

Friday, August 21, 2020 A Fortunado Publication in conjunction with Countywide News Service 10808 Foothill Blvd. Suite 160-446 Rancho Cucamonga, CA 91730 (951) 567-1936

## 11 Of SBC's Municipal Council Elections Going Uncontested To The Incumbent

By Mark Gutglueck

Eleven incumbent council members due to stand for reelection this year throughout San Bernardino County, including all three up for election in the City of Highland and both of those in the Town of Apple Valley's upcoming contests have been given free rides to remain in office as no one in their jurisdictions had come forward to challenge

them by Friday, August 7, the conclusion of the candidate-filing deadline for the balloting to be held in conjunction with the 2020 Presidential General Election on November 3.

Highland Councilman Jesse Chavez, who was first elected to the council in 2016 when the city transitioned to by-district elections and in December 2017 was appointed to serve a one-

year term as mayor pro tem, was unopposed in his pursuit of reelection in Highland's District 1. Highland Councilwoman Penny Lilburn, who has been on the council since 2004, has served as mayor as well as mayor pro tem in the past and represents Highland on the board of directors for the Valley Transportation Agency, the Omnitrans Board of Directors, and the San Bernardino

International Airport Authority Board, will serve four more years representing District 3. Larry McCallon, who is currently serving as Highland's appointed mayor and has formerly held that post as well as that of mayor pro tem and Highland's voting representative on multiple governmental adjunct regional bodies such as the San Bernardino County Transportation

Authority, the Southern California Association of Governments, the San Bernardino County's Local Agency Formation Commission, and the South Coast Air Quality Management District, drew no opposition.

Apple Valley Councilman Art Bishop, a member of the San Bernardino County Transportation Authority and a delegate to the Mojave Desert and See P 2

## SGVW&P Drops Brown Act Suit Vs. Chino Hills, Diamond Bar & Industry

By Gail Fry and Mark Gutglueck

With the neutralization of their common adversary, it is perhaps too early to tell whether the City of Chino Hills and the City of Diamond Bar will again come to log-gerheads with the City of Industry over the fate of the most significant expanse of open space at the southwest corner of San Bernardino County.

The City of Industry has had on-again, off-again possession, control of and developmental designs on 2,445-acre Los Hermanos Ranch, which straddles Chino Hills and Diamond Bar at the Los Angeles County/San Bernardino County boundary, for 42 years. During that time, proposals for the development of that property to varying levels of intensity have been discussed. Throughout that span, nonetheless, the property, long the rustic playground of oil baron Tom Scott, former Los Angeles Times Publisher Harry Chandler and the heirs of California pioneer John Rowland, has remained undeveloped.

In the meantime, Chino Hills has transformed from a largely agricultural and rustic unincorporated pocket at San Bernardino County's extreme southwest corner into an incorporated city in which the population has doubled and then tripled, continuing to escalate until it now stands at ten times the population it was when, in 1978, the City of Industry paid \$12.1 million (\$30.6 million in 2019 dollars) for the land, and later transferred ownership of the property to the city's redevelopment See P 4

## SB Mayor Valdivia Used City Employees For Political Purposes, Chief Of Staff Claims

San Bernardino Mayor John Valdivia both used and sought to use his taxpayer-funded staff members at City Hall to assist him in promoting his own and his allies' political fortunes, his former chief of staff asserted in a claim filed against Valdivia and the city last month.

Valdivia's tactics in pressing city employees to engage in political

work and a host of other improper assignments included browbeating and otherwise verbally abusing those workers, including actions that crossed the line into sexual harassment with his female underlings assigned specifically to the mayor's office, according to Matt Brown.

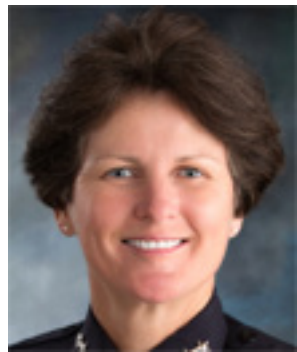
Brown was hired in August 2019 to succeed Valdivia's first chief of

staff, Bill Essayli, who guided Valdivia's efforts during the first six months of his tenure as mayor in seeking to establish a ruling coalition on the city council and beef up the mayor's office to restore the administrative authority that had been taken away from the mayor following the institution of the city's revamped charter in 2016.

Control of the city's administrative function was an important consideration for Valdivia. In 2016, the city's voters had adopted a new municipal charter, replacing the 111-year-old one that had been in place since 1905. That 1905 charter created what in municipal parlance is referred to as a strong mayor form of governance. While the mayor had

no voting power as the presiding member of the city council under normal circumstances, he or she as the presiding officer wielded the gavel and officiated over the council's meetings, controlling the ebb and flow of debate, with unfettered freedom to place items for action or discussion before the council. He or she had the power to break a tie-vote. See P 10

## With PD Chief Role Behind Her, Comstock Sets Sights On Council



Karen Comstock

Little more than a year after departing from one of the highest profile and most dynamic positions

within Chino government, Karen Comstock is seeking a berth on the city's highest decision-making panel.

"I made the decision to run for city council as part of my calling to return to serving the City of Chino in a new leadership role," Comstock said. "I started volunteering at the Chino Police Department as a teenager while attending Don Antonio Lugo High School. I was See P 5

## Fifth Generation Yucaipan Beaver Pushing For Intensified Sheriff's Presence In Political Run

Justin Beaver says his family's longevity in Yucaipa gives him a leg up in his run for city council in that city of 54,000.

"I feel that I am uniquely qualified for the position because I am a fifth generation Yucaipan," he said. "I am now raising my family here and have been instilled with a pride in the heritage of Yucaipa. I only want growth in Yucaipa that is responsible and will preserve our small

town and family values, and I will fight to keep it from growing into a metropolis."

Beaver is one of two candidates competing in the city's recently created District 5. His opponent is Stacey Chesster, who, like Beaver, has never before held office. Ultimately, depending on the outcome of the polling in November, Beaver or Chesster will replace Denise Allen-Hoyt on the city council.



Justin Beaver

He is running, Beaver said, "out of a genuine love for this city. I have such an See P 4

## Victorville Needs His Guidance To Reach Its Lofty Potential, Stone Tell Voters

Terrance Stone said he is running for city council in Victorville in order to hone the Victor Valley's largest municipality into perfection.

"I feel that Victorville is a diamond in the rough but can be, with leadership and vision, the jewel of the High Desert," he said. "I feel that I can help to push our city in that direction."

He is qualified to

serve on the city council, Stone said, because "I have had the unique pleasure of working with and sitting with elected officials across the region over the years. I have watched as some of our Inland Empire cities have flourished and others not do so well. I can use what I learned to help to move Victorville forward. I have also been CEO of a community-



Terrance Stone

based organization for almost 20 years and have the effective oversight of

balancing and approving budgets, working in a team environment and sitting on multiple committees and boards."

Stone is running in a crowded field. Three positions on the council are up for election. Included among the 21 candidates are two of the incumbents, Gloria Garcia and Blanca Gomez, along with Stone, Robert Bowen, Frank Kelly,

Elizabeth Becerra, Lizet Angulo, Roger LaPlante, Adam Verduzco Jr., Craig Timchak, Webster Thomas, Ashiko Newman, Paul Marsh, Mike Stevens, Lionel Dew, Kimberly Mesen, Eric Negrete, Kareema Abdul, Ryan McEachron, Valentin Godina and Jerry Laws. He is distinguished from his opponents, Stone said, in that "I am a person See P 3

### Move To District Elections, Meant To Promote Election Of Minority Candidates, Has Not Always Met That Goal from front page

Mountain Recycling Authority, will accede to another term on the council representing Apple Valley, this time representing the town's residents in the newly-formed Second District. This is the first year that Apple Valley has held by-district elections. No one in the Second District emerged to challenge Bishop, who is retired as the fire chief of the Apple Valley Fire Protection District, which serves as Apple Valley's fire department. Similarly, Larry Cusack, who was chairman of Apple Valley's planning commission before he was elected to the city council, was given a free pass in this year's election, in which he was due to stand for election in Apple Valley's First District.

In five other San Bernardino County cities this year - Chino Hills, Hesperia, Colton, Redlands and Twentynine Palms - at least one incumbent holder of a city council position elected by district is not facing any opposition.

In Chino Hills, Cynthia Moran, who is the council liaison with the Chino Valley Unified School District, a member of the Southern California Association of Governments' Energy & Environment Policy Committee, a member of the Omnitrans board and its Plans & Programs Committee, on the Environmental Quality Policy Committee of the League of California Cities and the vice chair of the Chino Hills Community Foundation Board, has no opposition in that city's District 5. In Hesperia, no one is challenging Brigit Bennington, who was appointed to the District 4 council position last year after the city council cited what it said were residency violations to forcefully remove Jeremiah Brosowski, who had eked out a narrow victory over Bennington in the November 2018

election. In Colton, neither Kenneth Koperski, the appointed incumbent in the city's Third District, nor Isaac Suchil, the elected incumbent in the Sixth District, have opponents. In Redlands, which experimented with district elections in the 1990s and returned to at-large elections only to reinstate by-district elections in 2018, incumbent Eddie Tejada attracted no one to contest him for the city's north-side District 2 seat on the council. In Twentynine Palms, incumbent Steve Bilderrain, who was most recently elected at-large in 2016 and is now seeking election representing District 1, has no opponent.

