate and complaint for declaratory and injunctive relief which cited both the California Environmental Quality Act, California's Public Resources Code, California's Planning and Zoning Law, and the Upland Municipal Code.

In the draft writ, Briggs contends that those making the petition – the members of

Upland Community First – as well as other members of the Upland community opposed to the project had their fair hearing and due process rights violated.

"As a result of stay-at-home orders related to COVID-19, the city council meeting on the project occurred via teleconference despite one city councilwoman's motion to delay the meeting (which was rejected by the other councilmembers) to encourage full public participation," the draft writ of mandate states. "The decision to conduct the meeting by teleconference, along with respondent's actions leading up to the meeting, deprived the public of a full and fair opportunity to be heard on the project. The notice of public hearing for the project informs the public that anyone who wishes to comment on the project 'may do so in writing between the date of this notice and the public hearing; or, may appear and be heard at [Upland City Hall].'

There is nothing in the notice regarding meeting by teleconference. Contrary to the notice, the public was unable to attend the meeting, as it was held by teleconference. In order to comment on the project, any member of the public had to register two hours in advance by sending an email to respondent's city clerk containing the subject line 'public comment,' including the caller's name and telephone number so that the caller could be telephoned

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Fourth Claim Delineates San Bernardino Mayor's Insatiable Lechery from front page

ministrative reach rendered the mayor, essentially, a co-regent of the city. The 2016 charter revision ended the strong mayor form of government by removing the mayor's administrative authority, specifically his/her ability to extend employment opportunities to those he/she wished or to, alternately, terminate staff at his/her discretion.

Valdivia came into office, yearning for the power that had been taken away from the position before he was elected to it. One advantage he initially possessed was his political sway. Newly elected with him in the 2018 contests in which he had ousted incumbent Mayor Carey Davis were Ted Sanchez in the First Ward and Sandra Ibarra in the Second Ward. He had supported both in their maiden electoral efforts, and was able to count on their votes with regard to the initiatives he championed. He had previously established a close political alliance with incumbent Sixth Ward Councilwoman Bessine Richard and had a good working relationship with Fifth Ward Councilman Henry Nickel. When a special election was held in May to fill the position he had vacated in the Third Ward to move into the mayor's slot, the voters had chosen his handpicked successor, Juan Figueroa. The only two members of the council at odds with him were Fourth Ward Councilman Fred Shorett and Seventh Ward Councilman Jim Mulvihill. Shorett and Mulvihill, at that time, had insufficient political muscle to obstruct his control of the council.

To reconstruct the mayor's dominance of City Hall, Valdivia upon assuming office at once set about beefing up the mayor's staff. After the mayoral gavel was handed over to him by Davis, the only employee

answerable directly to him in the city's organizational chart was his chief of staff. With the assistance the individual he chose to fill that position, Bill Essayli, Valdivia sought to create for himself a support staff of nine. After some initial resistance on the part of Shorett, Mulvihill and Nickel to the concept of empowering the mayor's office, Valdivia ultimately prevailed, and by September of last year he had gone two thirds of the way toward reaching his staffing goal. All told, his office boasted a chief of staff, a constituent/customer service representative, an assistant, a full-time field representative, a part-time field representative, and a paid intern, in addition to a secretary that served both him and the city council.

Ironically, the addition of staff into the mayor's office that was done with the intention of extending Valdivia's power has now redounded in such a way that those employees, with each of their stories compounding on those of one another, represent a very real threat to Valdivia being able to remain in office or continue his political career in any fashion.

On January 29 of this year, two city employees, Mirna Cisneros, who had been working in Valdivia's office as a customer/constituent service representative since relatively early in his tenure as mayor, and Karen Cervantes, who had worked as his special assistant since September, resigned. They said they had been subjected to abusive behavior by the mayor, including being subjected to insults and sexually-tinged innuendo, sexual harassment and advances, and that they endured a hostile work environment along with a string of humiliations after rejecting those advances.

Cisneros and Cervantes are represented by attorney Tristan Pelayes, who guided them in their efforts during their latter stage of employment with the city to be moved into positions outside the

mayor's office. When the city demonstrated it was not amenable to placing them elsewhere, they resigned and a little more than two weeks later, on February 13, filed claims against the city.

In short order, it was revealed that Pelayes was representing three other city employees working within Valdivia's office, as well as a city commissioner who had similarly been subjected to abusive treatment by the mayor. Those clients were two other woman, Jackie Aboud, who had served as Valdivia's field representative for nearly ten months, and Alissa Payne, whom Valdivia had nominated to serve on the city's Arts and Historical Preservation Commission and the San Bernardino Parks, Recreation and Community Services Commission. The others were Don Smith, who had worked on Valdivia's campaign for mayor and was subsequently hired by the city to serve as Valdivia's part time field representative, and Matt Brown, Valdivia's chief of staff who has been serving in that capacity since August 2019, roughly a month after Essayli had resigned.

Last Month, Smith, who yet works as Valdivia's legislative field representative, filed a claim against Valdivia and the city, saying he has been subjected to abusive behavior by the mayor, was ordered to engage in illegal activity and was "constructively demoted" and ostracized by the city's management when he did not go along with Valdivia's inappropriate and illegal orders.

This week, on April 28, Aboud filed a claim, saying she was abused and ridiculed while working as Valdivia's legislative field representative, and that he had subjected her repeatedly to vulgarisms and sexual comments, pressured her to have a sexual relationship with him and then retaliated against her by firing her when she refused to do so and reported his treatment of her to city officials.

