

Development Of Historic Property Has Redlands Careening Toward A Lawsuit

By Mark Gutglueck

Redlands city officials have stepped into a quagmire of controversy through their ready accommodation of a developer intent on converting a 130-year old citrus farm, one of the last remaining original orange groves that dates back to the decade after the City of Redlands' 1888 incorporation, into a residential subdivision.

As it now appears, whether the city ap-

proves or rejects the development proposal, there is an overwhelming likelihood the city will be put into the position of having to defend against a lawsuit relating to the project.

Jeff Burum and Matt Jordan of Rancho Cucamonga-based Diversified Pacific have set their sights on converting six of the England Grove Estate's 8.8 acres into 28 2,000-to 2,600 square foot homes on what are

mostly 6,200-square-foot lots.

The property slated for development lies within one of the city's four primary historic zones, designated as the West Highland Avenue Historic and Scenic District, consisting of 24 historic homes within a two-mile radius of the proposed Diversified Pacific project. Those historic properties include the Miss Hester Leaverton House at 159

West Palm Avenue, less than 300-feet away; the Montgomery House, which borders the orange grove; the Thomas Jeffrey House at 625 Alvarado Avenue; the Thayer residence at 104 West Cypress Avenue, as well as 13 homes on West Highland Avenue, three homes on West Cypress Avenue, one house on South Buena Vista Street, two houses on Alvarado Street and three homes on West

Palm Avenue.

If the project is given go-ahead by the city council as is anticipated next Tuesday, 90 percent of the grove and its irrigation system on the England Grove Estate, put into place by T. Y. England between 1891 and 1893, will be bulldozed.

The home on the property facing Palm Avenue initially built by Thomas Y. England in 1893 in the Victorian See P 2

Philips, Hill, Bouza & Barkett Criminally Charged With Tres Hermanos Diversions

The architects of the City of Industry's now-abandoned scheme to place control of Tres Hermanos Ranch into the hands of a corporation masquerading as a quasi-public agency four years ago have been charged by the Los Angeles County District Attorney's Office with fraud and the theft of what is believed to be as much as \$20 million in

public funds.

Former City of Industry City Manager Paul Philips; La Jolla-based developer William Barkett, a principal in the entity known as San Gabriel Valley Water and Power; former California State Senator Frank Hill, who served as a consultant to the City of Industry; and Anthony Bouza, who worked as an attorney for the City of Indus-

try, were charged with fraud, embezzlement, theft, conflict of interest and misappropriation of public funds.

The criminal charges arise from the City of Industry's failed attempt to maintain control of 2,445-acre Tres Hermanos Ranch, which straddles the City of Chino Hills at the extreme southwest corner of San Bernardino County

and Diamond Bar in the southeast corner of Los Angeles County. In 1978, the City of Industry paid \$12.1 million (\$30.9 million in 2021 dollars) for the land, and later transferred ownership of the property to the city's redevelopment agency, known officially as the Industry Urban Development Agency. Indications over the years were that the prop-

erty would be utilized to host a reservoir or reservoirs which would have a holding capacity equivalent to the fifth largest body of water in Southern California.

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 City of Industry's re- See P 5

City Managers' Salaries Should Not Exceed The Annual Pay Provided To California's Governor

By Larry Kinley

This week, the Upland City Council is not only considering making a final selection among a number of applicants to serve our city as city manager, but two of its members are also determining in conjunction with a consultant how much this next city manager is going to be paid in salary, perks, and ben-

efits in addition to the pension he or she is to receive, which in the end is determined by a California Public Employees' Retirement System formula that takes into account the highest salary paid to that manager throughout his or her career.

Right now is as appropriate of a time as any for me to share my thoughts

on the issue of what we are paying our city officials, in particular our city managers. I do not think it is too bold, nor do I think it unreasonable, to state that I do not believe any manager of the 482 cities and incorporated towns in the state should be provided with compensation greater than that which is paid to Cali- See P 3

Court Denies Searles Valley Minerals' Request For Injunction On H₂O Resupply Fee

The effort by Trona-based Searles Valley Minerals to prevent the Indian Wells Valley Groundwater Authority from levying a water replenishment fee on it that the company maintains is compromising its financial viability was dashed by an Orange County judge on Thursday.

Orange County Superior Court Judge Kirk

H. Nakamura granted the Indian Wells Valley Groundwater Authority's motion to dismiss Searles Valley Minerals' request.

The authority imposed the replenishment fee on major water users throughout its jurisdiction, including Searles Valley Minerals, in January. Searles Valley Minerals, which had already commenced legal

action against the authority four months previously, had sought to be excused from paying the assessment, and had not been paying it since the charges were imposed.

The Indian Wells Valley Groundwater Authority is levying the groundwater replenishment fee as part of the ongoing effort by governmental entities in San Bernardino, Kern and

Former Montclair Councilman Leonard Paulitz Gone At 94

Leonard Paulitz, who served on the Montclair City Council for more than 36 years, died on August 24, 2021. He was 94.

Paulitz, who was employed by General Dynamics in Pomona as a computer systems specialist, came to Montclair in 1960, moving into a four-bedroom home on Poulson Avenue, which

was barely large enough to accommodate his growing family, which eventually included his wife Constance and their six children, four sons and two daughters. His house's backyard was contiguous to an orange grove, which blanketed the property at the southwest corner of Central Avenue and Orchard Street, See P 4

Inyo counties to come into compliance with the State of California's Sustainable Groundwater Management Act. That assessment, Searles Valley Minerals maintains, will drive it out of business.

Among other arguments, Searles Valley Minerals maintains that the joint powers authority formed under the auspices of state law is

letting the federal government off the hook by ignoring federal agencies' consumption of water at the furthest western extension of the Mojave Desert while forcing the private sector to bear the burden of the conservation efforts that are being imposed.

In the face of a four-year running drought, California state officials in 2014 under- See P 4

SB Lost Two Department Heads In Two Days This Week

The City of San Bernardino lost two of its key department heads this week, as City Hall's stability or the lack thereof is becoming an increasingly poignant factor in the county seat's mayoral crisis.