A significant number of the county's cities and both of its incorporated towns were strong-armed into moving to by-district elections toward the middle of the last decade. A number of lawyers, R. Rex Parris, the Malibu-based law firm Shenkman & Hughes, the Los Angeles-based Law Office of Milton C. Grimes and Matthew Barragan had threatened lawsuits against those municipalities which those lawyers said would allege those cities and towns had engaged in racially-polarized or ethnically-polarized voting. The California Voting Rights Act conferred upon plaintiffs alleging the existence of such biased elections who were seeking to redress those circumstances certain strategic legal advantages, such that even if the challenge does not succeed a plaintiff is not required to pay the prevailing city's legal fees. Conversely, a city which fails to vindicate itself in the face of such a challenge must pay the legal fees of the prevailing party.

While many city officials and residents in cities where racially polarized voting had been alleged denied those charges and expressed umbrage at the suggestion that there was a systemic or institutionalized racial or ethnic bias built into their political establishments, ultimately most did not resist being forced into adopting ward or district

electoral systems. That was because a handful of California cities that resisted challenges made to their election systems under the California Voting Rights Act were unsuccessful in their legal defenses and were forced by the courts to pay substantial amounts to cover those legal fees.

In 2001, the California Legislature enacted the California Voting Rights Act, under which a plaintiff or plaintiffs can file legal action against a governmental jurisdiction alleging polarized voting has taken place in its past elections and seek the remedy of having that jurisdiction switch from at-large elections to ones involving ward or district systems. The theoretical justification for having a city or governmental jurisdiction form such districts is the perceived likelihood that it will create political subdivisions in which the election of a member of an ethnic or racial minority is more likely to take place than in an at-large election. Upon proof being presented that such polarized voting exists, the courts will then require that the governmental entity in question adopt the ward system and require that the governmental entity pay the legal fees for the attorney or attorneys representing the plaintiff[s].

In San Bernardino County, many cities were perceived to have foreclosed minority rights because of the relative scarcity of elected Hispanic office holders, despite a substantial Latino population. Highland was among those cities and it was the first San Bernardino County city served with a demand that it alter the way it elects its council members. That lawsuit was filed July 18, 2014 in San Bernardino Superior Court by a Lancaster-based lawyer, R. Rex Parris, in conjunction with the Malibu-based law firm Shenkman & Hughes and the Los Angeles-based Law Office of Milton C. Grimes on behalf of Lisa Garrett, a Latino resident of Highland. In response, the city put an initiative on the November 2014 bal-

lot, Measure T, asking if the city's residents were in favor of a ward system. Measure T went down to defeat, with 2,862 votes or 43.01 percent in favor and 3,793, or 56.99 percent opposed. The lawsuit proceeded and the city sought to assuage the demand by proposing to allow cumulative voting, in which each voter is given one vote for each contested position and is allowed to cast any or all of those votes for any one candidate, or spread the votes among the candidates. When the matter went to trial, despite making a finding that the socio-economic-based rationale presented by the plaintiff's attorneys to support the need for ward elections was irrelevant and that the plaintiff's assertion that district voting was the only way to cure the alleged violation of the Voting Rights Act was false, San Bernardino Superior Court Judge David Cohn mandated that Highland adopt a ward system.

Thereafter, when Parris, Kevin Shenkman, Mary Ruth Hughes, Grimes and Barragan made threats, city after city and town after town - Barstow, Big Bear Lake, Chino Hills, Chino, Fontana, Hesperia, Rancho Cucamonga, Redlands, Twentynine Palms, Upland, Yucaipa, as well as Apple Valley and Yucca Valley - complied with the demands for shifts to ward systems, with those cities in many cases paying the lawyers the costs they claimed they had sustained in forcing those cities into compliance. Many of those observing that element of what was occurring independently remarked that it thus appeared that Parris, Shenkman, Hughes, Grimes and Barragan were not truly committed to redressing so-called polarized voting but rather shaking cities down in looking for a lucrative payday. In virtually every case, the cities and towns in question used consultants such as National Demographics Corporation to draw up district or ward lines that were gerrymandered to provide the incumbent councilmembers an advantage by placing them

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into districts that did not include other incumbents, and by timing the elections in such a way that their districts held elections at the end of the electoral cycle they were put into office in their most recent at-large election. In none of those cases did Parris, Shenkman, Hughes, Grimes or Barragan raise any objections to how those district lines were drawn, even when they appeared to perpetuate the racially-polarized or ethnically-polarized voting that their actual or threatened lawsuits were ostensibly aimed at curing.

This year, the degree to which the mass move toward ward/district electoral systems in San Bernardino County has undercut the democratic process it was intended to boost was evinced in the nine separate elections in Highland, Apple Valley, Chino Hills, Hesperia, Redlands and Twentynine Palms where those nine incumbent councilmembers are not being challenged. For decades, Colton has had a by-district election system.

Accordingly, a group of county residents, among whom are a number who were opposed to the ward/district electoral system switch-overs during the last two election cycles, are looking at the potential for taking legal action against the cities in question either collectively or individually, as well as against Parris; Parris's law firm; Shenkman; Hughes; the Shenkman & Hughes Law Firm; Grimes; Grimes' law firm; Barragan; the Mexican Ameri-

can Legal Defense Fund, for whom Barragan then worked; the National Demographics Corporation; and any others who participated in or profited from the move to design the electoral ward/district systems.

Now being explored is whether the contemplated plaintiffs would have adequate legal grounds and valid causes of action to file suit to have at-large elections restored and prevail in that action, and whether including Parris, Shenkman, Hughes, Grimes, Barragan and their current and former law firms in the legal action as defendants would be efficacious and permissible under the statute of limitations, which some theorize might not yet have begun to run or may have been tolled because none of those entities followed through to ensure that districts/wards put in place met the full criteria of the California Voting Rights Act. Also under review is whether the provision of the California Voting Rights Act which indemnifies plaintiffs alleging a voting rights violation would extend to the plaintiffs in the contemplated action.

In emails sent and phone calls made to the offices of Parris, Shenkman, Hughes, Grimes and Barragan, the *Sentinel* sought to determine whether they were aware that there are nine separate municipal elections in San Bernardino County in which the incumbent in a recently created district or ward is facing no opposition, and whether they agreed with the observation of

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## Rejuvenation of Local Economy Crucial, Redlands Council Candidate Frasher Propounds

Planning Commissioner Steven Frasher said he is seeking election to the Redlands City Council because “Redlands is a dynamic city balancing its historic community character with a changing economy, compounded by the current public health closures and resulting economic impacts, and social justice concerns that demand immediate attention. I believe a people-centered, steady but determined problem-solving approach is what’s needed to guide the city through this turbulent emergency period. I think we get through this with cool heads, imagination, a sense of shared purpose and long-term vision.”

He is qualified to hold the position of city councilman, Frasher said, by his accumulated knowledge as both a resident and appointed city decision-maker, along with his viewpoint. “Experience and perspective are the biggest assets, I think,” he said. “Locally, I’ve been a member of the Redlands Planning Commission, guiding land-use decisions that shape the city, since 2012. A previous mayor appointed me to a Blue Ribbon Committee exploring budget priorities to get the city through the last economic crisis. Many of our biggest issues are not new to me. In my professional work, I’ve been a senior staff member to mayors and a chief of police in Riverside, a school superintendent in Glendale, and for a major infrastructure agency in Los Angeles County. These experiences working closely with and for residents in other jurisdictions gives me unique perspectives on best practices and how agencies interact to maximize effectiveness.”

Frasher is one of four candidates vying for the council position representing the city’s Fourth District. The top vote-getter among himself, Ivan Ramirez, Lane Schneider and Jenna Guzman-Lowery in November will take up the Fourth District position on the council in December, in essence re-



**Steven Frasher**

placing Councilwoman Toni Momberger, who in 2017 was appointed to replace late Councilwoman/Mayor Pat Gilbreath and then won a special at-large election held in 2018. Frasher said he was reluctant to contrast himself positively or negatively with Ramirez, Schneider or Guzman-Lowery.

“Respectfully, I believe the other contenders can and should make their own cases,” he said. “I don’t claim to be the most active or involved person in a town with lots of community pride, service and volunteerism, but I believe I have the combination of experience and the commitment to public service, resilience and accountability that is relevant, right now.”