Aboud worked for the city from April 24, 2019

until she was fired on January 6, 2020. Throughout that time, according to her claim, she was subjected to "pervasive and severe offensive and/or graphic sexual comments, such as sexually suggestive language and gestures, unwelcomed profanity, sexual comments and behavior, racist comments, and a hostile work environment on an almost daily basis. Claimant was also retaliated against by Valdivia for not engaging in a sexual relationship with him and for reporting Valdivia's behavior to her supervisors and [the] human resources [department]." According to the claim, "on at least three separate occasions during claimant's employment, Valdivia told her that she needed to 'develop a personal relationship' with him and that she also needed to spend more time with him 'outside of work.' He also threatened her that she was 'replaceable,' and he would 'terminate' her if she did not develop this 'personal relationship' with him. Valdivia's intention for compelling claimant to develop a personal relationship with him was to date claimant and advance Valdivia's sexual desires on claimant. From Valdivia's multiple inappropriate interactions, he conveyed to claimant, based on his words and/or conduct, that her terms of employment and/or the favorable working conditions depended on the acceptance of his sexual advances towards her."

According to the claim, when Aboud did not respond positively to Valdivia's advances, "he became enraged every time and ridiculed, insulted, and created a hostile work environment for claimant by stripping her from her assignments, denying her training, creating unreasonable demands upon her, changing his expectations of her without giving her any notice and giving her instructions for tasks and then when claimant followed his instructions he would deny them and contradict himself simply to blame

and ridicule claimant."

Her claim states that "On or about November 14, 2019, Valdivia scheduled a meeting with wanted claimant to learn more about his 'personal needs.' From claimant's perspective, personal needs of Valdivia meant having sex with him."

According to Aboud, Valdivia "treated her co-workers in the same manner, especially females when it came to inappropriate behavior of a sexual nature and male co-workers when it came to hostile work environment."

Cisneros's claim touches on illegal activity by Valdivia, most particularly his failure to properly report donations or gifts, as is required of elected and government officials, as well as his active efforts to misreport or hide his use of public funds, or mispend or misapply public funds or resources. Smith's claim is far more thorough in this regard, outlining, and in some cases, detailing, what appears to be or comes across as instances of bribery.

Aboud's claim, while less intensely steeped in pointing out graft, nevertheless alludes to corruptions of Valdivia's power and authority, which included his efforts to provide city services to those residents in the sections of the city that supported him and to deny those services in those areas where the majority of votes went to his opponent.

Much of Aboud's function as the mayor's legislative field representative consisted of engaging in so-called "citizen relationship management" encounters with city residents, gleaned from those interactions issues or problems that City Hall, and in particular the mayor, should address. According to Aboud's claim, Valdivia instructed her to ignore or not file reports with regard to her citizen relationship management encounters with residents of the Fourth and Seventh Wards, where his council rivals Shorett

and Mulvihill are councilmen and where he received fewer votes in 2018 than did Davis.

Valdivia, who is a Republican, also instructed Aboud to remove all photos of Assemblywoman Eloise Gomez-Reyes from his social media page. Gomez-Reyes is a Democrat.

On one occasion according to the claim, when Aboud was talking to the mayor and said she valued her job as his representative because it afforded her the opportunity "to work with the residents of San Bernardino at a grassroots level, so she was able to see the tangible impact made on residents and to bring good change to the city," Valdivia "told her that she was not there to serve the people of San Bernardino, that she was only there to serve him and 'his needs.'"

According to her claim, when Aboud turned to city officials for help in what she was experiencing with Valdivia, they were unable to do so because of their unwillingness to deal with someone in his position of authority.

In August 2019, Aboud met with Michelle Webb, an employee of the city's human resources department, the claim states. After Aboud told Webb about her encounters with Valdivia and specific things he had said and done to her, including the sexual harassment, "Webb confirmed that Valdivia's behavior was improper, but that claimant should beware of Valdivia's actions 'once [the] human resources [department] notified him of the complaints,' because he could retaliate without repercussion. Claimant was not given any further guidance," according to the claim. The claim said that Aboud met with Webb a bit less than two months later "and reported Valdivia's actions and the fact that things were getting worse. Webb advised claimant to speak with someone else because she herself was 'not able to take on is-

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Adelanto Employees Who Stood Up To Renegade Mayor And Rogue Council Were Uniformly Handed Pink Slips *from front page 2*

elected in a clean sweep that saw then-Mayor Kari Thomas and then-councilmen Steve Baisden and Charles Valvo ousted, Kerr and Woodard joined forces with Councilman Jermaine

Wright in an initial effort to permit the indoor cultivation of medical marijuana to take place in the city's industrial zone. Their stated rationale was that the city, which was in extremely poor financial shape, could rejuvenate itself economically by such a move. That represented a deviation from past policy, which matched that of nearly all of the municipalities in San Bernardino County, which was to resist any involvement with the commercial

availability of cannabis or cannabis products, even though the use of marijuana for medical purposes had been legal in California in the aftermath of the 1996 passage of Proposition 215, the Compassionate Use of Marijuana Act. While some city employees were philosophically and ideologically opposed to the direction Kerr, Woodard and Wright were purposed to take the city in, some or even most were willing to support their agenda, insofar as

they were assured the city was working within the parameters of the law. Over time, however, evidence emerged that Wright, Woodard and Kerr were involved in helping applicants for the cultivation businesses cut corners with regard to the permitting, licensing, inspection, operations and standards for those businesses. It also became evident that those business proponents were providing inducements to the trio in return for their efforts

to prevent city staff from applying straightforward planning, land use and regulatory requirements to those proposals and businesses. In time, Kerr, Woodard and Wright dropped all pretense of being interested only in seeing cultivation enterprises flourish and they pushed ahead with allowing, first, medical marijuana dispensaries to be able set up shop in the city and then, even before the passage of 2016's Proposition 64, allowing the city to move

to the forefront of selling marijuana for recreational purposes, that is, allowing the drug to be used not for its medical but rather its intoxicative effect. Thus, some high ranking and mid-level city employees decided to leave or were pushed out from their posts, and they elected to simply move on. These included longtime City Manager Jim Hart, former City Engineer/Public Works Director/interim City Manager Tom Thornton,