Eric McBride, who has been serving in the capacity of acting police chief since January 2019, retired on Tuesday. The next day, Community Development Director Michael Huntley tendered his resignation.

McBride's and Huntley's departures mark the fourth and fifth defections in the last two months from the management and governing circle that has surrounded Mayor John Valdivia for all or a significant part of his mostly rocky 33-month tenure as mayor.

In August, Renee Brizuela, who had been Valdivia's executive assistant, along with Jim Tickemyer, who had headed the city's parks and recreation department, stepped away from their positions with the city. At the end of July, Assistant City Manager Rebekah Kramer left.

In 2018, Valdivia, who had been San Bernardino's Third Ward Councilman since 2012, was elected mayor. He assumed office in December 2018 with a ruling coalition behind him that included newly-elected First Ward Councilman Ted Sanchez and newly-elected Second Ward Councilwoman Sandra Ibarra, as well as two incumbents on the council with whom he was allied, Fifth Ward Councilman Henry Nickel and Sixth Ward Councilwoman Bessine Richard. Valdivia would See P 4

Despite Competing Offers of \$3 Million & \$4 Million, Diversified Pacific Was Able To Purchase The England Estate For \$2.35 Million, Clearing The Deck For Its Plan To Build 28 Homes On The Historic Property from front page

Style and altered into a prairie style in 1914 by Guy Hunter, as well as the carriage house behind the England home and the England Queen Anne cottage built on another part of the property facing Alvarado Street will be preserved, along with roughly 57 of the navel orange trees that were marketed for decades under the Pure Gold label.

Even before Diversified Pacific announced its developmental plan, questions had emerged about the fate of the property and its orange grove, and manipulations of the City of Redlands planning process. The England grove was planted as mostly navel orange trees beginning in 1891, using a gravity feed irrigation system. In 1986, Redlands' voters passed Measure O, which included the approval of a bond to pay for purchasing and preserving historic orange groves in the city. The England Estate containing all of its historic assets – the two homes, the carriage house, the groves and its gravity fed irrigation system as well as its cut granite wall – was sold by the Hunter Family to James and Annie Attwood in 1922. The Attwoods in turn passed it along to their daughter, Mary Attwood Heeney and her husband Thomas J. Heeney, who continued to operate it as a citrus-producing farm. More than a decade ago, Thomas Heeney's grandson Christopher Brumett along with his wife Jacquelyn signaled their willingness to sell the property. The City of Redlands, with its available grove-preservation bond money, and the Redlands Conservancy, showed interest. The Redlands Conservancy offered \$3 million for the property. The Brumetts turned that offer down, saying they wanted roughly twice that amount. Another offer,

this one for \$4 million, was tendered by preservationists. Again, the Brumetts balked at that offer.

Inexplicably, in June 2019, the Brumetts accepted Diversified Pacific's \$2.35 million offer for the 8.8 acres.

Later that year, as Diversified Pacific's developmental intentions for the property became known, residents of the West Highland Historical District approached City Hall, seeking to learn what they could, and to provide their input to top municipal staff and Redland's elected officials, who would have the ultimate decision-making authority over the proposed project. When then-Redlands Mayor Paul Foster was approached, he begged off, insisting that it was premature to discuss anything about the matter, as the parameters of Diversified Pacific's plan were not firmed up. Subsequently, when Diversified Pacific laid out that it intended to build 30 homes on the property, enclose it entirely with a wall and have a single entrance into the neighborhood that would be gated, Foster remained unwilling to discuss the project with any of his constituents. Unbeknownst to the general public, however, Foster was engaged in private dialogues with Diversified Pacific's principals, during which he offered them an assurance the project as they were proposing it would pass muster with city staff and the city council.

In late 2019, the proposed project was submitted to the city.

Under the California Environmental Quality Act, most development projects are subjected to an environmental certification process. Some types of environmental certification are more intensive than others, ranging from an environmental impact report

to an environmental impact study to an environmental assessment to an environmental examination to a mitigated negative declaration to a negative declaration.

An environmental impact report, the most intensive type of environmental analysis and certification there is, consists of an involved study of the project site, the project proposal, the potential and actual impacts the project will have on the site and surrounding area in terms of all conceivable issues, including land use, water use, air quality, potential contamination, noise, traffic, and biological and cultural resources. An environmental impact report specifies in detail what measures can, will and must be carried out to offset those impacts. A mitigated negative declaration falls near the other end of the scale, and exists as a far less exacting size-up of the impacts of a project, by which the panel entrusted with the city's ultimate land use authority, as in the case of Redlands the city council, issues a declaration that all adverse environmental impacts from the project will be mitigated, or offset, by the conditions of approval of the project imposed upon the developer.

Early in the process of the City of Redlands' evaluation of Diversified Pacific's development proposal for the England Estate property, which Diversified Pacific dubbed the Redlands Palm project, the city committed to allowing the project to be completed without Diversified Pacific having to go to the expense of a full-blown environmental impact report, instead consenting to have the city council consider providing the project with a mitigated negative declaration.

On October 1, October 15, and December 17 of 2020, and then on March 4, 2021 the Redlands Historic and Scenic Preservation Commission reviewed and discussed the initial study the city had completed as part of the proposed mitigated negative dec-

laration the city council was to make in providing the project its environmental certification. The Historic and Scenic Preservation Commission further considered the cultural resource assessment and historic resource evaluation that was to become part of the permanent record relating to the project. The Historic and Scenic Preservation Commission adopted a resolution on March 4, 2021, documenting its findings that the proposed mitigated negative declaration and cultural resources report did not adequately identify and address the potential impacts to cultural and historic resources. The Historic and Scenic Preservation Commission recommended that a full environmental impact report be prepared for the project to comprehensively identify and analyze any potentially significant impacts.

The matter was thereafter taken up by the Redlands Planning Commission on May 11, 2021. During the commission's discussion there was some degree of concern expressed with regard to how the project will mesh with the existing surrounding neighborhoods, the project being a gated one, limited access to the project, the proposed cul-de-sac on the Alvarado Street side of the project, the proposed variances for the front yard setbacks and rear yard open space, and the applicant's lack of communication with the surrounding neighborhood, as well as Diversified Pacific's request for a reduction in lot size, and the project's impact on historic resources.

