

## End Of The Line For Dalquest As Development Services Director In Upland?

By Mark Gutglueck

Robert Dalquest, the local boy made good who returned to Upland in apparent triumph where he cozied up to the political establishment and provided it with the coverage it needed to carry out its developmental imperatives in the face of a growing body of residents increasingly discontented with the city's direction, appears to be on the brink of departure as a consequence of the recent election which has

seen his primary patron at City Hall ousted and two new members of the city council put in place.

As the city has dealt with some pressing development issues over the last ten months, Dalquest in his role as Upland's development services director has been at the helm of the city's planning apparatus while three highly controversial development projects were given approval and/or environmental certification. These were

done in all cases at the recommendation of the staff he heads, over the strident objections of a cross section of the city's residents and without the projects being subjected to the exacting scrutiny of an environmental impact report. Rather, Dalquest, in his role as the city's primary land use expert, has ushered those projects through a far less demanding environmental certification process known as a mitigated negative dec-

laration, which utilizes the city's elected officials in the form of the city council or the appointed members of the planning commission to sign off on an assurance that the consequences of the project will not adversely impact the district wherein those projects are to be placed, nearby neighborhoods, the infrastructure and utilities serving the area including streets, or the city overall.

The most recent of

these controversial projects was considered by the planning commission this week, whereupon that panel gave it an environmental certification and called for the matter to come before it once more at its next meeting on December 9, where based upon the statements of several of the commission's members it is anticipated the project will be given go-ahead with some conditions that were briefly discussed this **See P 2**

## Increase In County COVID-19 Testing Reveals Record Escalation Of Those Infected

After months of turning residents seeking to be tested for COVID-19 away, San Bernardino County public health officials are now urging as many people as possible to undergo testing for the potentially fatal malady.

Nevertheless, county officials continue to send mixed signals with regard to the public health crisis that has gripped the nation for more than eight months, including ones that seem to indi-

cate the county no longer wants its residents to undergo testing.

The disease is exhibiting a resurgence locally, at the state level and nationally, prompting state and national leaders as well as health professionals to call for a return to the isolation and self-quarantining that was advocated last spring as a means to check the spread of the condition. Paradoxically, county officials are on the brink

of suing the State of California in an effort to thwart Governor Gavin Newsom's coronavirus-related mandates, which include a statewide curfew and the continued closures of certain businesses.

San Bernardino County got off on the wrong foot even before the COVID-19 crisis began in earnest in March. Trudy Raymundo served as the director of the San Bernardino County Depart-

ment of Public Health for nearly a decade, but had no expertise whatsoever with regard to medical or public health issues, having been put in place because of her putative skill in accounting and ability to keep a governmental division functioning within a budget. Because she was out of her depth in dealing with issues of medical science, Raymundo failed to recognize the seriousness of the approaching

situation, and failed to use the leverage of the county's size and spending power early to secure a sufficient quantity of the reagent and materials needed to carry out testing of the county's population to chart the spread of the contagion in its early stages. This prevented tens of thousands of county residents who in March, April and May believed they might be infected from being tested. This left **See P 3**

## Irving & McEachron In Seesaw Race For 3<sup>rd</sup> Place & Final Victorville Council Post

Former Victorville Mayor/Councilman Ryan McEachron over five days in the last week made a dynamic leap into third place in this year's city council race, which featured 22 contestants. McEachron's burgeoning vote total for several days put him on a trajectory to return to the Victorville City Council dais, but as of yesterday, he had again slipped into fourth place, just short of victory, as the three top

vote-getters in this year's race will qualify for a position on the council.

On the night of the election, at 10 p.m., when the first report of the results came in, a tally of the votes from 52 of Victorville's 75 precincts had been made. At that point, incumbent councilwoman Blanca Gomez was leading the pack with 4,184 votes or 9.8 percent, followed by Elizabeth Becerra, at 4,020 votes or 9.42 per-

cent, and Leslie Irving claimed third with 3,433 votes or 8.04 percent. Kareema Abdul was in fourth with 3,070 votes or 7.19 percent. McEachron was in fifth place, having polled 2,858 votes or 6.7 percent.

A 4 a.m. on November 4, all 75 of the city's precincts had reported, and Gomez was yet in first place with 4,944 votes, slightly ahead yet of Becerra's total of 4,909 votes. Irving remained

in third with 3,857 votes and Abdul in fourth with 3,561 votes. McEachron held steady in the fifth place dark horse position with 3,539 votes, 22 votes behind Abdul. Later that day, at 4 p.m., Gomez was still the front-runner with 4,969 votes to Becerra's 4,939 votes. Irving was in a strong third place position with 3,888 votes. Abdul, with 3,582 votes, maintained a 20-vote lead over McEachron at

3,562 votes.

On November 5, as more mail-in ballots were counted, Becerra, with 5,622 votes, overtook Gomez, at 5,610 votes, by a dozen voter endorsements. From that point going forward Becerra has remained in first place, widening her lead over Gomez, who has until present remained safely in second place. The same day, McEachron, with 4,279 votes, leapt past **See P 3**

## Ontario High School Graduate Glover Now Aboard The International Space Station

Ontario High graduate Victor Glover went aboard the International Space Station this week.

A commander in the U.S. Navy, Glover was accepted by the National Aeronautics and Space Administration as an astronaut in June 2013. After completing training as a member of Astronaut Group 21 in 2015, he succeeded in being designated as a member of the first commercial crew of astronauts to be

sent into space.

Born in Pomona on April 30, 1976, Glover attended Ontario High School, where he was both a quarterback and running back for the Jaguars and a member of the wrestling team. He graduated in 1994, having been recognized as Ontario High's athlete of the year. He attended California Polytechnic State University in San Luis Obispo on a wrestling scholarship. He was

a member of the Phi Beta Sigma fraternity, graduating with a bachelor of science degree in general engineering in 1999.

Glover joined the U.S. Navy, completing advanced flight training in 2001. He subsequently served as a member of the Marine Fleet Replacement Squadron, flying the F/A-18C aircraft. He was deployed aboard the USS John F. Kennedy during Operation Iraqi Freedom after

he was assigned in 2003 to Strike Fighter Squadron 34, stationed in Norfolk, Virginia.

After his tour in the Gulf of Oman aboard the USS John F. Kennedy came to an end, Glover was assigned by the Navy to some cross-service training as a student at the Air Force Test Pilot School. Upon his graduation in 2007, he was designated a test pilot, and served a stint with Air Test and Evalu-

ation Squadron 31, based at the Naval Air Weapons Station China Lake.

In 2011, Glover was given a billet as the department head for Strike-Fighter Squadron 195, stationed at the Naval Air Facility in Atsugi, Japan, and then deployed aboard the USS George Washington.

With the Navy, Glover flew 24 separate combat missions and made over 400 carrier landings.

In 2012, Glov- **See P 3**

## County Hires Segueira As Public Health Officer

The board of supervisors on Tuesday appointed Dr. Michael Sequeira, M.D. as San Bernardino County's public health officer.

He replaces Dr. Erin Gustafson, who has been interim public health officer since the retirement of Dr. Maxwell Ohikhuare in February.

Segueira, formerly the president of the San Bernardino County Medical Society, is considered, according to the county "a leader in the county's medical community and an experienced local expert in emergency medicine," who "for the past 30 years... has worked in leadership roles at the local, state and national levels, including as regional director of six hospital emergency departments, including hospitals in San Bernardino, Apple Valley, Colton, and Redlands."