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Upland Residents Not Taking Amazon Distribution Project Approval Lying Down *from page 2*

when it was his or her turn to speak at the meeting. Among other things, people who registered to comment on the project were never telephoned to comment; the teleconference connection was choppy and participants' comments cut in and out during the meeting; and at least one person who wanted to provide visual aids regarding the project's traffic impacts was not given the opportunity to do so. The decision to hold the meeting by teleconference assumed that everyone who opposed the project had telephone or internet service to participate in the meeting, when in fact at least one person who would have participated in person was precluded from doing so based on the technological barriers imposed by respondents. The decision to hold the meeting in the midst of a pandemic ensured significantly decreased public participation, which is at odds with the well-established public policy of full government transparency and citizen participation in government decision-making. Petitioner's fair hearing and due process rights were violated as a result of respondent's failure to provide a fair hearing on the project."

The draft writ of mandate asserts that the defects plaguing the project approval went

beyond the manner in which the public was unable to fully weigh in with regard to its perspective on its impacts on the community to the actual impacts of the project themselves and what the writ characterizes as the incomplete documentation of those impacts and the inadequate safeguards against them, based on the use of a mitigated negative declaration for the project as opposed to a full-blown environmental impact report.

"Whenever a project proposed to be carried out or approved by a lead agency has the potential to cause an adverse environmental impact, the California Environmental Quality Act prohibits the agency from relying on a negative declaration," the draft writ of mandate states. "Instead, the California Environmental Quality Act requires the preparation of an environmental impact report to identify and analyze the significant adverse environmental impacts of a proposed project, giving due consideration to both short-term and long-term impacts, providing decision-makers with enough information to enable them to make an informed decision with full knowledge of the likely consequences of their actions, and providing members of the public with enough information to participate meaningfully in the project's approval and environmental-review process. The California Environmental Quality

Act also requires every environmental impact report to identify and analyze a reasonable range of alternatives to a proposed project. The California Environmental Quality Act further requires every environmental impact report to identify and analyze all reasonable mitigation measures for a proposed project's significant adverse environmental impacts. An environmental impact report must be prepared for a proposed project if there is a fair argument, supported by substantial evidence in the administrative record, that the project may have an adverse environmental impact; stated another way, a negative declaration may not be used unless the lead agency determines with certainty that there is no potential for the project to have an adverse environmental impact."

The draft writ of mandate continues, "There is a fair argument that the project will have significant environmental impacts. By way of example and without limitation, the administrative record is replete with evidence that the project will result in significant traffic, air quality, and noise impacts, among other environmental impacts. The project will also result in cumulative impacts unaccounted for in the mitigated negative declaration. The project's significant direct, indirect, or cumulative adverse impacts on the environment give rise to respondent's legal obligation to prepare an

environmental impact report. Respondent's failure to prepare an environmental impact report is a violation of the California Environmental Quality Act."

In seeking to convince the city council to deny the project approval, several city residents at the April 1 meeting had dwelt upon the consideration that the zoning at the project site, located north of Foothill Boulevard slightly to the east of Central Avenue, is for mixed commercial industrial use, which they asserted is incompatible with a distribution facility. The only property in the city zoned for such use, they said, was south of Foothill Boulevard.

The draft writ of mandate states, "The California Planning and Zoning Law prohibits the approval of any project that is not consistent with the applicable general and

specific plans and their components. The project authorizes land uses and activities that are in some ways inconsistent with the general and specific plans and their components. As a result of respondent's violation of the California Planning and Zoning Law, petitioner, its members, and the general public have been harmed insofar as respondent has approved a project that is inconsistent with the land-use rules designed to protect the public from harmful development."

Also, according to the draft writ of mandate, "The project violates the Upland Municipal Code. The Upland Municipal Code permits the approval of a development agreement only if it will provide clear and substantial benefits to the city and its residents. The project's development agreement

authorizes land uses and activities that are in some ways inconsistent with the requirements of the Upland Municipal Code. Respondent failed to make the findings required to support approval of the project's development agreement. Respondent has approved a project that is inconsistent with the land-use rules designed to protect the public from harmful development."

The draft writ of mandate calls upon the court to render a judgment or order determining or declaring that the city failed to fully comply with the California Environmental Quality Act and other applicable laws as they relate to the project such that the approval given to the project at the April 1 meeting is rendered null and void.

-Mark Gutglueck

Three Yucca Valley High Athletic Coaches Gone In Three Months *from front page*

and because he did not consider Yucca Valley to be a "good fit" for his family.

Unstated was the contretemps in the Yucca Valley High School athletics program, most prominently the way Jay Stepp was removed from his position as head coach for the track and field team at Yucca Valley High School in February after he had been in that position for 27

years.