In addressing what he considered to be the major issues facing the city, Frasher said, “Redlands is proud of its heritage but we need to go beyond the friendly façade. Everything is impacted right now by the current health/economic emergency. A city is all about people. We need to support our local businesses, with all appropriate care during COVID-19, but with the long-term goal of creating opportunities, jobs and an attractive community that local people and visitors want to support. Make no mistake, COVID-19 is deadly serious. I want to offer all support to our businesses that take the dangers and guidelines seriously. But, we’ll get through the COVID-19 emergency. Within the budget constraints we have to expand police/community connectivity and accountability so Redlands can be an example of justly pursuing justice and public safety. Affordable housing is needed; building the same types of tract

neighborhoods doesn’t provide the diversity of housing options that grow a family-friendly community for all, not just the well-established. Homelessness needs a compassionate approach involving a lot of partners; complaints solve nothing. We still need to plan and build for a more sustainable future.”

Frasher said his formula for redressing those issues was “economic development” and to “keep drilling down on ‘shop local’ with innovative promotion of neighborhood economic zones and the historic downtown.”

In terms of jobs, Frasher said the city needs to “encourage diversity in new businesses and strategize how to maximize job recovery as businesses are allowed to fully reopen.” He said that maintaining the city’s municipal workforce is critical. “Public services are critically important to residents,” he said, stating the city should “work with labor groups to maintain as many jobs as possible until revenues recover.”

With regard to public safety, Frasher said the city should endeavor to “ensure the police and fire departments are properly trained and resourced for our public safety demands, within our budget, and are partnering for the best social justice outcomes.”

In order to redress homelessness, Frasher said the city should “work with the county, churches and nonprofits to learn from current experiences and connect as many as possible with services.”

To expand housing opportunities, Frasher called upon the city to “develop plans to diversify housing options and develop transit villages with broader public discussion.” He said city officials need to “allay fears” that many residents have about high density housing being located in multi-use districts near downtown within a walkable distance from boarding and disembarking stations for rail lines offering transportation westward.

The city needs to emphasize accountability, Frasher said, by “continuing and expanding outreach education steps, inviting residents to more fully interact with police, parks, water resources, to understand needs, responses, concerns.”

How the city will pay for those solutions, Frasher said, is “the question that will dominate every decision, at least for the next two years. Prudent fiscal management sounds like a trope, but it’s true. Cities need to live within their means and all local communities/local families have taken a tremendous hit from the COVID crisis and the necessary steps to try to effectively contain the virus, and that impact hit all cities, too. We can’t proceed as if nothing has happened. Redlands’ leaders managed pretty well and saved reserves for rainy days, but this is a deluge. Ambitious plans are the vision we have to keep our eyes on in terms of long-term planning as

we inevitably manage painful cuts that I hope can be only temporary.”

Frasher said, “Redlands has a 1% sales tax measure that was placed on the ballot to meet visionary needs beyond daily maintenance, such as a new safety hall, any expansion of services, etc., before the current COVID-related budget emergency. Now, that measure will be a crucial bulwark against devastating cuts/destruction of what the city provides, if voters chose to adopt the increase at such a difficult time. That outcome will shape any decision elected officials can make for the coming years.”

In summarizing his experience relating to government, Frasher noted that in addition to his local service as a Redlands planning commissioner since 2012, he is currently employed as a public information officer involved in community relations, emergency communications response and media liaison for Los Angeles

County Public Works, which also manages the Los Angeles County Flood Control District.

Frasher has lived in Redlands since 2001 and in District 4 since 2003, having moved to Redlands as an adult. He has a bachelor of arts degree in political science from the University of Washington.

He and his wife, Sharon, a kindergarten teacher, have two adult sons.

Frasher said, “The Redlands Bowl, the city’s historic outdoor theater, has a phrase from *Proverbs* inscribed above the stage: ‘Without vision a people perish.’ That can’t be an empty slogan that fulfills itself. Past generations built and preserved a vision of Redlands in their time. It’s our time to envision, build and preserve a sustainable and welcoming city, for today, especially guiding it through this extraordinary emergency and to have our community emerge whole on the other side of the recovery.” -M.G.

### Stone from front page

that is for the community and puts the community first. I’m a candidate that will sacrifice my personal agenda for the good of the city.”

At present, Stone said, the major issue facing the city is public safety.

“Victorville has been ranked the tenth most dangerous city in California,” Stone said. “We have to analyze what makes us dangerous, who is the violent population, what is triggering the violence and what other elements and predictors are involved. We need a clear and comprehensive plan and a collective effort with law enforcement and community-based and governmental agencies to work on the root of the problem.”

The city can offset the cost of aggressively targeting lawlessness by tapping into available funding earmarked for doing just that, Stone said.

“There are state and

federal grants out there that can help to fund these solutions,” he said.

Stone said he understands how government functions based on his previous experience relating to government.

“I have sat on numerous government board and committees for the past 15 years,” he said.

Stone has lived in Victorville for five years. He attended San Bernardino Valley College, where he studied business, and Chaffey College, where he studied sociology. “I have also earned certification in violence intervention and prevention at Cal State Los Angeles,” he said.

Stone is the founder/president/CEO of Young Visionaries Youth Leadership Academy, which has been in existence since 2001. The Young Visionaries Youth Leadership Academy primarily provides an occupational strategy/workforce development program for disadvantaged youth and young adults, which includes job training, retraining, technical assis-

tance, career counseling and work placement into the logistics industry to provide those going through the program job experience. It also offers direction to encourage scholarship and college attendance and a homeless outreach program.

Currently unmarried, Stone said, “I have a fiancé and five kids.”

Stone said, “I am a dedicated regional community leader. For 19 years I have served as a voice for our community with a vested interest as a businessman and advocate. I am the founder and leader of a well-respected, successful county-wide youth and family advocacy organization. I have consistently led direct service efforts to support families both locally and regionally. Most recently I hosted the “Pull Up and Pick Up” COVID-19 Family Support Days in Victorville. We also hosted events in Compton, Barstow, San Bernardino, and Ontario. We plan to support the cit-

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# San Bernardino County **Sentinel**

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## **Beaver** from front page

invested interest in the city becoming the safe and prosperous place I know it can be and truly has been in the past. Not only do I live here, my parents and grandparents live here, my daughter

lives here, and too many friends to name. They deserve a safe place to live, work, and shop. Every one of your readers deserves the same. The City of Yucaipa needs strong leadership to see it through these turbulent times. I feel compelled to bring my experience to

the table."

That experience includes his status as a detective with the City of Azusa Police Department.

"I am a 12-year veteran of law enforcement," he said. "For the last several years I have been assigned as a crimes

against children detective where I have had the privilege of being a voice for the most precious members of our society, the innocent children. I am often tasked with networking with all manner of government agencies, and forming teams to overcome some

of the most complex problems. As it relates to the City of Yucaipa and moving forward, my experience in the above capacity gives me the confidence to face any problem head-on, and push forward to solve it quickly, efficiently, and with as little government

waste as possible."

In contrasting himself with Chester, an employee with the Riverside County Economic Development Agency, Beaver said, "My opponent has spent a career working for government,

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## **Change To District Elections** from page 2

some San Bernardino County residents that this is an outgrowth of the mass move toward by-district or by-ward elections that took place across San Bernardino County over the last five years, in which Shenkman, Grimes, Parris and Barragan were prime movers.

The *Sentinel* further sought to ascertain whether Shenkman, Grimes, Parris and Barragan had remained focused on the transitions to by-district or by-ward voting sufficiently to recognize the degree to which the districts and wards in the cities and

towns in question had been gerrymandered to confer an advantage on the incumbents then in office, and whether, with the benefit of hindsight, any of them now wish that he had acted to prevent the gerrymandering that occurred in virtually every case where a San Bernardino County city or town adopted the by-district election model.

Similarly, the *Sentinel* inquired of each of them as to whether they believed the gerrymandering that took place undercut the reformist goal they individually and collectively were pursuing in pressing these municipalities to adopt by-district elections, and whether they anticipated that moving

to by-district elections would result in a significant number of elections that would go uncontested. The *Sentinel*, as well, sought to press them on whether they considered that the circumstance in which 11 council races throughout the county are now going uncontested represents a diminution of the democratic process, and if they believe that a greater frequency of uncontested elections is a legitimate price that needs to be paid by the community to create the widespread regime of by-district voting and its hopefully consequent reduction in racially-polarized and ethnically-polarized voting.

Neither Shenkman,

Grimes, Parris nor Barragan responded to those inquiries and they did not address the assertions of some San Bernardino County residents that in certain cases what the by-district changeover did is actually make the election of protected minority candidates less likely. The four lawyers did not deign to respond to whether they thought the reform they succeeded in effectuating achieved its goal.

In Chino Hills, the city council in 2017 considered a district map that had been drawn by the National Demographics Corporation, which was gerrymandered such that it placed the then-current five members of the council into five

separate districts. Ultimately, however, the city council rejected that map in favor of the one drawn by city residents Brian Johsz and Richard Austin, a far more formulaic one that generally defied the categorization of gerrymandering and which put three of the incumbents in separate districts and created two other districts, including one in which none of the then-current council members resided and one in which two members were living.