The meeting was continued to June 8, 2021, pursuant to the formation of an ad-hoc subcommittee composed of two members of the planning commission, commissioners Karah Shaw and Steve Frasher.

This generated some heat, as Shaw is a real estate agent, and some felt this could constitute a conflict of interest in that she stood to profit were she to get the listings on or serve as a broker on the home sales within

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the Redlands Palm subdivision.

Shaw and Frasher met with Diversified Pacific's principals and representatives thrice to discuss the project. Following the meetings, the applicant submitted a revised plan for the project, which removed the private access gates and the cul-de-sac, such that what had formerly been proposed as a private street went all the way through the project and connected to Alvarado Street. The removal of the cul-de-sac reduced by three the locations where there were front and rear yard setback variances. Other substandard setbacks remain as part of the project.

After being unable to come to a conclusion on June 8, the planning commission on June 22, 2021 voted 5-to-2, with Dr. Angela Keller and Matt Endsley dissenting, to recommend that the city council provide the project with a mitigated negative declaration with a proviso that roughly 56 of the trees would be retained and a kiosk would be erected that would recite the history of the England Estate and its significance to Redlands. The commission voted 6-to-1, with Keller dissenting, to grant the variances allowing yard size limitations and reduced setbacks on some of the lots.

When the city council convened on July 20, 2021, neither Burum nor Jordan was in attendance.

Peter Pitassi, an architect from Rancho Cucamonga representing Diversified Pacific, em-

phasized that the project as proposed would preserve the England Home and the carriage house, which were to be sold off to someone who would restore them, and that the England Cottage would be preserved as well.

Early in the proceedings, before the public weighed in, all five members of the council disclosed that they had private meetings with representatives of Diversified Pacific.

A group of residents who had banded together under the auspices of the group name *Save The Grove* retained attorney John McClendon.

McClendon prepared a document that was presented to the council which put forth the assertion and marshaled support thereto that a mitigated negative declaration for the project would not stand a legal challenge and that under the California Environmental Quality Act the city was required to conduct a full environmental impact report for the project. The city was in violation of the California Environmental Quality Act because it had not consulted with nor included other agencies in determining what type of environmental document to prepare or in its preparation of the so-called initial study for the mitigated negative declaration, McClendon maintained.

Moreover, according to McClendon, there were disagreements among experts and analysts with regard to the

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City Managers' Salaries Should Be Capped At The Annual Compensation Paid To California's Governor, Former Upland Treasurer Says *from front page*

fornia's governor.

Let me explain the reason I feel this way.

The city manager of Upland has nowhere near the span of responsibility as our state's governor. Upland has a population of 77,754, according to the 2020 Census. California's population, as counted during the same census, was 39,538,223.

Upland is a wonderful city, and it has many things that recommend it as a great place to live. It has a wonderful hospital, a top-flight school district and a general aviation airport. It is host to the corporate headquarters for Lewis Homes, Cherokee Wood Products and ISDG Security Systems. The San Antonio Water Company and other water companies have joined with the city to provide us with quality water. Upland has some of the nicest residential neighborhoods in San Bernardino County. Euclid Avenue is the city's showcase. South of Foothill Avenue, it is lined with classic Craftsman-style and Edwardian homes that date from the early part of the 20th Century. North of Foothill, Euclid on its east and west sides is host to increasingly impressive dwellings that evolve into mansions. With its distinctive urban forest median that includes the Madonna of the Trail, Euclid offers a breathtaking vista that terminates at the Foothills below Mount San Antonio. Upland is populated by hardworking and good people.

163,696-square-mile-California comprises everything that 15.65-square-mile-Upland does, and much more. California's geographical size ranking among the 50 states of the Union puts it in third place, exceeded only by Texas and Alaska. It boasts San Diego, Los Angeles, Santa Barbara,

San Jose, San Francisco, Sacramento and Redding within its confines. It has 840 miles of coastline, 33.4 million acres of forest and 42 mountains with peaks higher than 10,000 feet. California's population represents 11.6 percent of that of the United States. Encom-

passing 58 counties in which there are a total of 3,320,977 businesses, if California were a country it would have the fifth largest economy in the world, behind the United States, China, Japan, and Germany, and ahead of India, Great Britain, France, Italy, Brazil,

Canada, Russia, South Korea, Australia, Spain, Mexico, Indonesia, the Netherlands and Saudi Arabia.

To suggest that the governor of the State of California merits less pay than the city manager of Upland falls outside the scope of rationale think-

ing. Yet, that is the case. Our governor is provided with a salary, before benefits, of \$209,747. Rosemary Hoerning, before she was asked by our city council to leave in March, was being paid \$236,900 per year in salary.

This defies common sense. I don't see how

any city can justify paying its city manager more than the State of California is paying its governor, and I challenge any city manager of any city in the state to debate me on that topic.

People should note that the loss to the taxpayers represented by overly generous salaries to city managers does not end with the paychecks they are receiving. Overpaying those serving at the top of a city's managerial echelon causes inflation at the levels below that. Paying city managers too much money results in runaway salaries for municipal department heads such as the director of development, the finance director and the director of public works. And then those working in those departments are also being overpaid because a city's pay scale is out of balance.

Paying too much for city personnel in Upland, where the employees have already been reduced to a four-day work week, has resulted in a reprioritization in how municipal money is spent. Cities exist for the provision of municipal services. Cities exist so we have police departments to keep the streets from being overridden with crime, so we have fire departments to put out fires, so our streets are paved regularly to prevent potholes, so we have quality and safe drinking water when we turn on the tap, so our traffic lights work and so our parks are maintained and our streetlights come on at night. City Hall's priority is no longer the provision of those services but making sure that our city employees are well paid, which means they receive compensation that is well above that paid to workers in the private sector for comparable work. If a city keeps spending money on high salaries, pretty soon the quality and integrity of those services diminish and, eventually, the reason for the city's existence is defeated.