Stepp had gotten crosswise with Monical and the Morongo Unified School District over his objection to Holly Brimhall remaining as his assistant coach. Stepp maintained that Holly Brimhall undercut his authority as coach with several of his athletes. There were familial issues involved. Loryn Brimhall, a junior this year, is a distance runner for the Trojans who did not have much of a chance to compete this year because the coronavirus crisis brought an early end to the track and field season. She had several near record-break-

ing times in the 1600 meters and 800 meters events last year. Brad Brimhall had been the Trojans' baseball coach. When differences developed between Stepp and Holly Brimhall, Brad Brimhall had taken the side of Holly Brimhall, and several emails from him, described variously as "unfortunate" or "ill-conceived" and "tartly-worded" became public. He was terminated as baseball coach on what was said to be an unrelated matter relating to his discipline of a player in early February. Stewart was brought in to replace him.

-Mark Gutglueck

Stymied By County Lawyers' Legal Ploys, Government Reform Group Has Reprized Its Approach And Will Now Lead With Pay Reduction Measure Targeting Supervisors *from front page*

sure dubbed the "Leadership Accountability Initiative."

That measure called for reversing the county's 2010 move which changed the title and authority of the county chief administrative officer to the county chief executive officer, which had also conferred on the post higher pay. The Leadership Accountability Initiative eliminated the chief executive officer post and reestab-

lished the county administrator position, pegged compensation of elected officials – supervisors, sheriff, district attorney, treasurer/auditor/controller and assessor – to a multiple of the median family income in the region, and eliminated further accrual of retirement benefits by elected officials. The initiative further sought to restrict bloat within the county's governmental structure by placing a per capita

limit on the number of county employees. It also required the supervisors to use every legal means available to ensure county government employee pay and benefits were equal to private industry pay and benefits in the San Bernardino County jurisdiction.

After the initiative proposals were submitted in 2017 to the county's stable of in-house lawyers, known as the office of county counsel, the county sued the initiatives' proponents, claiming the initiatives violated the California Constitution, the current legal authority of

the supervisors, and the single subject rule for initiatives. In its lawsuit, the county contended it therefore should not be required to complete its ministerial duty of providing a ballot title and summary for the initiative proposals.

At that point, the Red Brennan Group postponed its efforts, consulting with legal authorities before proceeding. Following that legal guidance, the group is now moving ahead, having narrowly drawn a series of separate reform proposals, each limited in scope so that it cannot be challenged as violating

the single subject rule for initiatives. The pay reduction initiative is the first salvo in a series of reform measures the group intends to proceed with.

The language of the initiative states: "The total compensation of each member of the board of supervisors shall be five thousand dollars (\$5,000.00) per month, which amount shall include the actual cost to the county of all benefits of whatever kind or nature including but not limited to salary, allowances, credit cards, health insurance, life insurance, leave, retire-

ment, memberships, portable communications devices, and vehicle allowances. This compensation shall be in full compensation for all services by the respective member of the board of supervisors."

Now that the petition has been found to be sufficient, pursuant to Elections Code Section 9115(f), the registrar of voters will present the certificate of initiative petition to the board of supervisors at its May 19, 2020 meeting, at which point it is anticipated the board will acquiesce in the matter being slated for a vote in November.

Paying Lawyers To Quell Lawsuits From Former Employees Breaking Adelanto's Bank *from page 4*

former City Attorney Todd Litfin, former City Attorney Julia Sylva, former City Attorney Curtis Wright, former City Attorney Ruben Duran, former interim City Manager Brad Letner, and former contract City Engineer Wilson So.

While Kerr, Woodard and Wright were pushing their agenda, some city employees pushed back, refusing to suspend the city's planning, inspection or enforcement standards when it came to the cannabis-related businesses that Kerr, Woodard and Wright had put such a high priority upon facilitating.

Kerr, Woodard and Wright deemed such resistance to be insubordination, and had several of those employees suspended, fired or suspended and then fired. Even after Jermaine Wright was arrested by the FBI in November 2017 for taking a bribe in exchange for agreeing to prevent an applicant for a marijuana distribution business from being closely monitored and regulated by the city's code enforcement division, Kerr and Woodard did not desist, pressing staff harder and harder

to accommodate those seeking licensing by suspending the regulations and oversight the city was supposed to engage in as part of the approval and licensing processes. This entailed further reprisals against city employees when they continued to resist the mayor's and councilman's directions.

Ultimately, Kerr and Woodard were voted out of office as the scandal relating to what was perceived to be their graft-ridden relationships with the cannabis industry became too pronounced for the city's residents to ignore.

More than a year after Kerr and Woodard left office, the city is still dealing with the unjustifiable termination lawsuits filed by the city employees they had fired.

Of note is that the city has probably spent more money in defending against the lawsuits than it would have shelled out if it had merely settled with those individuals who have taken it to court.

After spending a considerable amount of money in defending itself, the city ultimately settled cases or claims brought by Information Technology Specialist Adam Watkins for \$145,000, Information Technology Specialist Ben Pina for \$125,000, Jose Figueroa, a laborer in the city's public works division, for \$75,000, Ibrahim Abduld for

\$55,000 and specialized Code Enforcement Officer Derek Stevens for \$30,000. The city in February 2019 agreed to pay the High Desert Mavericks \$3.8 million for evicting the team from the city's stadium, action championed by Kerr.

A report unverified by the *Sentinel* is that the legal action Watkins and Pina were engaged in grew out of their having been disciplined by the city when they cooperated with the FBI in providing videos of city council meetings to the FBI.

At present, former City Manager/City Clerk Cindy Herrera, former City Manager Gabriel Elliott, former Public Works Superintendent Nan Moore, former Conservation Specialist Belen Cordero, former Senior Planner Mark De Manincor, former information technology division employee Adam Watkins, former Public Safety Manager Steve Peltier, former code enforcement officers Apolonio Gutierrez and Gregory Stephen Watkins, furloughed code enforcement division employee Amber Tisdale and still-employed Code Enforcement Officer Roman Edward De La Torre yet have cases pending against the city.