Johsz was subsequently appointed to the Chino Hills City Council and then elected to represent District 4 in that city in the 2018 election. In that election, he defeated two Hispanic

candidates, Gabriel U. DeLuna and Rosanna Mitchell-Arrieta, as well as a fourth candidate, Ronald Eaton. One of the rationales for having Chino Hills switch to a by-district voting system was that it would likely result in the election of Latinos or Latinas to the city council.

Johsz, unlike Shenkman, Grimes, Parris and Barragan, consented to addressing the issue of by-district elections.

"I am by no means a defender of districts," Johsz said. "Our city had it imposed on us. I just happened to be a resident who saw an issue out there, and tried to find a solution as best we could."

## **City Of Industry Bought All 2,445 Acres Of Tres Hermanos Ranch Twice, For \$12.1 Million in 1978 And For \$41.65 Million In 2017** from front page

agency, known officially as the Industry Urban Development Agency.

Indications over the years were that the property would be utilized to host a reservoir or reservoirs which would have water holding capacity equivalent to the fifth largest body of water in Southern California. As decades past and those plans failed to

reach fruition, a segment of the growing population in Chino Hills had come to assume that the property was subjected to some order of open space protection, despite the surrounding contradictory indications that aggressive land development was the watchword in Chino Hills, in which one high end residential subdivision construct-

ed after another transformed the community into the most affluent city in San Bernardino County.

In 2011, legislation closed out all redevelopment agencies statewide, and ownership of the 2,445 acres transferred to the so-called successor agency to the Industry Urban Development Agency.

A handful of real estate development concerns including GH America Inc. and South Coast Communities of Irvine expressed interest

in acquiring the 2,445 acres at Tres Hermanos Ranch for the purpose of developing it both residentially and commercially, offering \$100 million for it. In August 2017, the City of Industry, which had substantial representation on the boards of both the successor agency to the Industry Urban Development Agency and the oversight board to the successor agency to the Industry Urban Development Agency, boldly took action to acquire the property. After the

city tendered a \$41.65 million offer on the property, in very short order the oversight board, at its August 24, 2017 meeting, directed the successor agency to sell the property to Industry for the aforementioned \$41.65 million. That action was accompanied by an indication that the ranch would be in large measure converted into a solar power generating field utilizing photovoltaic panels to generate 450 megawatts of electricity while leaving some of the prop-

erty dedicated as "open space" for public use. In nearly equally short order, the cities of Chino Hills and Diamond Bar raised objections with the California Department of Finance. After the California Department of Finance allowed the processing of the sale to proceed, Chino Hills and Diamond Bar lodged a series of legal actions in 2017 and 2018, all of which sought to thwart Industry's plans to lease the property for use as a

*Continued on Page 9*

## Lopez Offers Fontana “A Loud, Bold And Unapologetic” Voice In City Council Try

Erick Lopez is competing against five others to represent Fontana’s residents in the city’s Third Electoral District on the city council in order “to give the power back to the people. As a 9-year resident of Fontana, I have grown up in this community and for too long I have witnessed our elected officials often ignoring the demands of the people they are supposed to serve in favor of corporate and self-interests. We deserve a loud, bold, and unapologetic voice in the chambers of City Hall that puts people first and that is not afraid to push for change. I intend



**Erick Lopez**

to be that voice.”

It is his commonality from which he draws his greatest strength as a candidate, Lopez said.

“While I have studied government and have experience in positions of leadership, I think the most important qualification that I have is that

I am an average Fontana resident,” he ventured. “Talking to community members, they have been very receptive to me as someone who is a product of the community. They are tired of voting for politicians and they are excited for me as a candidate who they know will be their advocate because I have experienced their struggles firsthand.”

Lopez’s reference to politicians harkens to Jesse Armendarez, the incumbent whom the top vote-getter among the six now running in Fontana’s Third District – Lopez, Lashunda Martin, Linda D. Rich-

ardson, Peter Garcia, Amy Malone and Dawn Dooley – will replace later this year. Armendarez has ambition for higher office. He has forsaken remaining on the council to run for county supervisor in the Fifth District, and has so far invested a substantial amount of the money he makes in his real estate business – a total now exceeding \$91,076.83 – to propel his campaign. Lopez is intent on moving into the council slot Armendarez will be leaving in less than four months.

“I believe what distinguishes me from my opponents is that I am

a progressive,” Lopez said. “If 2020 has taught us anything, it is that our social safety nets are fragile. Families are one paycheck away from poverty while wealth continues to accumulate at the very top. While these broader issues will have to be addressed at a national level, there is a lot of work that can be done locally. The need for bold progressive ideals on education, economic development, and public safety has never been more apparent. We cannot afford to continue with business as usual and to continue to push for the same policies that have already failed us.”

Lopez said, “I am running on a platform that emphasizes education, sustainable economic development, and on re-imagining the public safety model. Educational attainment is low in our city and to address that I am calling to invest in teachers’ salaries, college preparation and vocational training programs, science, technology, engineering and mathematics education, and educational technology. Another issue that hits close to home is economic development. With little council opposition, portions of our

*Continued on Page 11*

### Comstock from front page

hired as a police cadet upon graduating from high school and enjoyed a lengthy career with the police department. I retired honorably in July of 2019 as the department’s first female chief of police. I am proud and grateful to have been raised, mentored by many community members, teachers, coaches and to serve as an example of the success hard work can deliver. I also believe that holding a position of public trust or office is not about serving myself; my priority has in the past and in the future will be to serve the people of Chino.”

Her intimate knowledge of the community and professional experience qualify her to hold the position of city councilwoman, Comstock said.

“As a police officer, I was trusted throughout my career to provide the service of delivering public safety to the Chino community,” she said. “My career combined with my volunteer work in the community has provided me the opportunity to demonstrate a proven record of being honest, reliable and committed to serving the people of Chino. My personal and professional interactions with the residents and business owners in the city has provided me with a clear understanding of what people expect from

public servants who hold positions of trust.”

She continued, “I rose through the ranks and into the position of chief of police. This assignment required me to work closely with the city manager, every department director, the sitting members of the city council, and the residents and business owners in order to deliver effective governing to Chino, while also leading the men and women of the Chino Police Department. My professional experience has provided me with knowledge of nearly every aspect of city government, including participating in the comprehensive budget preparation process. This included having to submit an annual operational budget for the police department.”

She is distinguished from her three opponents for the Fourth District council position – Anthony Honoré, Brandy Jones and Erskine Dunson – by “my professional experience with the City of Chino and my long-term commitment to serving and volunteering in the community. I have been serving Chino in some capacity as either a volunteer or as an employee for most of my life. My parents, my aunt and uncle, my cousins and many friends and professional acquaintances live and work in every part of Chino. Chino is my home and I care about this community. I be-

lieve my professional experience, my connection to the people of Chino along with my volunteer work in the city are the most significant qualities that distinguish me from my opponents for this position.”

Comstock assessed what she considers to be the major issues facing the city. “In the immediate, the city will be facing a financial shortfall with the current pandemic that has permanently closed some businesses in Chino and will adversely impact the sales revenues from other businesses that will affect the general fund balance,” she said. “The city will have to carefully navigate its budget expenditures and reduce as much spending as possible. Chino is a great city. It’s not perfect, but it is a great city to live, work, raise a family and enjoy the many parks, services, restaurants and amenities under normal operations outside of the impacts of the pandemic. The residents and business owners of Chino are extremely fortunate to have such a well-governed city comprised of an exceptional leadership team that includes the city council, the executive management team, and the many hardworking employees from every city department that powers Chino every day without fail. While this is an exceptional quality, there will be many opportunities to improve the quality

of life for our residents through future planning and governing.”

Comstock said, “I submit that Chino should maintain ongoing community public safety and accountability, fiscal responsibility, proper infrastructure and development. City leaders should also develop an attainable vision for the future in collaboration with our residents and business owners. They must do so by listening to their concerns and develop plans to lead Chino to a proud future that we can all enjoy. These issues are further explained as part of my campaign platform at Comstock4Chino.com.”

She said, “As it pertains to the current budget shortfall caused by the pandemic, I recommend the leaders of the city use every method available to curtail spending while being mindful to not adversely impact service levels to the residents or business owners. A recommendation will likely have to be brought before the city council to consider using the city’s general fund reserves to augment the sales revenue shortages.”

Comstock said, “I have always respected the conservative financial approach in which the City of Chino has long been governed. I will use the same fiscally responsible practices if I am elected to the council. Under normal economic operations, the City of Chino is fortunate

to have a balanced base of sales and revenue taxes and resident property taxes. Chino leaders have successfully used development fees to provide for responsible annual budgeting in order to deliver improvements and expand services to Chino. As a member of the city council, I will participate in this same process to ensure proper budgeting for our future success and oversight of the taxpayers’ money.”

Comstock pointed out that “As the former chief of police, I was the Region 15 representative for the California Police Chiefs Association. This assignment required me to occasionally travel to Sacramento with police chiefs from across the state in order to collaborate on public safety legislation. This provided me with relevant experience to the operations of our state senators and Assembly representatives and the impact that legislative policy and mandates have to our communities. I also maintained a cooperative working relationship with our congresswoman in order to properly communicate the impacts of federal legislation as it pertains to governing our local community.”