I would like to see a proposition go before the voters of California asking if they believe that

Former City Manager Vagnozzi Sues Upland For Discrimination

Former Upland City Manager Jeannette Vagnozzi, whose promotion to the top spot at Upland City Hall was made with the support of three lame duck members of the city council in their last official act as officeholders after an angry electorate had banished them from office in November 2018, has sued the City of Upland over the way in which she claims she was treated in the months prior to her May 2019 firing.

A group of Upland citizens had appealed to Vagnozzi in the days and hours before the city council hired her on November 26, 2018 to decline the outgoing city council's elevation of her to the city manager's post and instead give what was then to be the incoming city council the option of either selecting her to serve in the city's top administrative post or keep her as assistant city manager. Vagnozzi, saying she could not risk her future on the whim of three new council members she did not know, accepted the appointment as city manager, despite it being tainted by the consideration that three of those who chose her would not be in office upon her assumption of the position. As it would turn out, Vagnozzi's show of distrust and what was interpreted as a lack of respect for four of the council members under whom she thereafter served as city manager doomed her to an abbreviated tenure in office.

What proved out to be Vagnozzi's misplacement in the role of Upland City Manager played against a backdrop of action and political miscalculation on her part in the months before her promotion to

city manager and further miscalculation and action taken in the months after she assumed the city manager role.

In March 2018, the city, led by then-City Manager Bill Manis, Vagnozzi as assistant city manager and Martin Thouvenell who was then the city's management consultant and advised by then-City Attorney James Markman, quietly moved to sell off 4.631 acres of Memorial Park to San Antonio Hospital for use as a parking structure, at first giving no clear reference to the property to be sold as parkland while providing the public with a mere 96 hours notice that the sale was to be voted on by the city council. Then-Mayor Debbie Stone and council members Gino Filippi and Carol Timm supported the sale. Councilman Sid Robinson abstained from the vote, not supporting the sale but taking no action to oppose it. Councilwoman Janice Elliott voted against making the 12 percent reduction to the city's landmark park, the largest in the city.

A firestorm of controversy ensued, as the vast majority of Upland's citizenry who had any opinion with regard to the parkland sale opposed it.

Robinson's constituency in the city consisted in large measure of the parents of children participating in youth sports. Those who had been his political supporters were dismayed at Robinson's unwillingness to stand up against the council majority and the city's administration to oppose the sale of the parkland, which included a long-existing Little League diamond. To remain in office, Robinson would need to vie in that year's election, the first

one in Upland history to be held by-district, and compete in the city's Second District. Elliott had been elected at-large in 2016 and her term in office was set to expire in 2020. In an effort to ensure her incumbency beyond 2020, at which point she would be forced to leave the council because she was not eligible to run in any district other than the Second, she chose to run in the Second District race in 2018. Robinson, who was at a clear disadvantage for not having opposed the parkland sale, opted out of running.

Both Filippi and Timm were due to stand for reelection in 2016, the former in the newly-created Third District and the latter in the newly-created Fourth District. In the November election, both, unable to effectively defend their votes to sell off the parkland, were defeated. In September 2018, City Manager Manis, seeing the city large roiling with discontent toward him, Vagnozzi, Thouvenell, Stone, Filippi, Robinson, Timm and Markman over the sell off of the parkland, announced his resignation as city manager. Vagnozzi and Thouvenell were tapped to fill in for him temporarily.

After the November 2018 election, in which Elliott was victorious and Filippi and Timm were chased from office effective with the first council meeting in December 2018, the council took up the subject of the city's managerial future. Thouvenell, who had served in the role of acting city manager from the middle of 2016 after the firing of former City Manager Rod Butler and then all of 2017 until Manis's hiring that became

effective on January 2, 2018, saw the e writing on the wall. He resigned as the city's managerial consultant before his contract came to an end.

At the last council meeting in November 2018, with Timm across the continent in North Carolina visiting her parents for the Thanksgiving holiday, the city council took up an item calling for designating Vagnozzi as city manager and conferring upon her a three-year contract. From North Carolina, Timm phoned in her endorsement of Vagnozzi. Robinson weighed in, saying he believed Vagnozzi to be the right person for the job. Filippi did the same. Mayor Stone, who was facing the prospect of losing her ruling coalition as soon as Robinson, Filippi and Timm exited the following month, noted that she had supported the hiring of Manis as city manager the previous year over Vagnozzi, who had also applied for the job at that time. Stone said she believed she had made a mistake, and that she now believed Vagnozzi deserved to be entrusted with the city manager's authority. A significant number of residents weighed in against promoting Vagnozzi to city manager. Among those was Ricky Felix, who had been elected earlier that month to replace Filippi. Felix said he believed it would be best to allow the city council members that would need to work with a new city manager over the next two to four years be allowed to determine whether that city manager should be Vagnozzi or someone else. Undeterred, the council voted to make Vagnozzi city manager, with Elliott

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Judge Says Searles Valley Minerals Must Pay H₂O Replenishment Fee While It Contests The Terms Of The Indian Wells Valley Groundwater Authority's Overdraft Prevention Program *from front page*

took efforts to head off the absolute depletion of the state's regional water sources. In September 2014, then-California Governor Jerry Brown signed into law the Sustainable Groundwater Management Act, which requires local agencies to draft plans to bring groundwater aquifers into balanced levels of pumping and recharge. That was followed in 2015 by Brown mandating water-saving measures throughout the state.

In response, pursuant to a joint exercise of powers agreement, the Indian Wells Valley Groundwater Authority was formed with Kern County, San Bernardino County, Inyo County, the City of Ridgecrest and the Indian Wells Valley Water District as general members and the United States Navy and the United States Department of the Interior Bureau of Land Management as associate members, with each general member having one voting seat on the au-

thority board and the federal associate members participating in all board discussions, but not having a vote.

The joint powers authority took as its mandate counteracting the overdraft of the aquifer underlying Indian Wells Valley, which lies at the extreme northwestern end of the Mojave Desert and the confluence of the northwestern corner of San Bernardino County, the southeastern end of Kern County and the southwestern extension of Inyo County.