A member of the steering committee of the Inland Empire Opioid Crisis Coalition, which works on an educational program for opioid prescribing and overdose treatment and prevention, Segueira also serves as national risk director for Vituity Healthcare, in which capacity he has been keeping providers current with the latest clinical and research data on COVID-19.

"We are pleased to have a medical professional of Dr. Sequeira's expertise and background work for San Bernardino County," said Board of Supervisors Chairman Curt Hagman. "We look forward to his leadership and counsel as we navigate our way out of this COVID-19 pandemic."

Segueira obtained his doctorate in medicine from the University of California, San Diego School of Medicine in 1977.

-Mark Gutglueck



## Dalquest, As Upland Development Services Director, Recommended Approving Massive Amazon Warehouse Without An Environmental Impact Report *from front page*

week.

In the case of the first two controversial projects given approval earlier this year, residents have banded together to challenge those approvals in the form and forum of lawsuits filed in San Bernardino County Superior Court. It is anticipated that upon the planning commission's approval of the most recent controversial project, a warehouse slated for the south side of 11<sup>th</sup> Street between Central and Monte Vista avenues, yet another lawsuit will be filed against the city in an effort to have that approval rescinded.

Resident discontent with Dalquest has been escalating, as Dalquest's credentials as a municipal planning official, his experience in that role and his educational background should, they say, provide him with a command of land use and zoning policy and standards leaving him sensitive to the concept of incompatible proximate or adjacent land uses, but that he has largely ignored those principles in his effort to accommodate his political masters on the city council. They feel the city, under his guidance, has acquiesced in too many such incompatible uses, such as the Amazon Project and the Villa Serena Project, and that he and his department have been remiss in looking after the best interests of the current and future residents of the city.

The issue dealt with by the planning commission this week was a proposal by Yellow Iron Development and its principal Tony Spinrad to develop a 92,225 square-foot warehouse on 11<sup>th</sup> Street, near the western city limits.

Earlier this year, the city gave approval to Bridge Development Partners to construct a 201,096-square-foot warehouse intended to function as a distribution center for on-line retail behemoth Amazon to

be located north of Foothill Boulevard and south of Cable Airport. That undertaking, known as the Bridge Point Upland Project, was to include 1,486 parking spaces for delivery vans and cars, and 25 dock high loading bays for 18-wheeler trucks. Projections were that there would be roughly 50 truck trips per day to deliver merchandise to the facility and in excess of 1,000 van or delivery vehicle trips per day with roughly or slightly fewer than 187 trips per hour in the morning rush between 6 a.m. and 10 a.m. and 171 trips per hour in the evening rush between 4 p.m. and 7 p.m.

Because Amazon is involved in on-line sales which do not involve the levying of sales tax, the distribution center's presence in the city was to provide it with no sales tax revenue. Calculations were that over Bridge Development Partners' certain 50-year lease life of the facility to Amazon that would represent at least a \$100 million loss of sales tax revenue to the city and approaching a \$250 million loss of sales tax over the potential 100-year lease life of the facility if Amazon were to pursue the option of renewing the lease in 2070. In a gesture intended to placate concerns over the city's inability to collect this future sales tax revenue, Bridge Development Partners initially consented to making an upfront \$6.3 million payment of in-lieu of taxes fees to the city and other non-municipal Upland institutions such as the school district and the chamber of commerce. Ultimately, after protests that the \$6.3 million was insufficient to offset the destruction or damage to city infrastructure such as roadways, Bridge Point upped those payments to \$16 million, and then ultimately to \$17 million. The development agreement, as finally ratified, committed Bridge Development Partners to routing to the city \$14.5 million in what was termed a "sales tax in-lieu fee" to make up for the city's loss of sales tax from untaxed sales at the facility, on top of which Bridge Development Partners was to provide some \$2.5 million of in-kind assistance to the city consisting of road improvements and/

or signalization on Foothill Boulevard, Central Avenue, Benson Avenue, 13<sup>th</sup> Street, 15<sup>th</sup> Street and 16<sup>th</sup> Street.

On its way to approval, the project on February 12, 2020 was considered by the planning commission, which was to make a recommendation to the city council with regard to the project. With then-Commissioner Alexander Novikov absent, the commission took up the critical issue of the project's environmental certification. Then-Commissioner Yvette Walker dissented in the commission's 4-to-1 vote to ratify the mitigated negative declaration for the project, what was essentially a finding that any untoward environmental impacts would be offset by the conditions of approval imposed on the project. The panel voted 3-to-2, with Commissioner Gary Schwary and Walker in opposition, to recommend approval of the development agreement, by which Bridge Development Partners consented to provide the city with what was at that time the agreed-upon \$16 million to make up for the project not involving the collection of sales tax and to offset the city's infrastructure costs to accommodate the development, including repair to streets worn down by the trucks and vans that will operate out of the facility.

When the project itself was considered, a motion to reject it was made, garnering the support of commissioners Schwary, Walker and Linden Brouse. Chairwoman Robin Aspinall and Commissioner Carolyn Anderson dissented in that vote. Over the next two weeks, the members of the commission were subjected to pressure from project proponents inside and outside City Hall, as well as from lobbyists for Bridge Development Partners. On February 26, the commission reconsidered the project, and then took a follow-on vote, unprecedented in Upland history, to undo the February 12 decision that had denied the project approval. With Commissioner Novikov present, the commission reconsidered the matter, at which point Novikov joined with Walker in registering opposition to the project, while Schwary and Brouse re-

versed themselves from their February 12 votes, resulting in a 4-to-2 recommendation that the city council approve the project and its site plan.

In the ensuing weeks, the nation, state, region, county and City of Upland fell ever more firmly into the grip of the health threat crisis created by the widespread outbreak of the coronavirus. In March, California Governor Gavin Newsom issued an executive order banning public gatherings of 250 people or more and then mandated that the state's general population isolate themselves and shelter in place, practically prohibiting municipalities from holding traditional meetings such as those of the city council, planning commission or other entities at which members of the public were free to attend and participate. With little regard for the burgeoning opposition to the Bridge Point project, the city council, the majority of which was leaning in favor of letting Amazon operate a distribution hub within the city, ignored the call by some of the more vocal members of the project opposition for the city council to postpone any decision on the project until such time as the city could resume holding public hearings at which the entirety of those within the Upland community who wanted to attend the meeting could do so and openly provide the city's decision-makers with their input. Staff, led by Dalquest, responding to Bridge Development Partners' desire for an early approval that would allow enough of the project to be completed in time for Amazon to function out of the center by the Christmas 2020 shopping season, dispensed with performing an unbiased evaluation of the project on its merits upon which the city's ultimate decision-makers, the city council, would be able to determine whether Bridge Development Partners should be given an entitlement to proceed. Rather, staff began to openly militate toward the approval of the project.

At a specially convened Wednesday night meeting called for the specific purpose of considering approval of the project, the coun-

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cil conducted what was supposed to be the final hearing on the project on April 1. That session was not held physically in Upland's city council chamber, but rather virtually from the respective council members' homes or professional offices, with Mayor Debbie Stone being the only member of the panel at City Hall, where, from her office by means of a video hook-up with the others, she conducted the meeting cybernetically. A video of the council members and the audio of the proceedings, with a 30 to 40 second delay, was broadcast or displayed on the city's local cable network as well as on the city's website.