Noting, “I wasn’t born in Chino,” Comstock nevertheless asserted, “I have lived in Chino for the majority of my life and consider it my hometown. I attended elementary school at Doris Dickson Elementary

School, Ramona Junior High School, and I am an alumna of Don Antonio Lugo High School, Class of 1987.”

Comstock holds both an undergraduate degree in business management and a graduate degree in organizational management from the University of Phoenix. She was employed by the Chino Police Department for over three decades.

Married with no children, Comstock said, “I am the proud aunt to several nieces and nephews. My family has always been very supportive of my career. I enjoy spending time with my family and friends.”

Comstock said “I demonstrated during my service as the chief of police that I will listen and collaborate with the Chino community in order to deliver effective public service. If I am fortunate enough to be elected as a councilwoman, I want to assure the entire community, specifically my constituents living in District 4, that I will serve as an advocate for them at City Hall. District 4 is diverse in that it is home to some of our oldest neighborhoods, and conversely, the newest neighborhoods in our community. These communities require an understanding of the current and future needs specific to their neighborhoods. I understand this and as your councilwoman, I intend

*Continued on Page 11*









Public Notices

RO [and] MARISCOS EL GUERO UPLAND [and] MARISCOS EL GUERO BAJA STYLE CEVICE BAR 1902 N. CAMPUS AVE. #C UPLAND, CA 91764 POKE DELIGHT, LLC 1902 N CAMPUS AVE. #C UPLAND, CA 91764 Mailing Address: 4342 SKYLARK ST IRVINE, CA 92604 This Business is Conducted By: A LIMITED LIABILITY COMPANY

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/ ROBERT RENE RODRIGUEZ This statement was filed with the County Clerk of San Bernardino on: 07/13/2020

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

Began Transacting Business: N/A

County Clerk, Deputy I4100 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 8/07, 8/14, 8/21, 8/28, & 9/04, 2020.

Public Notices

FBN 20200007253 The following person is doing business as: MI OFICINA INCOME TAX 8990 SIERRA AVE. SUITE E FONTANA, CA 92335; JOSE A. GARCIA 8990 SIERRA AVE. SUITE E FONTANA, CA 92335

The business is conducted by: AN INDIVIDUAL The registrant commenced to transact business under the fictitious business name or names listed above on: 11/02/2009

By signing, 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/ JOSE A. GARCIA, OWNER Statement filed with the County Clerk of San Bernardino on: 08/11/2020

I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy

Notice-This fictitious 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 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 08/21/2020, 08/28/2020, 09/04/2020, 09/11/2020 CNBB33202001MT

FBN 20200007251

Public Notices

The following person is doing business as: GARCIA & SON TRUCKING 17555 CORKILL RD SPC 53 DESERT HOT SPRINGS, CA 92241; JOSE A GARCIA 17555 CORKILL RD SPC 53 DESERT HOT SPRINGS, CA 92241

The business is conducted by: AN INDIVIDUAL The registrant commenced to transact business under the fictitious business name or names listed above on: N/A

By signing, 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/ JOSE A. GARCIA, OWNER Statement filed with the County Clerk of San Bernardino on: 08/11/2020

I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy

Notice-This fictitious 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 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 08/21/2020, 08/28/2020, 09/04/2020, 09/11/2020 CNBB33202002IR

FBN 20200007249 STATEMENT OF ABANDONMENT OF USE OF FICTITIOUS BUSINESS

Public Notices

NAME The following person is doing business as: EL BORREGO RESTAURANT 12345 MOUNTAIN AVE. SUITE E,F CHINO, CA 91710; CARLOS A LOPEZ 12345 MOUNTAIN AVE. SUITE E,F CHINO, CA 91710 This statement was filed with the County Clerk of San Bernardino on: 10/15/2018. Original File#FBN20180011705

The business is conducted by: AN INDIVIDUAL The registrant commenced to transact business under the fictitious business name or names listed above on: N/A

By signing, 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/ CARLOS A LOPEZ, OWNER Statement filed with the County Clerk of San Bernardino on: 07/23/2020

I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy

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Public Notices

FBN 20200007153 The following person is doing business as: ONTARIOS SMOG CHECK 5420 W MISSION BLVD. ONTARIO, CA 91762; EMISSION WORLD, LLC 1310 S RIVERSIDE AVE SUITE 3F-#133 RIALTO, CA 92376

The business is conducted by: A LIMITED LIABILITY COMPANY The registrant commenced to transact business under the fictitious business name or names listed above on: N/A

By signing, 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/ BENJAMIN LIZAMA, MANAGING MEMBER Statement filed with the County Clerk of San Bernardino on: 08/10/2020

I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy

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FBN 20200007071 The following person is doing business as: MASTER AUTOMOTIVE TRAINING 9253 ARCHIBALD AVE. RANCHO CUCAMONGA, CA 91730; [MAILING ADDRESS 7615 ETIWANDA AVE. #268 RANCHO CUCAMONGA, CA 91739-9998]; AUTOMOTIVE TRAINING SERVICES INC. 7615 ETIWANDA AVE #268 RANCHO CUCAMONGA, CA 91739

The business is conducted by: A CORPORATION The registrant commenced to transact business under the fictitious business name or names listed above on: N/A

By signing, 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/ OSCAR GOMEZ, PRESIDENT Statement filed with the County Clerk of San Bernardino on: 08/07/2020

I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy

Notice-This fictitious 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 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 08/21/2020, 08/28/2020, 09/04/2020, 09/11/2020

Public Notices

CNBB33202005CH FBN 20200007007 The following person is doing business as: RIALTO TEST ONLY 630 W RIALTO AVE UNIT B7 RIALTO, CA 92376; CABALLERO SMOG CHECK INC. 630 W RIALTO AVE UNIT B7 RIALTO, CA 92376

The business is conducted by: A CORPORATION The registrant commenced to transact business under the fictitious business name or names listed above on: N/A

By signing, 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/ ROGELIO LIZAMA, PRESIDENT Statement filed with the County Clerk of San Bernardino on: 08/06/2020

I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy

Notice-This fictitious 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 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 08/21/2020, 08/28/2020, 09/04/2020, 09/11/2020 CNBB33202006CH

Chino Hills, Diamond Bar & Industry Out From Under Brown Act Violation Lawsuit from page 4

large solar facility. In the face of those legal challenges, the City of Industry moved forward with its arrangement with La Jolla-based Gabriel Valley Water & Power, headed by William Barkett, to lease the ranch property to the company for \$1 per year, extend to the company a 65-year option on continuing the lease of the property and an exclusive right to develop a solar farm at the ranch, and provide Barkett with loans and other funding for feasibility studies and preparations relating to the solar project, what was essentially an assurance of public financing of the company's efforts in the initial stages of the project's development. In exchange, Gabriel Valley Water & Power committed, once the 450-megawatt solar plant was functioning at capacity, to make an annual payment of \$4 million to the city for the use of the property along with the sale of the energy to be produced there to the city and City of Industry-based businesses at bargain base-ment rates.

In defiance of nor-

mal standards of public disclosure that attend the operation of governmental entities, the City of Industry provided virtually no information about the proposed project beyond a rudimentary description of its parameters, while essentially bankrolling Gabriel Valley Water & Power in the earliest stages of the project preparation. Ultimately, that lack of accountability redounded to the City of Industry's detriment, as Barkett and Gabriel Valley Water & Power burned through roughly \$14 million in carrying out preliminary planning on the project and spent another \$6 million in legal fees and other nondescript expenses by December 2017 without producing anything tangible in terms of physical assets on the ranch grounds nor anything other than conceptual plans and projections as to generating capability. The city satisfied Gabriel Valley Water & Power's billing up to that point for that work and those expenses, but began questioning whether the company was working in good faith toward the goals outlined in the development agreement.

Meanwhile, information surfaced that Barkett was using the money his company was obtaining from the City of Indus-

try to defray expenses on other business activities he was engaged in that had nothing at all to do with the solar power project.

When Barkett and Gabriel Valley Water & Power next submitted invoices for services relating to the solar farm proposal exceeding \$1.5 million but was not convincingly responsive with regard to the justification for that billing, the city council balked at making those payments. In January 2018, the city council took up discussion of firing all three Industry staff members most closely identified with championing the solar project – then-City Manager Paul Philips, then-City Clerk William Morrow and Anthony Bouza, an attorney the city was employing with regard to the solar farm's development and legal issues, moving by the end of January to sack Morrow and Bouza, and thereafter summoned up the requisite votes by the end of February to hand Philips his walking papers.

Having spent \$53.75 million over the years in securing the property, then squandering another \$20 million in its thoroughly unproductive relationship with Gabriel Valley Water & Power, and with its legal bills mounting in having

to fend off the lawsuits brought by Chino Hills and Diamond Bar, the City of Industry in 2018 entered into quiet negotiations with the latter two entities.