Based upon a survey of water usage patterns undertaken by an engineering consultant, Carlsbad-based Stetson

Engineers, the authority and the Indian Wells Valley Water District sought to derive a strategy for both reducing water use in the valley and increasing groundwater recharge to reach a balance of both that will end the overdraft. Several different plans, or models, were contemplated. Basically, the concept was to decrease the drafting of water from the regional aquifer through conservation, increased recycling of water and perhaps the minimization of evaporation, augmented by the importation of water from outside the valley to achieve, no later than 2040, a balance of water coming in with the

amount of water usage, such that the depletion of the aquifer will end.

Stetson Engineers was designated the water resources manager for Indian Wells Valley, and the authority's board in January 2020 passed a tentative proposed groundwater sustainability plan and voted to submit it to the state. Thereafter it made adjustments to the plan, which contained water use limitation elements and water replenishment measures. The plan incorporated a farmland fallowing option as well as an increase in the monthly assessment or fee that was imposed on the extraction of water by major pumpers. That fee

had been previously collected to cover the costs associated with the administrative activity of the groundwater authority.

After a survey of water use by well owners both collectively and individually was made, the authority assigned water use allowances to the region's well owners. Excess use fees, referred to as augmentation fees, were formulated for application to those well owners who pump above their allowances as well as on farmers who go beyond their respective share of the water supply set aside for agricultural usage. Money generated *Continued on Page 12*

Support Network Around Valdivia Diminishing *from front page*

strengthen his hold on the council with the addition of Councilman Juan Figueroa, who won the special election held in

May 2019 to fill the gap on the council representing the Third Ward that had come about when Valdivia resigned from that position to move into the mayor's slot. At the midway point of 2019, the only opposition on the council Valdivia was

faced with was that of Fourth Ward Councilman Fred Shorett and Seventh Ward Councilman Jim Mulvihill. In relatively short order, however, as Valdivia militated to collect political donations for his future campaigns and fatten his own per-

sonal bank account by engineering city council votes favoring his political donors and the clients of his consulting company, he gradually lost the support of Nickel, Ibarra and Sanchez.

In the late winter/early spring of 2020, three fe-

male employees within Valdivia's office and a woman on whom he had conferred two city commission appointments spelled out numerous incidents in which the mayor had made sexual overtures toward them, touching off further revelations from other mayoral office employees about improprieties Valdivia had engaged in, which included bribetaking and misappropriation of city funds. Seven employees of the mayor's office departed, either of their own volition to get clear of Valdivia or as a result of being terminated be-

cause of their incompatibility with him. Five of those filed suit against the city and Valdivia, based on his alleged behavior and action toward them.

In 2020, Councilwoman Richard, one of Valdivia's two remaining allies on the council, was voted out of office, and replaced by Kimberly Calvin. In the nine months Calvin has been in office, she has evolved into one of Valdivia's implacable political foes.

Figueroa was reelected in 2020, and he remains as Valdivia's one reliable supporter on the

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Paulitz *from front page*

across from Our Lady of Lourdes Catholic Church.

During his first three years as a Montclair resident, Paulitz involved himself in a cooperative effort with Montclair's civic leaders to convert the city from one in which the individual homes made use of individual septic tanks to a modern sewer system.

When a developer purchased the orange grove behind his home and resolved to bulldoze it to put in a 7-Eleven market, Paulitz led the ultimately unsuccessful effort by those in his neighborhood to block the project, which involved him in an effort adversarial to that of Montclair's civic leaders.

Thereafter, in 1965, he was appointed to the planning commission, and he served on the panel for 12 years. Joining Paulitz on the planning commission in 1974 was Paul Eaton, who would later become a councilman and the city's mayor.

Shortly thereafter, however, Eaton's work

commitments necessitated that he leave the planning commission, and he was replaced. In 1977, Eaton again had time to serve on the commission, and to make room for him, he was appointed to replace Paulitz, as Paulitz's third four-year term as a commissioner ended.

Thereafter, Paulitz resolved to run for the city council, and was elected in his maiden run in March 1978. He remained in place for nine terms, being reelected eight consecutive times.

During his tenure, Paulitz served as a magnet that drew others into local politics, and he became a mentor to some of those, including current Montclair Mayor John Dutrey, who worked on Paulitz's 1986 and 1990 reelection campaigns.

Two of Paulitz's council colleagues early in his tenure as an elected official were George Klotz and Walter Hackett, political rivals who did not see eye-to-eye on several public issues facing Montclair at that time and who had a decided dislike for one another. On occasion, things grew so heated between them that in the

midst of a council meeting, the proceedings would be adjourned, officially or unofficially it was never quite clear, and the two would take the matter outside from the council chamber to the City Hall parking lot, where they would seek to settle things with their fists, with Paulitz serving as the referee.

Some residents and even more developers considered Paulitz to have an anti-business bent. Paulitz insisted that he simply wanted the development Montclair welcomed to meet reasonable standards.

Accomplishments Paulitz could lay claim to included consolidating all of Montclair under the single 91763 Zip code, forcing utility companies to meet more exacting standards than they had previously adhered to within Montclair City Limits, intensifying code enforcement efforts to rid Montclair of blight, elevating development and aesthetic standards along Holt and Mission boulevards, the establishment of the city's current police facility, and bringing about the Ramona Avenue and Monte Vista Avenue

railroad overpasses, the last of which was completed after Paulitz left the council.

Paulitz served eight years as Montclair's mayor pro tem, was on the four-county South Coast Air Quality Management District Governing Board from 1992 until 2004, and he also represented the City of Montclair on the San Bernardino County transportation agency, then known as the San Bernardino Associated Governments. He was on the board for local rapid transit known as Omnitrans, as well as the League of California Cities Environmental Quality Committee.

A eulogy to Paulitz on the City of Montclair website refers to him as a "legend. The heart and warmth of the Montclair community lives within its memory of the service Leonard gave, and changes his service wrought."