Mike Poland, Upland's contract planner, briefed the council on the project. Dalquest, in his role as community development director, provided the council with an encapsulation of the development agreement, which, given its emphasis on the \$17 million Bridge Development Partners had by that point agreed to provide the city if the project garnered approval, came across as a pitch for the project's acceptance. The public was heard from by means of a telephonic exchange. Twenty people expressed opposition to the project, and 28, roughly half of whom were members of a church who had been hosted to a free dinner prior to the hearing and whose church was provided with a generous donation by Bridge Development Partners' representatives, spoke in support of it.

Thereafter, the city council's discussion ensued and its members voted to approve the mitigated negative declaration 4-to-1 with Coun-

cilwoman Janice Elliott dissenting. The council then accepted a lot line adjustment for the project site on a 5-to-0 vote. The council, voted 4-to-1 with Mayor Stone and councilmen Rudy Zuniga, Bill Velto and Ricky Felix prevailing and Councilwoman Elliott dissenting to approve the project and its site plan. The council further voted unanimously to approve the development agreement specifying the \$17 million commitment in revenue Bridge Development Partners said it would guarantee the city. The votes provided Bridge Development Partners with an entitlement to proceed.

Shortly after the council's vote to approve the project, Mayor Stone took action to remove Novikov and Walker, the two members of the planning commission who had voted against approving the project and remained committed in that vote, from the commission. Subsequently, the unabashedly pro-development Stone moved to appoint Dr. Brinda Sarathy to one of the vacant positions on the planning commission but rescinded that appointment upon learning that Sarathy had inveighed against the Bridge Point/Amazon project.

In the weeks after the council's approval of the project, a group of citizens, convinced that Dalquest had fallen short of protecting the city's residents from the onerous elements and consequences of the Bridge Point/Amazon project, formed a public action committee dubbed Upland Community First. Upland Community First then sued the city, entailing a writ of mandamus

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### County Now Looking At Tilting Against The State's Windmills In Effort To Loosen COVID Restrictions *from front page*

the county's various medical professionals in both the private and public sectors flying blind in the initial stages of the disease's onslaught.

Overwhelmed by the challenges the pandemic presented, Raymundo was practically paralyzed in her function as the county's director of public health. With Raymundo essentially dysfunctional for a month-and-a-half, county officials at last in May recognized she was unequal to the task before her, and she was induced to resign.

After the State of California initiated a rating system that used a host of criteria to determine the level of threat each county was under and

granted those counties evincing lower rates of infection a reprieve from the measures intended to slow the spread of the condition while keeping in place the more intensified restrictions in those counties where the infection rates and resultant deaths were spiking, San Bernardino County has been unable to create a break in the infection or death rates that would allow it to be removed from the state's watchlist and proceed with the opening of those businesses or operations which medical professionals believe are breeding spots for the pandemic's advance.

The state, seeking to incentivize testing, offered those counties that yet remained under the highest degree of restriction a bonus in the form of a less austere formula in calculating what the overall level of COVID-19-related danger the county was in if it upped its testing numbers. Be-

tween October 18 and November 16, San Bernardino County doubled the number of residents it was testing on a weekly basis compared to what it had been doing previously. Shortly after that, a surge in the disease nationwide manifested, including within San Bernardino County. The combination of the increase in the actual number of cases and the more thorough testing made San Bernardino County appear to be a coronavirus hotspot. Over the two-day period of Tuesday and Wednesday, November 17 and 18, San Bernardino County's total number of COVID-19 cases grew by 3,369 - 1,756 on Tuesday, the biggest one day jump in county cases since the crisis began and 1,613 cases on Wednesday, the second-highest one-day increase. Having spent more than a week encouraging county residents to get tested, the county this week

reversed course, having calculated that increased testing is resulting in evidence of an infection rate zooming out of control in the county, which, once documented, is giving the State of California further reason to keep the county under the highest level of restriction.

San Bernardino County, the fifth largest county in California population-wise, on Wednesday eclipsed Riverside County as the California county with the second highest number of confirmed coronavirus cases. At that point, Los Angeles County, the largest jurisdiction population-wise in the Golden State, held the dubious distinction of having the most COVID-19 cases, at 344,741. San Bernardino County, at 2.2 million, has one-fifth the population of Los Angeles County, with 10.1 million people within its confines. Yet the 78,298 confirmed

coronavirus cases in San Bernardino County indicates that per capita, San Bernardino County is more heavily infected than Los Angeles County. In Riverside County, which has a population of 2.5 million, there were 77,636 confirmed cases, meaning that San Bernardino County has a higher degree of infection per capita than its immediate neighbor to the south, as well.

San Bernardino County's sudden aversion to testing was demonstrated by the *Sentinel's* efforts to wring from the San Bernardino County Department of Public Health the locations where the testing of county residents is being carried out. Multiple calls to the department's spokeswoman, Lana Culp, together with an email requesting the test site locations, times and reservations protocols elicited no response whatsoever this week.

Indeed, the county, af-

ter seeking to cooperate with the state and Governor Newsom in the effort to have the COVID-19 restrictions it is being subjected to lessened, has now reversed course. The board of supervisors has asked County Counsel Michelle Blake-more to prepare a lawsuit, naming the state and Governor Newsom, which is to challenge the state's coronavirus reopening plan and the criteria used in keeping San Bernardino County in the most-restrictive category for the last three months.

Though she is bound to comply with the board's direction, Blake-more has privately, the *Sentinel* was informed, ridiculed the board, in particular Supervisors Robert Lovingood, Janice Rutherford and Chairman Curt Hagman, as being childish and delusional in their desire to launch a legal action that is consigned to failure even before it will be filed.

### Ontario High Graduate Glover Aboard The International Space Station *from front page*

er went to work as a legislative fellow on the personal staff of Senator and 2008 Republi-

can presidential nominee John McCain. His connection to McCain assisted him in being selected in 2013 to be a member of the National Aeronautics and Space Administration's Astronaut program.

Glover possesses three master's degrees, one in flight test engi-

neering, one in systems engineering, and one in military operation art and science. He is married to Dionna Odom Glover, with whom he has four children.

As part of the private sector's first manned foray into space exploration, Glover was part of SpaceX's flight carrying

three others – physicist Shannon Walker, Japanese astronaut Soichi Noguchi and United States Space Force Colonel Michael Scott Hopkins – to the space station. SpaceX – an acronym for Space Exploration Technologies Corporation – is a transportation services com-

pany founded in 2002 by Elon Musk for the purpose of reducing space transportation costs, with the primary goal of enabling the eventual colonization of Mars. On Sunday, Glover, Walker, Noguchi and Hopkins, secured inside a SpaceX Dragon, a reusable cargo space capsule developed

by Musk's team of aerospace engineers, blasted off from Cape Canaveral by means of a Falcon rocket. After a flight that lasted 27-and-a-half hours, the crew docked with the international space station at 11:01 p.m. Eastern Standard Time on Monday.

-Mark Gutglueck

### Irving & McEachron Heading To Photo Finish In Victorville Council Contest *from front page*

Abdul, whose total at that point stood at 4,139 votes.

On November 6, McEachron, with 4,470 votes, remained well behind Irving, at 4,763 votes, heading into the weekend.