It appears that the law firm of Jackson Lewis LLC routinely receives monthly payments averaging between \$15,000 and \$30,000 to do work

relating to the lawsuits brought by De Manincor, Cordero, Moore and Borja.

In 2017, Jackson Lewis was paid \$ 78,794.01 by the city. In 2018, Jackson Lewis was paid \$180,810.54 by the city. In 2019, Jackson Lewis was paid \$217,341.30. So far, in 2020, through April, Jackson Lewis has been paid \$154,347.12. Since 2017, Jackson Lewis has been paid \$631,292.97.

Nancy Doumanian, who is representing the city with regard to legal actions brought against it by several of its employees and former employees, was paid \$15,525.27 in February 2020, \$57,196.37 in March 2020 and \$78,040.26 in April 2020 for a total of \$150,761.90 so far this year.

The city has paid the law firm of Jarvis, Fay, and Gibson \$1,916 in 2020.

The City of Adelanto has also paid the Tous Law Group \$72,000 for service relating to workers compensation litigation.

The city paid the law firm of Winston & Strawn \$86,516.14 in 2017 and \$112,741.50 in 2018.

Adelanto paid the law firm of Ecoff, Campaign and Tiles \$5,287.81 in 2017; \$74,264.27 in 2018; \$12,615.82 in 2019 and \$91.87 this year for a total \$92,159.77.

Though Rutan & Tucker has not supplied

Adelanto with city attorney services in years, the city has continued to pay the firm relatively nominal fees, including \$5,701 in 2017, \$2,348.50 in 2018, \$2,587 in 2019 and it has made payments of \$760, \$760, \$885.50 and \$616 to it this year.

Last year the city paid the law office of Gregory Dion \$7,110.

The city also paid Judicial Arbitration and Mediation Services, Inc. \$34,580 in 2017 and \$50,525 in 2019.

Curiously, after coming to its \$3.8 settlement agreement with the High Desert Mavericks, the city has continued to pay Olivarez Madruga Lemieux O'Neill, the firm it used to represent it in the lawsuit against the Mavericks, \$71,836.69 in April 2019, \$101,536.77 in June 2019, one payment of \$71,796.03 in October 2019 and another payment of \$77,699.50 in October 2019, \$71,087.66 in November 2019, one payment of \$48,735.33 in March 2020, a second payment of \$76,496.79 in March 2020, a third payment of \$58,296 in March 2020, a fourth payment of \$34,984.44 in March 2020, a fifth payment of \$64,671.81 in March 2020 and \$48,735.33 in April 2020.

The city paid the law firm of Lozano Smith LLP \$8,448.90 in April 2019, \$3,520.94 in June 2019, \$675 in October 2019, a second payment

of \$2,243 in October 2019, a third payment of \$2,343 in October 2019, a payment of \$6,141.50 in November 2019, and payments of \$1,121, \$7,472.66, \$737.50 and \$236 in March 2020.

The city paid MMJ Solutions Investigations Services \$4,559.47 in November 2019 and has paid that firm \$4,009.65 this year.

The city paid the law firm of Zweiback Fiset & Coleman \$6,142.50 in April 2019, \$7,675 in June 2019, \$282.06 in October 2019 and a second payment of \$2,800 in October 2019.

The city paid the law firm of Liebert Cassidy Whitmore \$16,008 this and last year.

The city has paid the law firm of Filarsky & Watt \$480 in April 2019 and made three other payments to the firm this year of \$531.51, \$441.18 and \$160.

The city paid the investigative firm of Garon Wyatt \$8,032.35 in April 2019.

The city also paid the GIC Corp. \$4,794.61.

The money being laid out to secure lawyers in the face of the lawsuits is being paid in addition to, and actually in spite of, the monetary settlements the city most assuredly will eventually need to make in many, more likely most and perhaps even all of the cases.

-Mark Gutglueck

Public Notices

time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et seq., Business and Professions Code). Published in the San Bernardino County Sentinel 04/17/2020, 04/24/2020, 05/01/2020, 05/08/2020 CNBB16202005EM

FICTITIOUS BUSINESS NAME STATEMENT FILE NO-20200003735

The following person(s) is(are) doing business as: Vanevenhoven Real Estate & Investments Group; The V-Team; The Vanevenhoven Team; The VTeam; Vanevenhoven Group; Vanevenhoven Investments Group, 8885 Haven Ave, Suite 200, Rancho Cucamonga, CA 91730, Mailing Address: 8885 Haven Ave, Suite 200, Rancho Cucamonga, CA 91730, RJ Realty Group, Inc., 8885 Haven Ave, Suite 200, Rancho Cucamonga, CA 91730

Business is Conducted By: A Corporation

Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT

Public Notices

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/ Vance Vanevenhoven

This statement was filed with the County Clerk of San Bernardino on: 3/31/20

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

Began Transacting Business: 11/01/16

NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious name in violation of the rights of another under federal, state, or common law (see section 14400 et. Seq. Business & Professions Code). 4/24/20, 5/1/20, 5/8/20, 5/15/20

FICTITIOUS BUSINESS NAME

#20200003803

The following person(s) is(are) doing business as: PALO SOLO TRANS 7607 VIOLA CT FON-

Public Notices

TANA, CA 92336
ARNULFO PINON 7607 VIOLA CT FONTANA, CA 92336
Mailing Address: 7607 VIOLA CT FONTANA, CA 92336
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/ Arnulfo Pinon
This statement was filed with the County Clerk of San Bernardino on: 04/03/2020