He was preceded in death by his wife Constance. Born on September 15, 1926, Paulitz is survived by his sons Tim, Gregory, Kevin, Patrick and daughters Patricia and Carol.

Pay No City Manager More Than California's Governor *from page 3*

it should be written into law that a city manager cannot be paid a higher salary than the governor. I think that proposition would pass. I don't have the time, energy or wherewithal to qualify a proposition like that for a statewide ballot, so I think I will instead work at the local level to see if we can put a measure on the ballot just for the voters in Upland to find out if they support putting a cap on the city manager's salary of no higher than what the governor is paid. After all, I think it is only fair that the residents of Upland, who are the ones paying the salaries of everyone down at City

Hall, have a direct say in how much those people get paid. I think that is an understandable concept most residents will agree with.

In the meantime, if the city council is going to consent to paying the city manager a salary of more than \$209,747 annually, I think there should be a requirement that the mayor, each member of the city council and the city manager explain to the people of Upland why they think the city manager deserves to make more money than the governor of the State of California.

Larry Kinley was formerly a vice president of the Bank of America. He oversaw for more than 15 years that institution's problem loan department. He was Upland's elected treasurer from 2016 to 2020.

Scam To Loot The Public Treasury With Never-Initiated Solar Project At Tres Hermanos Ranch Nets Four Participants Criminal Filings *from front page*

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 energy field utilizing photovoltaic panels to generate 450 megawatts of electricity while leaving some of the property 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 a large solar facility to an operating entity. In the face of those legal challenges, the City of Industry moved forward with its arrangement with La Jolla-based San Gabriel Valley Water and 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 on at the ranch, and provide Barkett with loans and other funding for feasibility studies and preparations relating to the solar project, what was essentially a commitment of public financing of the company's efforts in the initial stages of the project's development. In exchange, San Gabriel Valley Water and Power committed, once the 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 basement rates.

In defiance of normal 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 the San Gabriel Valley Water and 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 San Gabriel Valley Water and 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 San Gabriel Valley Water and 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 their development agreement. When Barkett and San Gabriel Valley Water and 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 were summoning 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 the thoroughly unproductive relationship with San Gabriel Valley Water and Power, and its legal bills mounting in having to fend off the lawsuits brought against it by Chino Hills and Diamond Bar, the City of Industry in 2018 entered into quiet negotiations with those latter two entities.

As early as 2018, San Gabriel Valley Water and Power sought a preliminary injunction against the City of Industry in its effort to prevent the city from gaining access to the company's documents relating to its work on the solar project. San Gabriel Valley Water and Power thereafter filed suit against the city, claiming it was owed \$218 million for work it had initiated on the solar project. Ultimately, in 2019 the City of Industry sued San Ga-

briel Valley Water and Power over the missing funds that San Gabriel Valley Water and Power had refused to account for in 2018, alleging Barkett had used money provided for work on the solar project for other purposes. Throughout that litigation, San Gabriel Valley Water and Power has withheld records and documents.

In February 2019, Chino Hills, Diamond Bar and the City of Industry announced six lawsuits Chino Hills and Diamond Bar had launched against the City of Industry in 2017 and 2018 were to be dismissed and that the City of Industry was to be welcomed into the Tres Hermanos Conservation Authority, a joint powers agency formed in January 1999 by the cities of Diamond Bar and Chino Hills. Under the terms of the settlement of the lawsuits, the board of the authority was to increase from four to seven members with the City of Industry allotted three of those board positions. Furthermore, the City of Industry agreed to sell Tres Hermanos Ranch to the Tres Hermanos Con-

servation Authority with deed restrictions that limit future use to open space, public use, and preservation. The City of Industry absorbed 90 percent of that purchase price in the sale of the land to the conservation authority. Chino Hills and Diamond Bar covered 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 paid Industry \$2,959,967 and Diamond Bar coughed up \$1,205,033.

Thereafter, in August 2020, investigators with the Los Angeles County District Attorney's Office served search warrants at the homes and offices of Philips, Bouza, Hill and Barkett.

There were questionable relationships between the four men. Bouza, apparently through Philips, wangled the role of attorney representing the City of Industry in the negotiations relating to the contractual arrangements between the city

and San Gabriel Valley Water and Power, despite Bouza having previously done legal work for Barkett, for which he was reportedly yet owed \$1.5 million when he was working for the city. Hill was a former California State Senator representing portions of Orange and Los Angeles counties from 1982 until 1994, when he was indicted by a federal grand jury, convicted and removed from office after he took what he thought was a bribe from an undercover FBI agent. In 2018, Hill was serving as a consultant to the City of Industry with regard to its effort to retain the Tres Hermanos Ranch property and see it properly utilized. He had a financial connection to Barkett and had set up a company that was to profit alongside San Gabriel Valley Water and Power when the land was converted to a solar field. He had worked on the campaigns of two of the members of the City of Industry City Council elected in 2015. The city council coalition including those two members hired Philips that year.

-Mark Gutgluck



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In 2019, Panicked By Constant Performance Reviews, Vagnozzi Brought In A Lawyer, Whose Threat Of A Lawsuit Destroyed The Prospect Of Establishing The Trust She Needed To Be Able To Remain As City Manager *from page 3*

dissenting.

In January 2019, Bill Velto, then a member of the planning commission, was selected to serve out the two years remaining in Elliott's term as an at-large member of the council elected in 2016. Thereafter, in February, March and April the city council began to evaluate Vagnozzi's job performance during the closed sessions of its regularly-scheduled meetings. Closed sessions are portions of the meeting held outside the view or earshot of the public.

The city council also focused on Vagnozzi's performance during meetings that took place outside the parameters of its normally-scheduled meetings held on the second and fourth Mondays of every month.

At a specially-called meeting on March 4, 2019, the council had a closed door meeting for the purpose of a "public employee performance evaluation" relating to the city manager. There was no action reported to the public after that meeting.

At a specially called meeting on March 17, 2019, the council had a closed door meeting for the purpose of a "public employee performance evaluation" relating to the city manager. There was no action reported to the public after that meeting.