On November 9, McEachron began to move up on Irving, making a net gain of 166 votes over her as more straggling mail-in ballots came into the registrar of voters office during the weekend. Irving at that point had logged 5,320 votes to McEachron's 5,193. On November 10, McEachron continued to close the gap, as he registered 5,551 votes to Irving's 5,608. No tallying was performed on Vet-

eran's Day, but on November 12, McEachron, at 6,212 votes, was 30 votes behind Irving, at 6,242. On November 13, McEachron bolted into third place, having registered 6,695 votes to Irving's 7,667.

Over the weekend, McEachron maintained his third place position, but saw his 28 vote lead slip, as Irving picked up a net of 23 votes over him as of November 16. McEachron's tally was at

that juncture 6,713 votes to her 6,708 votes, a margin of five.

On November 17, Irving retook the lead by scoring a net positive of eight votes over McEachron, such that he had 6,748 votes and Irving had 6,751.

On November 18 McEachron posted 6,773 votes to Irving's 6,779.

Yesterday, Thursday, November 19, Irving was pulling away, having pulled down 6,810

votes to McEachron's 6,791, a lead of 18 votes.

Today, McEachron was drifting back further still, as he had notched 6,801 votes and Irving had bagged 6,824, widening her lead to 23. Of note is that 25 of the votes for McEachron were on provisional ballots which may or may not be discounted when the final results are tallied. As of today, 38 of the ballots containing votes for Irving were provisional

ones. It is unknown outside of the registrar of voters office whether there is any commonality among those provisional ballots which contained votes for Irving and McEachron.

As time progresses, fewer and fewer mail-in ballots are drifting into the registrar of voters office. The election is due to be certified by December 11.

-Mark Gutglueck

### Dalquest Recommended Council Approve Villa Serena Project Without An EIR *from page 2*

filing with regard to the Bridge Point project, which included a petition for an injunction against the project proceeding. The suit sought the voiding of the project's approval, and that the city and applicant be required to complete a comprehensive environmental impact report first if the project is to again be

considered. That legal action prevented Bridge Development Partners from moving forward on the project, and as pre-trial legal skirmishing between the two parties has been waged, Bridge Development Partners and Amazon failed to achieve the goal of completing a sufficient portion of the distribution center to allow Amazon to carry out a significant percentage of its Southern California delivery operations from the Upland location.

Less than two weeks

after the council vote to approve the Bridge Point project, at the council's regularly scheduled April 13 meeting, that panel, again in a meeting held remotely and conducted digitally rather than in the forum of a public gathering, took up another highly controversial project, a proposal by FH 11 LLC, a subdivision of Frontier Homes, to develop 65 single family detached residential units on 9.2 acres within a 20.3-acre site. That site, at the juncture of 15<sup>th</sup> Street and

13<sup>th</sup> Avenue within the Foothill Knolls neighborhood, had previously been committed to serve as a stormwater detention basin, an intrinsic element of an elaborate flood control network serving as a repository for water that during a deluge is channeled away from properties to the north, including the Colonies at San Antonio subdivision, as well as other surrounding properties on the city's north-east side.

Once more, city residents earnestly request-

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

During the course of the April 13 meeting, Dalquest, as Upland's

development services director, in tandem with Joshua Winter, the city's planner on the project, gave an overview of the project proposal, known as the Villa Serena subdivision. The project, for which a residential specific plan was formulated, for approval required that the council sign off on a general plan amendment along with a zone change. Environmental certification of the project consisted of the city council reaching a consensus that the mitigation

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### Dalquest Recommended Allowing Warehouse Adjacent To Residential Subdivisions Without An EIR *from page 3*

ed negative declaration done for the project was adequate, meaning that the council was satisfied that the conditions of approval for the project mitigated to acceptable levels any impacts the project would entail. Accordingly, no full blown environmental impact report was undertaken.

The density of the proposed Villa Serena project is roughly 1.75 times the density of the surrounding neighborhood, meaning that within the incoming development, seven houses would be placed onto an acre whereas in the nearby existing portion of the same neighborhood there were roughly four homes per acre. In addition, the height of the two-story homes included in the Villa Serena project created a circumstance in which the mountain vistas of many of the existing homes adjacent to the project were partially blocked, cut off or obliterated, and the privacy of those living in the existing residences was invaded, as the second story perches of the homes to be built allowed their occupants in many cases to see right into the existing homes. There was thus a widespread perception among the residents of the district where the Villa Serena project was to be located that in making his recommendation to the city council that the FH 11 LLC's project proposal be approved and adequate mitigation of environmental issues be declared, Dalquest was ignoring the elements of the project they considered to be incompatible with the character of their neighborhood, and that he was evincing greater concern for the developer and his own political masters – the mayor and certain members of the city council who had previously committed to supporting the project – than he had for the residents of the area where Villa Serena was to be developed.

In the course of the April 13 meeting, members of the public were provided with the opportunity to remotely voice

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

Thereafter, the Friends of Upland Wetlands formed and is now pursuing a lawsuit against the city relating to its approval of the Villa Serena project, including the filing of a writ of mandamus and a petition for an injunction to halt the project.

More recently, Dalquest became immersed in a third controversy, one which arises from a clash of compatibility between residential and industrial land uses.

In Upland's current and immediately preceding general plan, the land use designations in the area at the city's west side south of Foothill Boulevard and north of the city limits with Montclair, the zoning provides for variegated types of light and medium industrial uses. In 2005, despite the zoning in that area, Lewis Homes, which also goes by the corporate names of the Lewis Group of Companies and Lewis Operating Corporation, submitted an application with the city to develop a 31-acre project site at the northeast corner of 11<sup>th</sup> Street and Monte Vista Avenue into a 318-unit residential subdivision to be known as the Harvest at Upland. The planning commission and city council approved the application for the project in 2006, but the downturn in the economy that began in 2007 intervened. In 2014, the Lewis Operating Corporation signaled its readiness to revive that effort using a corporate sub-affiliate, SC Baldy View, and entered into a development agreement granting the company an entitlement to build and clearing the way for the

project to proceed, subject to a series of steps, which included zoning adjustments and a general plan amendment. Having secured that entitlement, the Lewis Operating Corporation entered into an agreement with KB Homes to build the homes on the western 40 percent of the project. Subsequently, the Lewis Operating Corporation closed a deal with Lennar Homes to build the remainder of the homes within the Harvest at Upland subdivision. Work on those homes began and a portion of them have been completed, with many of them now occupied while construction on the remainder continues.

The eastern terminus of the Harvest at Upland development is Dewey Way. In 2015, another Lewis Group of Companies sub-affiliate, Lewis Land Developers, LLC, entered into a development agreement with the City of Upland to obtain an entitlement to build on the 19-acre site adjacent to the Harvest at Upland east of Dewey Way and north of 11<sup>th</sup> Street. That project, dubbed the Enclave, is to entail 192 residential units, comprised of 116 two-story detached condominiums and 76 three-story attached condominium units. Lewis held off on initiating construction at the site, intent on allowing sufficient time for the Harvest at Upland project to be completed. At its May 11, 2020 meeting, the Upland City Council, at Dalquest's recommendation, approved an amendment to the 2015 development agreement with Lewis Homes for the Enclave at Upland project, extending the term of the development agreement from its expiration on July 27, 2020 to July 27, 2021. It is anticipated that with the work at the Harvest at Upland project now near completion, work on the Enclave will begin soon, either prior to the end of 2020 or shortly after the new year begins. This means, potentially, that work on the Enclave development will coincide with work on the Yellow Iron Development warehouse project, which is sited directly across the street.