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

Began Transacting Business: 09/12/2003

NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious name in violation of the rights of another under federal, state,

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or common law (see section 14400 et. Seq. Business & Professions Code). 4/24/20, 5/1/20, 5/8/20, 5/15/20

FICTITIOUS BUSINESS NAME STATEMENT FILE NO-20200002642

The following person(s) is(are) doing business as: Addashield; Checkthedocs; Documintute; 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. 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/ Gregory A. Bushnell
This statement was filed with the County Clerk of San Bernardino on: 2/27/20

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

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Began Transacting Business: 1/1/2017

NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious name in violation of the rights of another under federal, state, or common law (see section 14400 et. Seq. Business & Professions Code). 3/27/20, 4/3/20, 4/10/20, 4/17/20 Corrected on: 5/1/20, 5/8/20, 5/15/20, 5/22/20

FBN 2020000----

The following person is doing business as: PANTHEON COFFEE ROASTERS

4070 MISSION BOULEVARD MONTCLAIR, CA 91763 ARCHER CONSORTIA 4070 MISSION BOULEVARD MONTCLAIR, CA 91763

This Business is Conducted By: A CORPORATION

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.

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S/ PAVAN MAKKER
This statement was filed with the County Clerk of San Bernardino on: 04/29/2020

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

Began Transacting Business: 03/01/2020

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. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious name in violation of the rights of another under federal, state, or common law (see section 14400 et. Seq. Business & Professions Code).

Published in the San Bernardino County Sentinel on 05/01, 05/08, 05/15, & 05/22, 2020.

FBN 2020000----

The following person is doing business as: AVATAR COFFEE ROASTERS

4070 MISSION BOULEVARD MONTCLAIR, CA 91763 ARCHER CONSORTIA 4070 MISSION BOULEVARD MONTCLAIR, CA 91763

This Business is Conducted By: A CORPORATION

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.

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This Business is Conducted By: A CORPORATION

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/ PAVAN MAKKER

This statement was filed with the County Clerk of San Bernardino on: 04/29/2020

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

Began Transacting Business: 03/01/2020

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. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious name in violation of the rights of another under federal, state, or common law (see section 14400 et. Seq. Business & Professions Code).

Published in the San Bernardino County Sentinel on 05/01, 05/08, 05/15, & 05/22, 2020.

County Yet Lagging In Virus Testing from front page

in Bloomington, three in Blue Jay, 64 in Chino, 61 in Chino Hills, 70 in Colton, six in Crestline, 251 in Fontana, two in Fort Irwin, 13 in Grand Terrace, 58 in Hesperia, 67 in Highland, 15 in Joshua Tree, 39 in Loma Linda, 12 in Mentone, 32 in Montclair, five in Morongo Valley, 13 in Oak Hills, 157 in Ontario, three in Piñon Hills, nine in Phelan; 119 in Rancho Cucamonga, 117 in Redlands, 97 in Rialto, one in Rimforest, three in Running Springs, 252 in San Bernardino, five in Twentynine Palms, 92 in Upland, 96 in Victorville, one in Wrightwood, 176 in Yucaipa, and 12 in Yucca Valley. The place of residence for 158 of those who had tested positive for the virus was either not known, confidential, withheld, not provided or undetermined.

The *Sentinel* has learned and now notes that the figures relating to the infection rate and death rate from COVID-19 in the county is incomplete. The figures provided by the county do not reflect those infected within the state penal system at facilities located in San Bernardino County, nor do they cover those in other state institutions. It does not appear that they account for those in federal penal or treatment facilities, either. It is

unclear whether they include those housed in the county's detention facilities. County officials as of today were unable to say whether the number of those infected within the sheriff's department's holding facilities in Victorville or Joshua Tree, or its detention facilities in Rancho Cucamonga, Adelanto, San Bernardino or Glen Helen were included in the Department of Health's numbers.

At the Chino Institution For Men, as of this morning, 110 inmates were infected and 32 staff members were infected. There had been one death at the prison, as well. At the nearby Frontera California Institution for Women in Chino, there was a single known case. In this way, the actual number of known cases of infection in Chino is 202.

Also according to the State of California, there are three staff and one resident infected with the coronavirus, for a total of four, at the West Valley Detention Center in Rancho Cucamonga. This would, if those numbers are not included in those kept by the San Bernardino County Department of Health, bring the actual number of known cases in Rancho Cucamonga to 123.

The State of California also shows 11 staff members at Patton State Hospital infected. Patton Hospital, which cares for the criminally insane and those there on civil commitments, lies entirely within the San

Bernardino city limits. Thus, the total number of COVID-19 infected individuals in San Bernardino would appear to be 263.

Some progress in the treatment of the malady is being made locally.

At St. Mary Medical Center in Apple Valley, medical professionals there have begun

accepting blood donations to gather plasma from former COVID-19 patients as a stratagem to assist those who are critically ill with the virus.

The experimental treatment consists of injecting blood plasma from former COVID-19 sufferers, which is rich in antibodies to ward off the virus, into those currently struggling with the disease and its sometimes fatal symptoms. This approach is not used routinely or casually, but is reserved for those most seriously infected with the condition, whose prognosis for recovery is slimmest within the population, and who have not responded to other treatment modalities.

According to a statement from St. Mary, "Historically, plasma from those who have recovered from infection has been used as a potentially lifesaving treatment when new diseases or infections develop quickly, and no treatments or vaccines were available."