In February 2019, then-Chino Hills Mayor Cynthia Moran announced that an agreement had been reached by which the City of Industry, at least for the time being, abandoned its plans to use the ranch as a massive solar farm, and that the cities of Industry, Diamond Bar and Chino Hills would partner in "protecting" Tres Hermanos ranch while "recognizing that this beautiful natural property in the middle of our urban area is a valuable environmental asset." Under the terms of that settlement, the City of Industry became a full voting member of the Tres Hermanos Conservation Authority, a joint powers agency formed in January 1999 by the cities of Diamond Bar and Chino Hills. The authority's board was increased from four to seven members, with the City of Industry allotted three board positions, Diamond Bar two members, and Chino Hills two members. The City of Industry also made a commitment to sell Tres Hermanos Ranch to the Tres Hermanos Conservation Authority with

deed restrictions that limit future use to open space, public use, and preservation. The precise selling price of the property was not specified. Mark Radecki, who was then Industry's mayor, stated that "Open space brings a greater benefit to our region" and that the City of Industry saw value in "the wildlife" living upon the ranch grounds, and that he was enthusiastic about "what our communities can accomplish together to protect the special environment that has been preserved."

According to the settlement, the City of Industry was to absorb 90 percent of the purchase price in the sale of the land to the conservation authority. Chino Hills and Diamond Bar were to cover 10 percent of the sale price prorated according to the acreage within their boundaries. With 1,750 acres of Tres Hermanos Ranch in Chino Hills, and 695 acres in Diamond Bar, Chino Hills was to pay Industry \$2,959,967 and Diamond Bar was to pony up \$1,205,033 to Industry. For its part, the City of Industry was to write down \$37,485,000 of the \$41,650,000 value of the property.

It is not clear, however, if the transfer of title on the property was ever made from the City

of Industry to the Tres Hermanos Conservation Authority. There was a report that escrow on the sale had closed on February 11, 2019, but the *Sentinel* was unable to find any reference to the deeding of the property to the Tres Hermanos Conservation Authority at the San Bernardino County Hall of Records. At press time, it was unclear as to whether the deeding of property over to the Tres Hermanos Conservation Authority had been recorded in Los Angeles County, or whether, perhaps, the legal action by San Gabriel Valley Water & Power taken around the time of the sale against the City of Industry, Diamond Bar and Chino Hills prevented the transfer of the property.

Gabriel Valley Water & Power, which had not yet completely given up on the concept of the solar power project, filed a lawsuit against Industry, Diamond Bar and Chino Hills, which originated as a writ of mandate filed on February 8, 2019. The suit alleged breach of contract, tortious interference and that the three cities violated the Brown Act by working out the terms of the sale of Tres Hermanos Ranch to the Tres Hermanos Conservation Authority

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## Valdivia's Chief Of Staff Says Mayor Engaged In A Cornucopia Of Improprieties from front page

and veto power on any votes that ended either 4-to-3 or 3-to-2, which in practical terms meant that on any issues where the vote had the potential of going against the position the mayor held, he or she in fact had two votes. More significantly still under the 1905 charter, the mayor had administrative power equal or greater to his or her political power. The 1905 charter endowed the mayor with the authority to hire and fire city employees. This made the mayor, in a sense, a co-regent of the city with the city manager. And if the mayor had differences with the city manager, the mayor could fire him or her.

Upon acceding to the mayor's position in December 2018, Valdivia, with Essayli's assistance, sought to line up council support that would allow him to reassert himself administratively. Valdivia had already established alliances with both Sixth Ward Councilwoman Bessine Richard and Fifth Ward Councilman Henry Nickel, with whom he had previously served when he was Third Ward Councilman. As mayor, he and Essayli courted First Ward Councilman Ted Sanchez and Second Ward Councilwoman Sandra Ibarra, who had been newly elected in November 2018 when Valdivia defeated then-incumbent Mayor Carey Davis, and Councilman Juan Figueroa, who had been elected in a special election in May 2019 to replace Valdivia as Third Ward Councilman, to form a ruling coalition that for the time being had rendered irrelevant the opposition Valdivia had from his two rivals on the council, Fourth Ward Councilman Fred Shorett and Seventh Ward Councilman Jim Mulvihill.

Thus empowered, Valdivia and Essayli were able to get the city council to enlarge the

mayor's staff from a single employee devoted to the mayor – the chief of staff – and a secretary shared with the remainder of the council to a chief of staff, an administrative assistant, a resident service representative, two legislative assistants/field representatives, a paid intern and the secretary who also served the remainder of the council.

In approving those five additions to the mayor's staff, the council had indicated that the employees were to devote themselves to assisting the mayor in carrying out his duties as the city's primary and highest profiled elected representative of the residents, involving themselves in constituent services.

Valdivia had different intentions, according to Brown, who said Valdivia pressed his staff into carrying out work relating to getting his allies on the council reelected and which was further intended to enhance Valdivia's 2022 reelection effort.

"Valdivia pressed Mirna Cisneros, his customer service representative and Renee Brizuela, his secretary, to work on political campaigns for the councilmembers he considered part of his team that were up for reelection while Cisneros and Brizuela were serving in the capacity as city employees," Brown's claim states. "He requested they use their accrued vacation time to work on the campaigns of the candidates that Valdivia was endorsing, namely Juan Figueroa and Bessine Richard."

According to Brown's claim, "It was Valdivia's policy not to serve residents above the 210 Freeway and when staff responded to constituent inquiries from residents above the 210 Freeway, he would routinely reprimand them verbally during staff meetings and threatened all staff, including claimant with their jobs."

Councilman Shorett's Fourth Ward and Councilman Mulvihill's Seventh Ward lie primarily north of the 210 Freeway.

According to Brown, "Valdivia's legislative

field representatives, Jackie Aboud and Donald Smith, were routinely reprimanded by Valdivia in front of our entire staff during weekly meetings about crew resource management goals, and were required to explain any use of their time to respond to constituent inquiries above the 210 Freeway or outside of wards of council members he considered part of his team that were up for reelection."

Brown's claim states, "On or about January 27, 2020, during a staff meeting Valdivia announced to everyone in attendance that they were, in his words, in 'reelection mode' and they needed to 'get on board the train.' Valdivia went on to outline a list of priority projects staff were assigned to complete to ensure Valdivia's reelection. On the same day, during a staff meeting Valdivia yelled at Alexander Cousins, a paid intern serving in the capacity of policy analyst, saying 'Bullshit, bullshit, bullshit! I want results, not excuses!' This outburst was in response to an update Cousins provided on his efforts to raise funds from the Chinese government to pay for San Bernardino symphony travel to China. Later, during the late afternoon following a staff meeting, Valdivia informed claimant during a conversation in Valdivia's office that he was going to have a 'mandatory office closure' for a Dodgers event to support his campaign sometime in mid-February or March. Valdivia indicated he was going to require all of his staff to use vacation leave to attend the event and that each employee would be given two tickets. Claimant told Valdivia this was illegal and he could not require employees to use their accrued leave to attend a mandatory event to support his reelection campaign. In retaliation, Valdivia would harass and create a hostile work environment for claimant."

According to Brown, Valdivia was highly dismissive with regard to the quality of education provided by a major San Bernardino institution,

California State University San Bernardino, from which a number of his staff members had graduated. In mistreating and domineering his employees, Brown said, Valdivia made scathing references to the college. "Valdivia seemed to take joy in mistreating his employees," Brown stated. "He would belittle his staff in meetings and make fun of them by insulting their intelligence, calling them low functioning, and making derogatory comments about staff that were Cal State San Bernardino alumni."

Brown paints a picture of dysfunction on the mayoral staff which primarily came about because of Valdivia's insistence on giving his employees improper assignments that they proved unwilling, after a time, to carry out. The earliest manifestation of the crisis in the mayor's office was a result, Brown indicated, of Valdivia's caddish behavior crossing the line into sexual harassment of Cisneros and Cervantes. In late January, both Cisneros and Cervantes resigned and retained attorney Tristan Pelayes, who subsequently assisted them in filing claims against Valdivia and the city. Subsequently, Aboud, who had been fired by Valdivia, and Smith also retained Pelayes. Smith later lodged a claim of his own against Valdivia. As the atmosphere in the mayor's office was deteriorating, Brown related in his claim, an increasingly desperate Valdivia sought to preemptively destroy the credibility of his own staff members to head off the legal trouble his treatment of them had created. Brown, who characterized the manner in which the mayor had previously dealt with his staff as highly inappropriate, said the efforts Valdivia engaged in against his staff members who had transitioned into becoming his detractors entailed seeking to get him, as chief of staff, and his remaining staff to falsify charges against them.

Following Cisneros' and Cervantes' departure, the city had under-

taken an investigation into the accusations they made against Valdivia, hiring Los Angeles-based attorney Carla Barboza to carry out that assignment.