At a specially called meeting on April 29, 2019, the council had a closed door meeting for the purpose of a "public employee performance evaluation" relating to the city manager. There was no action reported to the public after that meeting.

The constant monitoring of her performance and the disclosure that such a dialogue about her performance was taking place during both regularly scheduled and specially-called council

meetings riled and concerned Vagnozzi. She retained the Woodland-Hills-based law firm of Goldberg & Gage, which specializes in representing public employees against public agencies.

While Goldberg & Gage had moved to the conclusion that Vagnozzi had been or was in the process of being terminated, that was not the case. She remained as city manager, and there was, as of that time, no clear consensus that she should be fired. She yet enjoyed the unequivocal support of Stone. Moreover, Velto believed it would be nonproductive to jettison Vagnozzi, and he remained committed to working with her. Felix, likewise was unwilling to fire Vagnozzi without some clear indication or evidence that she had been remiss in her duty. Elliott, who had an unpleasant experience during Thouvenell's tenure as acting city manager in 2017 when she had been ostracized by Stone, Robinson, Filippi and Timm and ultimately censured, and Rudy Zuniga, who had replaced Timm, were somewhat less favorably inclined toward Vagnozzi, but still not entirely sold on cashiering her.

On May 2, 2019, Goldberg & Gage filed with the State of California's Department of Fair Employment and Housing a discrimination complaint on Vagnozzi's behalf. In a rapid turnaround, the State of California's Department of Fair Employment and Housing on the same day sent to Vagnozzi, in care of the Goldberg & Gage firm, a document known as a notice of case closure and right to sue. That letter stated that because Vagnozzi, through Terry Goldberg, had requested an immediate right to sue, the State of California's Department of Fair Employment and

Housing would not itself pursue an investigation of the alleged discrimination but rather had cleared Vagnozzi to pursue a lawsuit against the city in a California court of competent jurisdiction. The letter stated that Vagnozzi had one year to file such a civil action from the date of the letter. Moreover, according to the letter, if Vagnozzi intended to pursue a case against the city for discrimination in federal court, she would need to seek a federal right to sue letter within 30 days of receiving the May 2 letter or within 300 days of the alleged discriminatory act, whichever came earlier.

On May 7, 2019 Upland City Clerk Keri Johnson was notified by a letter from the Goldberg & Gage firm dated May 6 that Vagnozzi had obtained a right to sue letter from the State of California's Department of Fair Employment and Housing.

Vagnozzi's already delicate situation escalated to the next level with the council's discovery that Vagnozzi was on the brink of suing the city. If Vagnozzi had any hope of getting fully on track as city manager, she needed the trust of the city council. Putting herself in a circumstance where the council was flinching at the prospect of being sued made that nearly impossible. It only grew worse from there.

Vagnozzi subsequently acknowledged that Goldberg had "overstated" her beef with the city. Stated more directly, Goldberg outright misrepresented circumstances that made any sort of rapprochement between his client and the Upland City Council unachievable. In the document he filed on Vagnozzi's behalf with the California's Department of Fair Employment and Housing, Goldberg maintained "on or about April 29, 2019," the City of Upland, meaning some individuals employed by it, acting on its behalf or otherwise associated with it, "harassed" Vagnozzi.

Vagnozzi was the victim of intolerance

vectoring her way, Goldberg propounded, based on her "religious creed, dress and grooming practices, sex/gender, medical condition (cancer or genetic characteristic), age (40 and over), marital status," and other issues associated with her being a "member of a protected class."

Goldman suggested Vagnozzi was the object of the harassment and derision because of prejudice. He reiterated that Vagnozzi "was discriminated against because of complainant's religious creed" which he said "includes dress and grooming practices, sex/gender, medical condition (cancer or genetic characteristic), age (40 and over), marital status, association with a member of a protected class and as a result of the discrimination was terminated, asked impermissible non-job-related questions, denied a work environment free of discrimination and/or retaliation, denied any employment benefit or privilege."

Vagnozzi was also mistreated because she did not go along with the attitude she encountered, Goldberg said.

"Complainant experienced retaliation because complainant reported or resisted any form of discrimination or harassment and as a result was terminated, asked impermissible non-job-related questions, denied a work environment free of discrimination and/or retaliation, denied any employment benefit or privilege."

Additionally, according to Goldberg, Vagnozzi "has suffered discrimination, retaliation, and harassment based on her protected characteristics/activities."

In addition to Goldberg's complaint erroneously asserting that Vagnozzi had been terminated, it also inaccurately stated that Vagnozzi resided in Woodland Hills. In fact, Vagnozzi was a resident of Rancho Cucamonga.

All five members of the council, including Mayor Stone, who had previously been firmly in Vagnozzi's corner, were

taken aback by Goldberg's assertions. For them, Vagnozzi's religious practices had never been an issue. Four, in fact, did not know what Vagnozzi's religion was. Nor had they any feelings one way or another about her sexual orientation or in-depth knowledge of her personal life. Goldberg had implied that Vagnozzi was a lesbian. This hit a discordant note with the entirety of the council, none of whom had ever discussed or mentioned or even contemplated her sexuality. Felix in particular, a Mormon with three daughters, felt blindsided by Vagnozzi's injection of the topic of her sexuality into the workplace. Unaware of her preferences and equally unaware of any discrimination that had been leveled against Vagnozzi as a result of that preference, Felix strongly resented her making an issue of her sexuality at all.

Word spread quickly through Upland that Vagnozzi was accusing the city council of discriminating against her because she was sexually active with other women.

At its regularly scheduled May 13 meeting, the city council was set again to take up the subject of the city manager's performance. The agenda for that item differs from the three previous scheduled discussions in that it calls for a "performance evaluation and consideration of public employee dismissal" relating to the city manager. The previous council agendas pertaining to the evaluation of the city manager's job performance had not mentioned termination. The change was a sign that the entire council, including Stone, was entertaining Vagnozzi's dismissal.

At that point, Vagnozzi seemed to recognize she and her legal team had made a serious miscalculation. She attempted to walk back what Goldberg had done on her behalf.