This week, on Wednesday, November 18, the Upland Planning Commission took up consideration

of a request by Yellow Iron Development and its principal, Tony Spinrad, to construct a 92,275-square foot warehouse building, consisting of 86,775 square feet of warehouse space with 2,750 square feet of ground-floor office space and a 2,750-square foot second-floor mezzanine, along with associated improvements on a 4.9-acre site located on the south side of 11<sup>th</sup> Street between Central Avenue and Monte Vista Avenue. The project site is located within the city's light industrial/business park general plan designation and Upland's light industrial zone. The project is to include 11 truck bays and two other truck loading facilities.

Unlike the cases of the Bridge Point/Amazon and Villa Serena projects, the city council did not assume authority for providing final approval of the project. Rather, discretion over whether the project should be allowed to proceed was given to the planning commission. There are a number of people in Upland who perceive the development to be incompatible with the nearly-completed Harvest and the yet-to-be initiated Enclave residential projects. They feel the juxtaposition of the light industrial use with the residential uses will represent a diminution in the quality of life to those living in the residential subdivisions, as well as a threat to their health and safety. A number of those residents have expressed the belief that Dalquest's recommendation to allow the warehouse project to proceed without an environmental impact report such that its environmental certification has now been provided by the planning commission's mitigated negative declaration is a repetition of the questionable use of mitigated negative declarations in the Bridge Point/Amazon and Villa Serena project proposals, which are now mired in litigation.

Further, during Wednesday night's hearing, a few things came to light that make the city's acceptance of the project even more troubling to those who previously had reservations about the wisdom of locating just such a project at that site. In particular, it was learned, Yellow Iron

Development has not yet lined up a tenant, or tenants, for the facility. Spinrad made that disclosure to the planning commission, stating at one point that he thought it possible the building might be occupied by two separate operations. For some, this stigmatized what Yellow Iron Development is proposing as an inadequately described and defined operation, such that the city does not have a full understanding of what it is being asked to approve.

Another representation made at Wednesday night's meeting was the assertion that the total vehicle trips into and out of the facility per day would be limited to no more than 250. According to statements made during the course of the meeting, the "equivalent total" of vehicles anticipated at the warehouse is 214 daily, including 130 involving passenger cars and 34 involving trucks, specifically six two-axle trucks, eight three axle trucks and a quantity of 20 four-axle trucks. That limitation evolved out of an apparent concern with regard to the facility's proximity to the Harvest and Enclave subdivisions. That proposed limitation was given with the caveat that if the operations at the warehouse could not confine themselves to the 250 vehicle trips per day limit, either Yellow Iron Development or the tenant would be required to return to the planning commission to seek clearance, which might not necessarily be granted, to increase that truck activity. This immediately struck many of those in attendance as implausible, and a manipulation of the approval process that was intended to allow a far more onerous degree of activity that would be incompatible with the project's surroundings acknowledged at the meeting. The developer was seeking approval of a project in which the exact nature of the operation and the exact or even approximate number of vehicles it would entail was unknown.

An analysis of known and indefinite factors relating to the project and the property upon which it is proposed to stand indicates that the eventual tenant will be

called upon to spend roughly \$92,000 in basic rent per month or \$1.1 million per year to occupy the proposed building, based upon a \$1 per square foot per month rental cost, which falls within the average rate in Southern California. Leasing would only be a small percentage of a warehouse's operating costs. In addition, other cost elements to open the doors of a warehouse or distribution facility and make it operational would be involved, including but not limited to the provision of utilities, purchase of and debt service for the acquisition of equipment, vehicles and furnishings, plant maintenance, insurance, taxes and personnel. These costs could zoom to as much as \$500,000 per month. In order to meet this financial burden, an energetic and intensive warehouse operation will be required, entailing trucks flowing in and out all day long, perhaps in three shifts per day. Yet, based upon what was said at the November 18 meeting, the eventual tenant will be prevented, from the outstart, from operating more than a very small number of trucks, including those engaged in receiving merchandise into the warehouse and then dispatching vehicles loaded with merchandise for either wholesale or retail delivery. This limitation would seem to reduce considerably the number of entities that would be willing to locate on the property, since the ability to generate sufficient income as a going concern involved in warehousing and deliver would likewise be diminished, perhaps to below that which would be profitable.

That consideration has led some in the community to conclude that Yellow Iron Development and Spinrad were purposefully underrepresenting the intensity of the future use of the property in an effort to obtain an entitlement for Yellow Iron Development to proceed. The perception is that Dalquest is far too sophisticated to not understand or have missed that reality, and that he and city staff were knowingly going along with the misrepresentation as to the intensity of use at

*Continued on Page 7*







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TION CONTAINED IN CIVIL CODE SECTION 5715(b). Date: 11/2/2020. S.B.S LIEN SERVICES, 31194 La Baya Drive, Suite 106, Westlake Village, California, 91362. By: Annissa Young, Sr. Trustee Sale Officer (11/13/2020, 11/22/2020, 11/27/2020 | TS#2019-2412 SDI-19730)

SUMMONS (FAMILY LAW) NOTICE TO RESPONDENT (AVISO AL DEMANDADO): SHARON JOY PEDIGO YOU HAVE BEEN SUED. Read the information below and on the next page. Lo han demandado. Lea la informacion a continuacion y en la pagina siguiente. PETITIONER'S NAME IS (Nombre del demandante): LAWRENCE ROBERT BOYER, JR. CASE NUMBER 20PSFL00848 You have 30 CALENDAR DAYS after this Summons and Petition are served on you to file a Response (Form FL-120) at the court and have a copy served on the petitioner. A letter or phone call will not protect you. If you do not file your Response on time, the court may make orders affecting your marriage or domestic partnership, your property, and custody of your children. You may be ordered to pay support and attorney fees and costs. For legal advice, contact a lawyer immediately. Get help finding a lawyer at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), at the California Legal Services Website (www.lawhelpcalifornia.org), or by contacting your local county bar association. Tiene 30 DIAS DE CALENDARIO despues de haber recibido la entrega legal de esta Citacion y Peticion para presentar una Respuesta (formulario FL-120) ante la corte y efectuar la entrega legal de una copia al demandante. Una carta o llamada telefonica o una audiencia de la corte no basta para protegerlo. Si no presenta su Respuesta a tiempo, la corte puede dar ordenes que afecten su matrimonio o pareja de hecho, sus bienes y la custodia de sus hijos. La corte tambien le puede ordenar que pague manutencion, y honorarios y costos legales. Para asesoramiento legal, pongase en contacto de inmediato con un abogado. Puede obtener informacion para encontrar un abogado en el Contro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en el sitio web de los Servicios Legales de California (www.lahelpca.org) o poniendose en contacto con el colegio de abogados de su condado. NOTICE - Restraining orders on page 2: These restraining orders are effective against both spouses or domestic partners until the petition is dismissed, a judgement is entered, or the court makes further orders. They are enforceable anywhere in California by any law enforcement office who has received or seen a copy of them. AVISO - Las ordenes de restriccion se encuentran en la pagina 2: Las ordenes de restriccion estan en vigencia en cuanto a ambos conyuges o miembros de la pareja de hecho hasta que se despidia la peticion, se emita un fallo o la corte de otras ordenes. Cualquier agencia del orden publico que haya recibido o visto una copia de estas ordenes puede hacerlas acatar en cualquier lugar de California. FEE WAIVER: If you cannot pay the filing fee, ask the clerk for a fee waiver form. The court may order you to pay back all or part of the fees and costs that the court waived for you or the other party. Exencion de cuotas: Si no puede pagar la cuota de presentacion, pida al secretario un formulario de execion de cuotas. La corte puede ordenar que usted pague, ya sea en parte o por completo, las cuotas y costos de la corte previamente exentos a peticion de usted o de la otra parte. FL-100 PETITION FOR Dis-