"On or about February 4, 2020 during an early morning telephone call, Valdivia told claimant about his intent to go on the offensive with Cisneros and Cervantes and refute their allegations against him," the claim relates. "Valdivia indicated he had spoken with Chris Jones, his spokesman and political consultant, and that Jones had convinced Valdivia he needed to be aggressive in dealing with Cisneros and Cervantes. Valdivia requested that Cousins, Brizuela and claimant provide him with false written statements refuting the allegations from Cisneros and Cervantes. Claimant was stunned because he knew the allegations to be true since he witnessed them. Additionally, Valdivia requested that claimant write fake work performance evaluations for both employees emphasizing their poor work habits. Claimant refused to participate in the falsification of the said records, [as] he would be required to testify under oath and perjure himself in a deposition, given that Cisneros and Cervantes had already filed their tort claim, which was a precursor of filing a lawsuit against the City of San Bernardino. Claimant, by refusing to engage in the falsification of records, documents, and performance evaluations, had reasonable cause to believe that if he had agreed to engage in these acts, it would result in violations of federal, state, and/or local laws, rules or regulations."

Brown's claim states that Brown "told Valdivia that Jones was giving him bad advice and recommended Valdivia discuss these requests with City Attorney Sonia Carvalho. This enraged him. Because claimant refused to provide Valdivia with the fake statements and fake work performance evaluations he had requested, Valdivia began to doubt claimant's loy-

alty towards him. On or about February 10, 2020, claimant had a meeting with Valdivia for approximately one hour and 45 minutes. Valdivia attempted to ask a lot of questions about the status of the personnel investigation and claimant declined to provide any details. Valdivia requested claimant speak with Smith and Cousins and 'coach them' prior to their interviews with the human resources investigator because he wanted their interviews to reflect positively on him. Claimant refused."

When Brown told Valdivia he should not be interfering in the investigation, according to the claim, Valdivia retaliated against him and created a hostile work environment.

In March, Brown retained Pelayes, which resulted in City Manager Teri Ledoux, who according to Brown's claim had also been accorded shabby and unprofessional treatment by the mayor, ultimately siding with Valdivia. Brown was frozen out of his once-meaningful and powerful role as the mayor's right-hand man.

Councilman Ted Sanchez informed Brown on March 4 of this year, according to Brown's claim, "that Chris Jones asked Sanchez to make a motion during the March 4 council meeting to eliminate claimant's position as the mayor's chief of staff, effectively firing him from city employment."

Sanchez did not make such a motion, but according to Brown's claim, "Valdivia was permitted to influence the development of staff reports in closed-door meetings with Ledoux while being advised by the city attorney."

On March 16, 2020, Brown was interviewed for five hours by Barboza, and Brown's claim states he "disclosed to the outside investigator all of the non-compliances, unlawful conduct, and violations of federal, state, local laws, rules, and/or regulations." On March 25, 2020, according to Brown, he was presented with a "work

*Continued on Page 11*

## Beaver Making Council Run In Yucaipa from page 5

spending taxpayer money. My experience has given me a deep love for the Constitutional rights of Americans and circumstances where I have been faced with some of the most critical situations in our society and having to make split second decisions in order to bring immediate peace. It is because of this, and my experience in the city as a citizen, that I see a genuine need for additional law enforcement officers. My opponent's views on adding more deputies is that of a typical bureaucrat, unnecessary studies to determine a problem exists that we already know exist. Anyone who lives in Yucaipa and truly is in touch with the community knows

the following: The population has gone up, crime has gone up (even unreported crime), and the population of homeless has gone up. No crime statistic analysis is needed to know that the number of deputies patrolling our streets now is the same as 1989, when the city was incorporated."

The major issues facing the city, Beaver said, are ensuring "responsible spending, appropriate marketing of the Yucaipa Performing Arts Center, responsible growth that is in line with the will of the people, and being unprepared to deal with an impending rise in crime due to the irresponsible decisions being made by Sacramento as it relates to releasing offenders back to the street."

Those issues can be redressed, Beaver opined.

"The city council,

whoever it ends up being made up of, must be able to ask the difficult questions of city staff, must be willing to make decisions themselves, must responsibly spend taxpayer money that will generate revenue eventually. The City of Yucaipa must spend money that will be an investment into the city into those things where the city will see a return on that investment."

Beaver advocated without explicitly committing to seeking at some future point resident approval of a tax explicitly earmarked for expanding the city's contract with the sheriff's department for law enforcement services as a means of defraying the costs of needed programs for the city.

"Measure E failed in March because it appeared to be nothing

more than a sales tax, sold on the backs of our public safety first responders, but titled as a general fund tax. Appearances are everything, and that appeared to be dishonest politicians passing a tax to be spent as they see fit. I believe a rewritten Measure E will pass because I believe Yucaipans know the benefit of investing into public safety."

Beaver said, "Additionally, the city's uptown area has been established as an incredible foundation to be the charming 'Small-Town USA' feel that will attract visitors to patronize our businesses that pay into our small business tax base. We have to continue building on that up from just a foundation. Great work so far, but more to go still. We have to grow responsibly in order to keep Yucaipa

the small town and historic town it once was, and can be still."

Beaver said, "My only experience in government is in the executive branch as a law enforcement officer," insisting, "I am very knowledgeable on the Constitutional rights of all men and women, and will fight in any capacity to protect those rights. I am not a fan of 'Big Government.'"

He is the embodiment of Yucaipa, Beaver said. "With the exception of a couple years where I lived in Banning to be closer to work, I have lived in Yucaipa my entire life, 32 years." He attended and graduated from Yucaipa High School, as a member of the Class of 2006. "Go T-Birds!" he said.

He is attending college on a part-time basis, Beaver said. "I am

nearing completion on my bachelors degree in criminal justice at California Coast University."

Single, Beaver has one daughter.

"I am a staunch Constitutionalist and a firm believer of the phrase 'We the People,'" Beaver said. "I believe the purpose of government is to support and defend the Constitutional rights of all. I have sworn that oath time and time again. I promise to be approachable, accessible, and accountable to all citizens of Yucaipa, not just now, but after the election. A strong voice willing to ask the tough questions is what I will be for all of you. Follow me on social media: Facebook/Instagram - Justin Beaver for Yucaipa."

-M.G.



## Comstock from page 5

to be successful in delivering services and good governing to your area of concern. I was accountable and responsive to the entire community of Chino as the chief of

police. I will serve in the same manner as a councilwoman. I hold institutional knowledge from my many years of experience at the police department that includes what the City of Chino promised to deliver to our newest residents in an area that now in-

cludes residents and the students, faculty and parents of the Cal Aero Academy. I directly advocated for your safety as your chief of police. I met, listened and addressed your concerns regarding crime, traffic safety and circulation, and worked hard to

implement a new policing sector to serve your community. As chief, I ensured that police personnel were stationed in your community during heavy rain storms - storms that brought flooding and road closures to those sections of our city that are subject

to flooding. As councilwoman, I will serve to ensure your infrastructure, roadways and retail are constructed and delivered to your community as promised when you purchased your homes. I will work hard to ensure our newest homeowners feel inclusive

to the City of Chino as a vibrant and growing part of our community, while also protecting and balancing the interests of the residents of our more mature neighborhoods."

-M.G.



## Stone from front page

ies of Pomona, Fontana and Rialto with similar events prior to the end of 2020. Each event supports 500 to 800 families. As a councilman, I will work extremely hard to leverage my extensive network to both bring support to families that are economically stressed by COVID-19 related job loss as well as work to bring high-paying jobs to our city. A stronger tax base will greatly improve our ser-

vices, while also providing discretionary income to our families who can then support our local businesses."

Stone said, "My three areas of focus are public safety, economic development and youth advocacy. I stand on public safety; I believe every citizen of Victorville has a right to be and feel safe. I am currently on committees and regularly attend meetings with the San Bernardino County Sheriff's Department, the San Bernardino County District At-

torney's Office and local police departments to be the voice of the community."

As to economic development, Stone said,

"Attracting high-paying jobs and providing opportunities for our youth and their families are my primary focus."

Stone said, "In 2001,

I started Young Visionaries Youth Leadership Academy. The organization's purpose is to help enrich the lives of young people through life

building activities and instruction in the areas of education, employment, health, mentoring, and community service."

-M.G.

## Lopez Seeking Fontana Council Berth from page 5

community have been overrun by warehouse developers that bring low-paying jobs with no benefits and dismal working conditions on top of significant environmental impacts. I am

running to diversify our economic development and to attract good paying jobs, professional working spaces, green jobs, and science, technology and engineering, industries that will bring Fontana into the future. Lastly, in the face of George Floyd's death, our community has overwhelmingly called on our elected officials to re-

form policing in our city, and they have repeatedly ignored our demands. I am running to advocate for a re-imagined public safety model that prevents crime by investing in homeless shelters, mental health resources, affordable housing, job training, education, etc."

Advancing science, technology, engineering and mathematics educa-

tion and pushing for economic development, Lopez said, can be achieved through the use and prioritization of available funding.