Accordingly, St. Mary is seeking blood donors who have documented evidence they have been infected with CO-

VID-19 and have been symptom free at least four weeks or symptom free at least two weeks and subsequently test negative for the virus. Those who meet that criteria are then sent to the LifeStream Blood Bank, which will extract the plasma. Under an agreement, LifeStream then routes half of the plasma collected from first-time donors to St. Mary for immediate use in its ongoing plasma-injection program for the treatment of critical COVID-19 patients, and keeps the other half on hand for distribution to other area hospitals which it is anticipated will soon incorporate plasma injection into their panoply of treatments for those critically ill with COVID-19.

In a release, Dr. Joe Chaffin, LifeStream's chief medical officer said, "Though convalescent plasma has not been fully proven to be effective in patients with COVID-19, there are encouraging signs from early studies. By collecting this product, LifeStream is proud to help hospitals develop better understanding of the use of convalescent plasma for patients in desperate need."

Those interested in becoming donors can learn more at lstream.org/covidplasma.

Simultaneously, public health and medical professionals in San Bernardino County have perpetuated one of the primary shortcomings in the response to the crisis

by a widespread, indeed virtually universal, failure to perform adequate testing on the county population to ascertain the extent of the infection.

The county's largest medical care providers – Kaiser Permanente, Inland Empire Health Care, Blue Cross/Blue Shield of California, Loma Linda University Medical Center, Beaver Medical, the County Hospital – along with smaller care providers and the County Department of Public Health have abided in the same situation for weeks. Tens of thousands certainly and perhaps hundreds of thousands of those infected and vulnerable remain under lockdown in their homes, feverish and unable to be tested, such that their COVID-19 status remains undetermined and they remain without medical care.

Promises made more than a month ago by the San Bernardino County Department of Health that it would provide testing to county residents concerned that they might have contracted the condition were renege upon almost immediately. Registrants for that testing, including ones who met most of the priority criteria for testing – a persistent cough, fever, shortness of breath, body ache, sore throat, age of 65 or more – when they attempted to take the county up on its testing offer by applying on March 26 to be included in the round of testing that took

place in San Bernardino on March 27 were overlooked in favor of those who had traveled internationally or had contact with those known to have had the virus. Similarly, hundreds or perhaps thousands were turned away when they attempted to take advantage of the county's offer to perform testing in Yucaipa on April 11, in Montclair on April 14, in Big Bear Lake on April 17, in Joshua Tree on April 22, and in Rancho Cucamonga on April 27.

Earlier this week, the county and its health department, perhaps smarting over criticism that it had neglected the testing of the most vulnerable elements of its population thus far, committed to a revamping of the prioritization for testing, saying that as of yesterday, Thursday, April 30, those older than 65 would be provided with testing if they were to merely show up at any future announced testing locations or Arrowhead Regional Medical Center, the main campus of the county hospital in Colton, whether or not they were currently evincing symptoms of the coronavirus. Nevertheless, when some residents showed up at the county hospital to avail themselves of that testing offer, they were turned away.

At present, 20,598 – less than one out of 100, or .09362727 percent - of the county's 2.2 million residents have been tested.

-Mark Gutglueck

County Wildlife Corner

Earwigs

Earwigs are insects which entirely compose the order Dermaptera, which features roughly 2,000 species in 12 families.

Earwigs have slender flattened bodies, bead-like antennae, and are easily recognized by the pair of large pincers at the tip of their abdomens, called cerci. Adult males have ten abdominal tergites; females, eight. Some are wingless, but in most the forewings are represented by short leathery covers called tergmina, under which the hind wings (if present) fold in a unique fan-like fashion, leaving a chitinized triangular part exposed. These forewings are rarely used, but contribute to these bugs' scientific name "skin wings." Earwigs are found on all continents except Antarctica.

Those species of earwigs known to exist in Southern California include the *Euboreflia annulipes*, *Anisolabis maritima*, *Forficula auricularia*, *Euborellia cincticollis* and two rare flying variety, the *Labia minor* and *Labidura riparia*.

Earwigs are mostly nocturnal and often hide in small, moist crevices during the day, and are active at night, feeding on a wide variety of insects and plants. Damage to foliage, flowers, and various crops is sometimes commonly blamed on earwigs, though the bugs offer benefits to crops, as they eat both the foliage and the insects eating such foliage, such as aphids.

Males and females differ in forcep size,

with males having much larger one with a stronger curve, while females have smaller, straighter forceps with a slight curve at the end. Ear-



wigs use these forceps to assist in predation, defense, sexual selection, courting and mating, and wing folding.

Earwigs live for about a year from hatching. They start mating in the autumn, and can be found together in the autumn and winter. The male and female will live in a chamber in debris, crevices, or soil about an inch deep. Nests are essential for protection from the environment and predators, and are needed for the success of their offspring's survival. Special nests are dug for molting, feeding, and egg laying. A suitable nest is chosen and dug out by the female under a rock or tree bark. During mating, the male and female will cohabit for three months or more. Sometime after fertilization, the female, as the primary caregiver of her young, will become hostile to the male while in the brooding chamber. From midwinter to early spring, the male will leave, or be driven out by the female. Afterward the female will begin to lay 20 to 80 pearly white eggs in two days.

Earwigs are among

the few non-social or subsocial insect species that show maternal care. The mother will pay close attention to the needs of her eggs, such as warmth and protection. The mother will also faithfully defend the eggs from predators, even forgoing feeding herself during this period. Another distinct maternal care unique to earwigs is that the mother continuously cleans the eggs to protect them from fungi. While the female is laying her eggs, she grabs them and cleans them of any fungi or dirt one by one as they are laid. Upon finishing this chore, they will lay on top of the eggs much like a hen. Studies have found that the urge to clean the eggs persists for days after they are removed; when the eggs were replaced after hatching, the mother continued to clean them for up to three months. Under normal conditions, the female continues to groom the eggs and stay on guard over them for 10 days until they begin to hatch. At this time the mother goes in search of food for her young, and continues feeding and grooming them until they leave the nest themselves two to five days later. Some females get lost returning to their brood and start caring for another individual clutch as they are not able to distinguish between their own young and another's. The young will go on to dig their own nest

for molting, taking anywhere from 4 to 50 days to reach the next instar.