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solution (Divorce) of: Marriage 1. LEGAL RELATIONSHIP: We are married. 2. RESIDENCE REQUIREMENTS: a. Petitioner [and] have been residents of this state for at least six months and of this country for at least three months immediately preceding the filing of this petition. (For divorce, at least one person in the legal relationship described in items 1a and 1c must comply with this requirement.) 3. STATISTICAL FACTS A (1) Date of marriage: March 8, 2003 (2) Date of separation: September 11, 2011 (3) Time from date of marriage to date of separation: 8 years 6 Months 4. MINOR CHILDREN: There are no minor children. 5. LEGAL GROUNDS: Irreconcilable Differences 8. SPOUSAL OR DOMESTIC PARTNER SUPPORT: Terminate (end) the court's ability to ward support to Petitioner [and] Respondent. SEPARATE PROPERTY: There are no such assets or debts that I know of to be confirmed by the court. COMMUNITY AND QUASI-COMMUNITY PROPERTY: There are no such assets or debts that I know of to be divided by the court. OTHER REQUESTS: Such other and further orders as the court deems just and proper. The name and address of the court is: (El nombre y direccion de la corte son): SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES 400 Civic Center Plaza Pomona, California 91766 The name, address and telephone number of petitioner's attorney, or petitioner without an attorney, are: (El nombre, direccion y numero de telefono del abogado del demandante, o del demandante si no tiene abogado, son): LAWRENCE ROBERT BOYER, JR. IN PRO PER 417 S. SHELLMAN AVENUE SAN DIMAS, CALIFORNIA 91773 DATE (Fecha): July 13, 2020 by O Navarro, Deputy (Asistente) for Sherri R. Carter Executive Officer/Clerk of the Court (Secretario) Published in The San Bernardino County Sentinel on 11/13, 11/20, 11/27 & 12/04, 2020

FBN 20200010183 The following person is doing business as: JOSEPH BRADY, INC. [and] ALLIANCE MANAGEMENT GROUP [and] BARSTOW REAL ESTATE GROUP 240 E WILLIAMS ST BARSTOW, CA 92311 JOSEPH BRADY, INC., 12138 INDUSTRIAL BLVD., SUITE 250 VICTORVILLE, CA 92395 Mailing Address: PO BOX 2710 VICTORVILLE, CA 92393-2710 This Business is Conducted By: A CORPORATION 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/ JOSEPH W. BRADY This statement was filed with the County Clerk of San Bernardino on: 10/30/2020 I hereby certify that this is a correct copy of the original statement on file in my office. Began Transacting Business: DECEMBER 4, 1989 County Clerk, Deputy A9730 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 11/13/20, 11/20/20, 11/27/20 & 12/04/20. NOTICE OF PETITION TO ADMINISTER THE ESTATE OF: FRANK MANUEL CARLIN

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NO. PROPS20000857 To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both of FRANK MANUEL CARLIN A PETITION FOR PROBATE has been filed by FRANCES NORIEGA in the Superior Court of California, County of San Bernardino. THE PETITION FOR PROBATE requests that FRANCES NORIEGA be appointed as personal representative to administer the estate of the decedent. THE PETITION requests the decedent's wills and codicils, if any, be admitted to probate. The will and any codicils are available for examination in the file kept by the court. THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority. A hearing on the petition will be held in Dept. No. S37 at 8:30 a.m. on December 17, 2020 at Superior Court of California, County of San Bernardino, 247 West Third Street, San Bernardino, CA 92415, San Bernardino District. IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney. IF YOU ARE A CREDITOR or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under Section 9052 of the California Probate Code. Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law. YOU MAY EXAMINE the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk. Attorney for Petitioner: MICHAEL C. MADDUX 1894 COMMERCENTER W. SUITE 108 SAN BERNARDINO, CA 92408 909 890 2350 Published in the San Bernardino County Sentinel 11/20, 11/27 & 12/4, 2020. FBN 20200010182 The following person is doing business as: JOSEPH BRADY, INC. [and] THE BRADCO COMPANIES [and] BRADCO HIGH DESERT REPORT [and] THE SHOPS AT SPANISH TRAIL [and] THE SHOPPES AT SPANISH TRAIL [and] MOJAVE RIVER VALLEY REAL ESTATE GROUP [and] BRADCO COMMERCIAL LEASING GROUP [and] BRADCO DEVELOPMENT [and] MOJAVE RIVER VALLEY COMMERCIAL REAL ESTATE [and] BRADCO MOJAVE RIVER VALLEY COMMERCIAL REAL ESTATE [and] HIGH DESERT ECONOMIC DEVELOPMENT COUNCIL [and] MOJAVE RIVER ECONOMIC DEVELOPMENT [and] MOJAVE RIVER ECONOMIC GROUP [and]

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HIGH DESERT VALLEY SURVEY (which began transacting business 08/01/2019) [and] MOJAVE RIVER VALLEY SURVEY (for which no date for commencing service is provided) 12138 INDUSTRIAL BLVD., SUITE 250 VICTORVILLE, CA 92395 JOSEPH BRADY, INC., 12138 INDUSTRIAL BLVD., SUITE 250 VICTORVILLE, CA 92395 Mailing Address: PO BOX 2710 VICTORVILLE, CA 92393-2710 This Business is Conducted By: A CORPORATION 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/ JOSEPH W. BRADY This statement was filed with the County Clerk of San Bernardino on: 10/30/2020 I hereby certify that this is a correct copy of the original statement on file in my office. Began Transacting Business: DECEMBER 4, 1989 County Clerk, Deputy A9730 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 11/13/20, 11/20/20, 11/27/20 & 12/04/20. FICTITIOUS BUSINESS NAME STATEMENT FILE NO- 20200010303 The following person(s) is(are) doing business as: Talamanca's Products, 203 E Park St, Ontario, CALIF, 91761, Javier Castillo, 203 E Park St, Ontario, CALIF 91761 Business is Conducted By: An Individual Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT. A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing. s/ Javier Castillo This statement was filed with the County Clerk of San Bernardino on: 11/05/20 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, s/ H1327 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). 11/13/20, 11/20/20, 11/27/20, 12/04/20 FICTITIOUS BUSINESS NAME STATEMENT FILE NO- 20200010078 The following person(s) is(are) doing business as: KA Brand Shop Online USA, 7360 GUTHRIE ST, San Bernardino, CA 92410, Kimath Im, 7360 GUTHRIE ST, San Bernardino, CA 92410 Business is Conducted By: An Individual Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT. A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing. s/ Kimath Im This statement was filed with the County Clerk of San Bernardino on: 10/28/20 I hereby certify that this is a correct copy of the original statement on file in my office. Began Transacting Business: 10/22/20 County Clerk, s/ E4004 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 and Professions Code). Published in the San Bernardino County Sentinel 10/16/2020, 10/23/2020, 10/30/2020, 11/06/2020 CNBB41202003MT FBN 20200008679 The following person is doing business as: SB CASH AND CAR-