"For those solutions that have a cost, I propose the city pay for them by reallocating funds from what already exists within the city's budget," he said.

Lopez, who attended

A.B. Miller High School and attended UC Davis where he studied political science with an emphasis in public service, acknowledged, "This is my first time seeking a position in government." He has lived in Fontana for nine years. Lopez is unmarried and has no children.

Formerly employed as a teaching assistant,

Lopez was displaced as a consequence of the COVID-19 pandemic. Lopez is, nonetheless, taking advantage of his time off work to innovate new ways to connect to voters during an already unprecedented campaign season.

-M.G.



## Brown Catalogs Valdivia's Depredations from page 10

assignment project list" for the mayor's office by Assistant City Manager Rebekah Cramer, which Brown said augmented "previous retaliatory verbal direction from Ledoux and Cramer not to review council agen-

das, nor attend council meetings, communicate with council members, provide support services to council members, or respond to constituent inquiries. These changes eliminated claimant's ability to do his job and completely changed the nature of his job to nothing."

Brown's claim states

that on May 18, 2020 "in retaliation of claimant's reporting of the illegal activities by Valdivia," which included his refusal to fabricate allegations against Valdivia's staff, "claimant was informed by Ledoux that his position would be eliminated at a special meeting of the city council on May 21, 2020, purportedly

due to COVID-19 budget impacts. The reason given to claimant was pretextual and was designed to conceal the real reason, which was to retaliate against claimant. On June 1, 2020, in retaliation of claimant's whistleblowing activities, claimant's employ-

*Continued on Page 12*

Grace Bernal's

# California Style Blazing



It's blazing hot outside, but that doesn't stop the fashionistas. Looks like the blazer is the street piece of the moment. And, it is fun to wear in many ways. You

can wear it loosely with shorts, cool baggy pants mini/long skirts and dresses. The ideas are

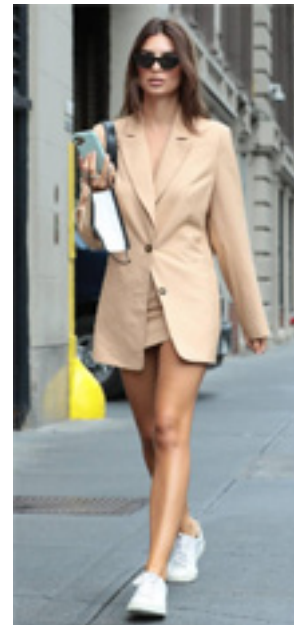
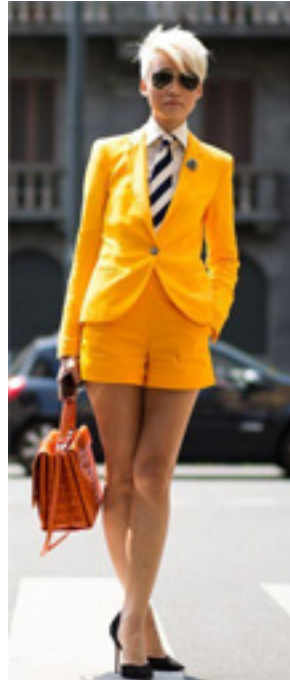


endless. The blazer is a great sun protector, too. Its light enough to wear



and cover the heat from burning on your arms. Let's not forget the classy chic look it adds to your wardrobe. The colors and patterns they come

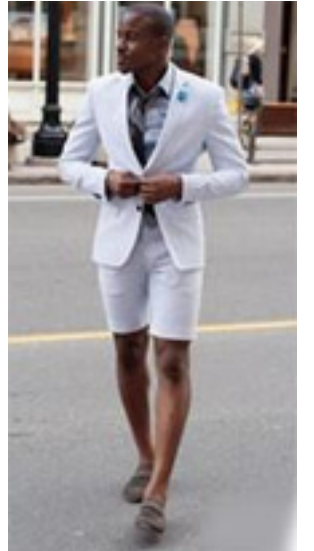
in are endless and you can find one available anywhere from thrift to Target. The blazer really pops up any outfit all the



way from simple beach to out in the evening. We're trying to have fun and still be fashionably during these times. Get blazing and enjoy your fashion.



"With the perfect blazer, anything is possible." -Unknown



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

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## After DA's Office Raids, SGVW&P Drops Suit from page 9

ity behind closed doors. At central issue were three simultaneously-held public meetings in February 2019 during which the three cities' councils took reciprocal action that granted the City of Industry status as a member of the Tres Hermanos Conservation Authority.

Those meetings were coordinated in advance, and the action taken at them was preordained, San Gabriel Valley Water & Power maintained. Gabriel Valley Water & Power asserted those actions were outright violations of the Brown Act, California's open-meeting law which requires that governmental decision-making bodies not meet in secret to discuss any public issues or take action on such matters outside the scrutiny of the public. The coordinated public meetings at which the three city councils signed off on admitting the City of Industry into the Tres Hermanos Conservation Authority and then

agreed to the sale of the Tres Hermanos Ranch property to the authority was an obvious effort to hide that the three cities had entered into illegal secret deliberations relating to a public issue, San Gabriel Valley Water & Power alleged.

San Gabriel Valley Water & Power's suit was a dramatic and ironic reversal, since in 2017, both Diamond Bar and Chino Hills accused Industry of violating the Brown Act when it had negotiated and then officially ratified during a closed session the lease agreement with San Gabriel Valley Water & Power. In this way, both Chino Hills and Diamond Bar stood accused of conspiring with the City of Industry to do exactly what Chino Hills and Diamond Bar had less than two years previously identified as illegal activity.

The waters around the entire set of sordid arrangements was muddied further when Barkett, a longtime major Democratic Party donor, prevailed upon California Controller Betty Yee, a Democrat, to have her staff carry out an audit of the City of Industry's finances. A group, Con-

cerned Citizens of the City of Industry, formed, which was represented as a spontaneous manifestation of interest over public issues in the city, which has a population of just 204 residents. Concerned Citizens of the City of Industry, represented by attorney David Gilmore, filed a lawsuit seeking that a receiver be appointed to oversee the city's operations. Subsequently, it was revealed that Gilmore had previously represented Barkett on a number of legal issues.

The City of Industry hit back, filing suit against San Gabriel Valley Water & Power and Barkett and the company's lobbyist, former California Assemblyman and State Senator Frank C. Hill III, asserting the solar project was a ruse to kipe \$20 million, which entailed fraudulent billings.

With the lawsuits from both side yet pending, on August 12, 2020, investigators with the Los Angeles County District Attorney's Office made a series of early morning services of search warrants at the homes and offices of a multitude of individuals associated with the San

Gabriel Valley Water & Power solar project, including Barkett, lobbyist Frank Hill and former Industry City Manager Paul Philips in Los Angeles, La Jolla, Cerritos and Whittier, as well as at two locations associated with the Cordoba Corporation, a consulting firm in which Hill is a principal and which at one time had been retained by the City of Industry to oversee San Gabriel Valley Water & Power's progress on the solar project.

The following day, August 13, San Gabriel Valley Water and Power's attorney, Peter Sunukjian filed a request for dismissal of the lawsuit originally filed on February 8, 2019 by San Gabriel Valley Water & Power against the City of Industry, Diamond Bar and Chino Hills.

## Brown Seeking "Exemplary Damages" From Valdivia from page 11

ment with the City of San Bernardino was terminated."

The Sentinel was unable to get Valdivia to go on the record with regard to Brown's claim.

"By dropping its lawsuit, San Gabriel Valley Water & Power has essentially admitted that its allegations were without any merit. They wanted to undo the cities' collective commitment to preserve Tres Hermanos and they failed," said City of Industry Mayor Cory Moss. Moss continued, "Like San Gabriel Valley Water & Power's proposed solar farm, their lawsuit was a sham and we prevailed."

The *Sentinel's* efforts to reach City of Industry City Manager Troy Helling to determine what further developmental designs, if any, the City of Industry has with regard to Tres Hermanos Ranch was unsuccessful.

"After false allegations from the San Gabriel Valley Water & Power, and a legal battle

that has been costly to all three cities, we are happy to see them drop their lawsuit," said Diamond Bar Mayor Steve Tye. "This is a win that was long overdue."

Chino Hills Mayor Art Bennett said, "This important victory safeguards this significant expanse of pristine property for the people and wildlife of this region. Our three cities will continue to work together as members of the Tres Hermanos Conservation Authority to preserve and protect Tres Hermanos Ranch for future generations."

Barkett did not field a phone call placed to his La Jolla office by the *Sentinel*.



Brown's claim does not explicitly call for his being returned to his role as Valdivia's chief of staff, but cites "compensatory and other damages exceed[ing] \$10,000. Claimant also claims and seeks to recover herein, the statutory and other penalties, damages, attorney's fees, expert fees, costs as provided

by law, to include exemplary damages against John Valdivia."

If the city rejects the claim or does not accede to it and come to some terms with Brown on satisfying his assertion of damages within 45 days, Brown will then be at liberty to sue the city.

-Mark Gutglueck