Earwigs are hemimetabolous, meaning they undergo incomplete metamorphosis, developing through a series of 4 to 6 molts. The developmental stages between molts are called instars.

Earwigs are mostly scavengers, but some are omnivorous or predatory. The abdomen of the earwig is flexible and muscular. It is capable of maneuvering as well as opening and closing the forceps.

Earwigs are generally nocturnal, and typically hide in small, dark, and often moist areas in the daytime. They can usually be seen on household walls and ceilings. Interaction with earwigs will typically result in a defensive free-fall to the ground followed by a scramble to a nearby cleft or crevice. During the summer they can be found around damp areas such as near sinks and in bathrooms. Earwigs tend to gather in shady cracks or openings or anywhere that they can remain concealed during daylight.

Earwigs are regularly preyed upon by birds, and like many other insect species they are prey for insectivorous mammals, amphibians, lizards, centipedes, assassin bugs, and spiders. European naturalists have observed bats preying upon earwigs. Their primary insect predators are parasitic species of Tachinidae, or tachinid flies, whose larvae are

endoparasites. One species of tachinid fly, *Triarthria setipennis*, has been demonstrated to be successful as a biological control of earwigs for almost a century. Another



tachinid fly and parasite of earwigs, *Ocytata palipes*, has shown promise as a biological control agent as well. The common predatory wasp, the yellow jacket (*Vespula maculifrons*), preys upon earwigs when abundant. A small species of roundworm, *Mermis nigrescens*, is known to occasionally parasitize earwigs that have consumed roundworm eggs with plant matter. At least 26 species of parasitic fungus from the order Laboulbeniales have been found on earwigs. The eggs and nymphs are also cannibalized by other earwigs.

Primary predators on earwigs in Southern California are ants, as they prey on unattended eggs. Overlap of predation does occur between these organisms, though, as the earwigs prey on the ant eggs as well. The effect of ants on earwigs seems to be greater than the reverse relationship, as populations of earwigs increase if the ants decrease.

The earwig's observed prey include largely plant lice, but also large insects such as bluebottle flies and woolly aphids. Plants that they feed on typical-

ly include clover, dahlias, zinnias, butterfly bush, hollyhock, lettuce, cauliflower, strawberry, blackberry, sunflowers, celery, peaches, plums, grapes, potatoes, roses, seedling beans and beets, and tender grass shoots and roots; they have also been known to eat corn silk, damaging the corn.

Once earwigs become adults, the individuals will live for only three to five months, and begin courting immediately. This is done by a feeling of antennae, and mutual grabbing of each other's abdomens with their forceps until copulation occurs. Among the *Labidura riparia* species of earwig, two to three generations will occur in the span of a year, with the last generation hibernating underground through winter.

Earwigs are fairly abundant and are found in many areas around the world. Because of elements of their appearance, they are sometimes erroneously associated with cockroaches. There is no evidence that they transmit diseases to humans or other animals. Their pincers are commonly believed to be dangerous, but in reality, even the curved pincers of males cause little or no harm to humans. Earwigs have been rarely known to crawl into the ears of humans, but they do not lay eggs inside the human body or human brain.

From Wikipedia, <https://www.terminix.com>, <https://bugguide.net/node/view/2709>

Once Riding High, SB Mayor Now Down To Two Council Supporters, One Of Whom Is A Lame Duck *from page 3*

sues like these' because she was new. Webb advised claimant to wait until she had put in her notice to leave the position to file the claim with [the] human resources [department] because of Valdivia's likelihood of retaliating against claimant."

Valdivia's positioning is weakening. The

alliances he once had with Sanchez, Ibarra and Nickel have deteriorated, in the cases of Sanchez and Ibarra to the point of hostility. His sole remaining support on the council consists of Richard and Figueroa. Richard, in some measure because of her affiliation with Valdivia, was defeated for reelection

in March, making her a lame duck who will leave office in December.

The law firm of Best Best & Krieger, which employs Thomas Rice, who serves as San Bernardino's city attorney, and Sonya Carvalho, who serves as San Bernardino deputy city attorney, had previously sought to protect Valdivia, believing that he still controlled a majority of the council's members. As the scandal surrounding Valdivia escalated,

Best Best & Krieger brought in the law firm of Liebert Cassidy Whitmore to do an "independent investigation," which in reality had its parameters dictated by Best Best & Krieger. Rice and Carvalho have in the last month-and-a-half come to recognize that Valdivia no longer holds sway over a council majority, and thus cannot effectively act to remove Best Best & Krieger as the city's contract city attorney if

he becomes displeased with its service. Thus, the firm has signaled Liebert Cassidy Whitmore that it can proceed with a legitimate investigation. That Liebert Cassidy Whitmore will return with findings that will politically cripple Valdivia even further than he is already damaged is a foregone conclusion. Of question, however, is how thoroughly Liebert Cassidy Whitmore, which has a reputation for politically

shaving its investigative findings to protect governmental establishment figures, will explore the issues of graft which have become exposed since Cisneros and Cervantes went public after their resignations, and which have been enlarged on in considerable depth by Smith's claim.

Valdivia did not respond to the *Sentinel's* offer to provide his version of events.

-Mark Gutglueck