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RY 240 N. WATERMAN SAN BERNARDINO, CA 92408; SB CASH AND CARRY 240 N. WATERMAN SAN BERNARDINO, CA 9240 The business is conducted by: A CORPORATION The registrant commenced to transact business under the fictitious business name or names listed above on: 07/13/2020 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/ JOUN SEDER, PRESIDENT Statement filed with the County Clerk of San Bernardino on: 09/21/2020 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 10/16/2020, 10/23/2020, 10/30/2020, 11/06/2020 CNBB41202001MT FBN 20200009340 The following person is doing business as: BEACH TO HILLS HOMES 15931 JANINE DRIVE WHITTIER, CALIF 90603; SHANNON BROWN REAL ESTATE GROUP, INC. 15931 JANINE DRIVE WHITTIER, CALIF 90603 The business is conducted by: A CORPORATION The registrant commenced to transact business under the fictitious business name or names listed above on: 10/18/2019 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/ SHANNON COLLETTE BROWN, PRESIDENT Statement filed with the County Clerk of San Bernardino on: 10/08/2020 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 10/16/2020, 10/23/2020, 10/30/2020, 11/06/2020 CNBB41202002IR FBN 20200009343 The following person is doing business as: YUMMY BITES FONTANA 16163 COLEEN STREET FONTANA, CA 92337; RADCHI A FLORES 16163 COLEEN STREET FONTANA, CA 92337; VIOLA M FLORES 16163 COLEEN STREET FONTANA, CA 92337 The business is conducted by: A MARRIED COUPLE 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/ RADCHI A. FLORES, HUSBAND Statement filed with the County Clerk of San Bernardino on: 10/08/2020 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 10/16/2020, 10/23/2020, 10/30/2020, 11/06/2020 CNBB41202003MT FBN 20200009344 The following person is doing business as: LEGACY SMOKERS 1091 S MOUNT VERNON AVE

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COLTON, CA 92324; MAILING ADDRESS P.O. BOX 1501 COLTON, CA 92324; DINA A ABDELHADI 1091 S MOUNT VERNON AVE COLTON, CA 92324 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/ DINA A. ABDELHADI, OWNER Statement filed with the County Clerk of San Bernardino on: 10/08/2020 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 10/16/2020, 10/23/2020, 10/30/2020, 11/06/2020 CNBB41202004IR FBN 20200009415 The following person is doing business as: ROYALCLDS 2523 DUFFY ST SAN BERNARDINO, CA 92407; CHALYSA L DIXON 2523 DUFFY ST SAN BERNARDINO, CA 92407; CHALARRA L DIXON-SESSION 2523 DUFFY ST SAN BERNARDINO, CA 92407; CHADONA L DIXON 2523 DUFFY ST SAN BERNARDINO, CA 92407; CHADEN L DIXON 2523 DUFFY ST SAN BERNARDINO, CA 92407 The business is conducted by: A GENERAL PARTNERSHIP 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/ CHALYSA L. DIXON, GENERAL PARTNER Statement filed with the County Clerk of San Bernardino on: 10/13/2020 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 10/16/2020, 10/23/2020, 10/30/2020, 11/06/2020 CNBB41202005MT FBN 20200009404 The following person is doing business as: MARINE'S TAX SERVICE 390 N PALM AVE STE A RIALTO, CA 92376; MAILING ADDRESS P.O. BOX 1868 RIALTO, CA 92371; MARGARITA MARINELARENA 390 N PALM AVE STE A RIALTO, CA 92376 The business is conducted by: AN INDIVIDUAL The registrant commenced to transact business under the fictitious business name or names listed above on: 11/20/2014 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/ MARGARITA MARINELARENA, OWNER Statement filed with the County Clerk of San Bernardino on: 10/13/2020 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 10/16/2020, 10/23/2020, 10/30/2020, 11/06/2020

Public Notices

CNBB41202006IR FBN 20200009414 The following person is doing business as: DUARTE'S MITIGATION 777 S. TEMESCAL ST. SPC. 13 CORONA, CA 92879; VANESSA DUARTE 777 S. TEMESCAL ST. SPC. 13 CORONA, CA 92879 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/ VANESSA DUARTE, OWNER Statement filed with the County Clerk of San Bernardino on: 10/13/2020 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 10/16/2020, 10/23/2020, 10/30/2020, 11/06/2020 CNBB41202007IR FBN 202000010079 The following person is doing business as: BEAUTEYBIVEE 829 W FOOTHILL BLVD, SUITE B UPLAND, CA 91786; MAILING ADDRESS 1155 SOUTH RIVERSIDE AVENUE, SPACE 97 RIALTO, CA 92376; VIANDA C LOPEZ 1155 SOUTH RIVERSIDE AVE SPACE 97 RIALTO, CA 92376 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/ VIANDA C LOPEZ, OWNER Statement filed with the County Clerk of San Bernardino on: 10/28/2020 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 11/20/2020, 11/27/2020, 12/04/2020, 12/11/2020 CNBB46202001MT FBN 20200009878 The following person is doing business as: F&V MOBILE FIBERGLASS REPAIR 53161 TWENTYNINE PALMS HIGHWAY MORONGO VALLEY, CA 92256; FRANCISCO VALENZUELA 53161 TWENTYNINE PALMS HIGHWAY MORONGO VALLEY, CA 92256 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/ FRANCISCO VALENZUELA, OWNER Statement filed with the County Clerk of San Bernardino on: 10/23/2020 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 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 11/20/2020,







## Dalquest's Consistent Pattern Of Favoring Developers Over Residents Prompts Calls For His Firing *from page 7*

tial uses. When the vote was taken with regard to accepting the mitigated negative declaration for the project, which essentially certifies that all of the impacts from the project will be mitigated by the conditions of approval imposed on the developer, Caldwell and Schwary alone dissented. Aspinall, Anderson, Shim, Mayer and Grahn voted to accept the mitigated negative declaration as adequate.

In its discussion with regard to approving the project, the commission dwelt to a certain extent with regard to imposing conditions that might offset those aspects of the warehouse's operations that some consider to be onerous with regard to the proximate residential uses. One of these was a condition suggested by Schwary that the trucks coming into and leaving the warehouse be prohibited from using Dewey Way, a north/south street which is slated to run from Foothill Boulevard to 11<sup>th</sup> Street. Dewey Way separates the Harvest and Enclave sites from one another and is to provide ingress to and egress from both of those neighborhoods. There was further suggestion with regard to tightening the restrictions as to the number of vehicle trips relating to the warehouse, and making them a part of the conditions of approval. Thus, the vote on the approval of the project was postponed until the commission's next meeting, which is to take place on December 9. Based upon the tenor of the discussion, and Spinrad's indication of his amenability with regard to the imposition of those conditions, the final approval of the project at the December 9 meeting appears to be inevitable.

Because the planning commission is considered to be the ultimate arbiter of the project, its approval, its environmental certification and its conditions of approval, those wishing to second guess that approval, assuming it is given, will need to pay a fee of \$6,800 to the city to ap-

peal that decision to the city council.

There is sufficient discontent among a cross section of Upland's residents with regard to the anticipated project approval, the *Sentinel* has learned, that some challenge of the project appears highly likely. With the \$6,800 cost of appealing the planning commission approval, some of those intent on making an issue of the matter are leaning toward yet another lawsuit against the city, as the initial expense in such a case would be the \$450 filing fee at the courthouse and the \$2,500 required to retain either of two law firms that have demonstrated a willingness to challenge Upland on its land use decisions.

Shannon Maust, who was elected earlier this month to represent Upland's First District and will take office next month, indicated that she would be amenable to having the council reconsider the planning commission's vote to approve the warehouse project if there is support for doing so among at least two of her council colleagues when the time comes.

"If there is substantial resident concern over this issue, then I think the city and the city council should become more engaged in a civic procedure to work those differences out," Maust told the *Sentinel* on Wednesday afternoon, prior to the planning commission meeting. If, as Maust suggested, the council consents to reconsider the planning commission's decisions with regard to the warehouse project, a lawsuit against the city contesting the project's approval might be headed off.

Maust, in whose First District the Bridge Point/Amazon project is located, was opposed to giving that project go-ahead last April.

At the planning commission meeting Wednesday night, Maust was present, as was Garcia and Councilman Bill Velto, who defeated Mayor Debbie Stone for the mayoral post in the municipal election held on November 3.

A contingent of Upland residents is convinced that protecting Upland's population from the untoward impacts of development are neither Dalquest's

first nor second priority. They have expressed the opinion that in any circumstance where either the residents of the city generally or residents within a specific neighborhood in the city have a dispute with a project applicant over the conditions of approval for that project, under Dalquest such questions are likely to be solved in favor of the developer rather than the city's residents. For that reason, they are intent on seeing Dalquest relieved of his position as the city's director of development services.

The *Sentinel* reached out to Dalquest this week, placing several calls to his office to which he did not respond. At the meeting Wednesday evening, Dalquest said he would respond to questions sent to him by email. The *Sentinel* sent him an email yesterday.

In that email, the *Sentinel* referenced the proposed imposition of limits on the number of trucks to be allowed to operate out of or into the warehouse, and whether Dalquest was concerned that such restrictions would discourage a tenant from locating his operation into the warehouse, and whether Yellow Iron Development's failure to secure a tenant beforehand might complicate Spinrad's and Yellow Iron Development management's efforts to achieve financing to move ahead and complete the project. The *Sentinel* delved into whether Dalquest was concerned that the conditions of approval the planning commission will consider on December 9 might render the project Spinrad is proposing unviable as a warehouse.

The *Sentinel* asked Dalquest about resident concern that the eventual tenant has not been identified and apparently is not yet known to Spinrad, nor the planning commission nor the city, even as the commission is moving toward pre-conditioning approval of the project by limiting the use of trucks at the facility. The *Sentinel* inquired as to whether Dalquest believed competent planning procedure had been exercised when the city is committing to allowing Yellow Iron Development's warehouse proposal to proceed when neither the proponent nor the city

are knowledgeable about crucial project details.

The *Sentinel* sought from Dalquest whether he believed the residential and light industrial uses that will be juxtaposed along 11<sup>th</sup> Street vis-à-vis the Yellow Iron Development warehouse and the Harvest/Enclave subdivisions to be compatible and, if he did not consider them compatible, what elements of buffering should exist between them. The *Sentinel* asked if in Dalquest's view there existed sufficient distance between the Enclave/Harvest sites and the Yellow Iron site to effectuate such buffering. The *Sentinel* asked Dalquest if in the event that he did not believe adequate space for the buffering existed, why he recommended that the Yellow Iron Development project be given go-ahead.

The *Sentinel* asked Dalquest about suggestions being heard around Upland that the Yellow Iron warehouse project was rushed before the planning commission while the current city council is in place at City Hall so that the complexion of values with regard to the planning process in Upland would be more favorable to the project than it will be after the new city council, which is to incorporate Maust and Garcia among its members, is in place.

The *Sentinel* in its email to Dalquest referenced how the current council has allowed controversial projects to be considered and approved without a full blown environmental impact report, instead deeming a mitigated negative declaration to be sufficient environmental certification for those projects. The *Sentinel* then asked Dalquest if as a land use and planning professional he was comfortable with such arrangements and whether he had any misgivings that at some future point in his career as a planning official this might come back to haunt him.

The *Sentinel* asked Dalquest point blank if he could say with complete confidence that he had done his best for the current and future residents of the Harvest subdivision and the future residents of the Enclave subdivision to prevent the Yellow Iron Development project from intruding upon their lives.

The *Sentinel* asked if Dalquest, in general, believed that a mitigated negative declaration can suffice as an alternative to an environmental impact report.

In the email to Dalquest, the *Sentinel* noted that the character and zoning of the stretch of 11<sup>th</sup> Street between Central Avenue and Monte Vista has traditionally been more light industrial than residential and that the current zoning gives Spinrad and Yellow Iron Development leeway to develop a light industrial use there, while pointing out that the city nonetheless, when it approved both the Harvest and Enclave projects, seemed to be pushing the character of that district in a different direction, toward becoming a residential district. Given those factors, the *Sentinel* inquired of Dalquest if in his opinion as an urban planning professional he felt giving the Harvest and Enclave projects go-ahead, in hindsight, was a mistake. If he deemed that the city had made a mistake in allowing the land where the Harvest and Enclave projects are located to be converted to residential use, the *Sentinel* asked Dalquest what he thought the most responsible way of dealing with that paradox/dilemma was. The *Sentinel* asked him how, in his view, allowing a light industrial use next to more than 500 residential units made sense from a land use standpoint.

The *Sentinel* asked Dalquest to address Bierbaum's contention and Garcia's suggestion that Upland's light industrial designation does not actually allow for the development of a warehouse.

The *Sentinel* asked Dalquest if he and his staff were in any way pressured politically to compromise the land use and planning standards he would normally adhere to so that the Yellow Iron Development project proposal was accommodated and, if so, if he had confidence that the soon-to-be-in-place city council, which will include Maust and Garcia, will look with approval upon his having made that compromise.

The *Sentinel* asked Dalquest if he considered the planning commission's approval of the mitigated negative

declaration on Wednesday night to have set in motion what will be the eventual approval of the project.

The *Sentinel* asked Dalquest if he considered the proceedings on Wednesday night to be a valid expression of the community's will and a defensible exercise in the planning process.

Dalquest had not responded to the *Sentinel's* email by press time.

One knowledgeable observer of activity and developments at Upland City Hall said there are two reasons why the city council's cashing out of Dalquest in the near term is unlikely.

The first element of saving grace for Dalquest is that he and the city's mayor-elect, Velto, attended Upland High School together and have a warm relationship. Indeed, this week when the *Sentinel* contacted Velto to ask if he considered the proposed Yellow Iron Development warehouse to be incompatible with the Harvest and Enclave residential developments, Velto sought to deflect the question by pointing out that there are existing light industrial uses in the 11<sup>th</sup> Street environs that are not inconsistent with the warehouse Spinrad is proposing. Velto redirected the question in such a way that he did not take into consideration the current presence of the Harvest subdivision and the future presence of the Enclave subdivision.

Another layer of protection and at least temporary job security for Dalquest built into the current circumstance, the *Sentinel* was informed, is that there is another even more spirited move afoot to have the council relieve City Manager Rosemary Horning of her position as the city's top administrator. "I don't think the city council will be willing to lose its city manager and development services director at the same time," that individual said.

The planning commission is scheduled to consider approving the Yellow Iron Development warehouse project at its December 9 meeting, which is to be held at the Upland Civic Center in the city council chamber, located at 460 North Euclid Avenue, beginning at 6:30 p.m.