In the three days before the council meeting, she sought to minimize the significance of the fil-

ings Goldberg had made on her behalf, suggesting that she was only taking prudent legal precautions and was not necessarily going to sue the city. "I have a right to representation, and I have retained a lawyer to make sure I am represented," she told the *Sentinel*.

She acknowledged there were some inaccuracies in the way in which Goldberg had characterized her claims against the city, and she indicated that there had been poor communication between her and Goldberg.

The inference that some had drawn that she was claiming she had been ostracized because of her sexual orientation, her manner of dress or her religion was inaccurate, she said. Still, she acknowledged, the documents Goldberg had lodged with the State of California suggested that was the case. "Perhaps he [Goldberg] confused me with another client," Vagnozzi said. "I am not homosexual and do not actively have any sign of cancer though I do receive treatment from an oncologist. I attend a Catholic church. I have not been terminated at this time but have had numerous closed session 'evaluations.'"

She said she had only recently retained Goldberg. "I am not sure where the responsibility for the miscommunication lies," she said.

She acknowledged that there was a significant distinction between the evaluations of her performance the council had scheduled at the previously specially-called meetings and the then-upcoming May 13, 2019 regular meeting. "The previous closed sessions didn't go beyond my performance review," she said. The inclusion of the terminology "termination" in the agenda for the executive session discussion on Monday, May 13, 2019, she said, was an indication "They are giving themselves that option."

Indeed, after the city council met in closed session on May 13, 2019, its

Continued on Page 10

Public Notices

NOTICE OF PETITION TO ADMINISTER ESTATE OF:

CESAR OSORIO
NO. PROSB 2100339
To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both of CESAR OSORIO

A PETITION FOR PROBATE has been filed by JULIUS OSORIO in the Superior Court of California, County of SAN BERNARDINO.

THE PETITION FOR PROBATE requests that JULIUS OSORIO be appointed as personal representative to administer the estate of the decedent.

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 9 a.m. on SEPTEMBER 20, 2021 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.

Filed: JULY 20, 2021
Judge Tara Reilly
Attorney for Julius Osorio:

Jennifer Daniel
220 Nordina St.
Redlands, CA 92373
Telephone No: (909) 792-9244 Fax No: (909) 235-4733
Email address: jennifer@lawofficeofjenniferdaniel.com
Published in the San Bernardino County Sentinel August 6, 13 & 20, 27 & September 3, 2021.

Public Notices

IN THE MATTER OF THE PETITION OF

Jose Antonio DelValle, Jr.
CASE NUMBER:
FFCSB 2100004

CITATION - FREEDOM FROM PARENTAL CUSTODY AND CONTROL

To JACOB ANDREW SWANSON and to all persons claiming to be the father or mother of minor person named MONIQUE ALYSSA-SWANSON SIMPSON

By order of this Court you are hereby cited and advised that you may appear before the Judge Presiding in

Department S44 of the SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO CENTRAL DISTRICT
351 N. ARROWHEAD AVE.

SAN BERNARDINO, CA 92415-0245
on SEPTEMBER 15, 2021 at 1:30 p.m.

of that day, then and there to show cause, if any you have, why said person should not be declared free from the control of her parent according to the petition on file herein.

If the Court finds that the interest of the minor requires his or her protection, the Court shall appoint counsel to represent the minor. Such counsel shall be appointed whether or not the minor is able to afford counsel. If you appear without counsel and are unable to afford counsel, the Court shall appoint counsel for you if you request appointed counsel.

The purpose of this action, to free the minor from the custody of her parent, is to permit the adoption of said minor to a suitable adopting parent.

Attorney for Jose Antonio DelValle, Jr:

CHRISTINA FERRANTE SBN 80030
ATTORNEY AT LAW
10700 CIVIC CENTER DR., SUITE 200
RANCHO CUCAMONGA, CA 91730
TELEPHONE NO (909) 989 - 9923 FAX NO (909) 466 - 0318.

The Court may continue these proceedings, not to exceed thirty (30) days, as necessary to appoint counsel and enable counsel to become familiar with these proceedings.

Given under my hand and seal of the Superior Court of the County of San Bernardino, State of California, this 15th day of June, 2021.

Clerk of the Court, Iris Mondragon, Deputy
Published in the San Bernardino County Sentinel August 13, 20, 27 & September 3, 2019.

NEW NOTICE OF PETITION TO ADMINISTER ESTATE OF: ARNOLD EUGENE BYRD

CASE NO. PROPS 2100088

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both of ARNOLD EUGENE BYRD

A PETITION FOR PROBATE has been filed by VICTOR FELIPE ROMERO and DEBRA KAY HANES in the Superior Court of California, County of SAN BERNARDINO.

THE PETITION FOR PROBATE requests that VICTOR FELIPE ROMERO and DEBRA KAY HANES be appointed as personal representatives to administer the estate of the decedent.

THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take

Public Notices

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. S-37 at 9:00 a.m. on OCTOBER 7, 2021 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.

Attorneys for the Petitioners: MICHAEL C. MAD-DUX, ESQ.

1894 COMMERCENTER WEST, SUITE 108
SAN BERNARDINO, CA 92408

Telephone No: (909) 890-2350

Fax No: (909) 890-0106 and

MARIVEL M. ZIALCITA

341 W. FIRST STREET CLAREMONT, CA 91711 (909) 256 6702

Published in the San Bernardino County Sentinel on 8/13, 8/20 & 8/27, 2021.

FICTITIOUS BUSINESS NAME NUMBER 20210007493

The following person is doing business as: DSOCONCEPTS 6746 TREELINE PL RANCHO CUCAMONGA, CA 91701: DARLENE S ORDONEZ 6746 TREELINE PL RANCHO CUCAMONGA, CA 91701-5167

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/ DARLENE ORDONEZ

This statement was filed with the County Clerk of San Bernardino on: 07/21/2021

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

Began Transacting Business: 07/13/2021
County Clerk, s/ 11327

Public Notices

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 08/13/21, 08/20/21, 08/27/21 & 09/03/21.

FICTITIOUS BUSINESS NAME STATEMENT FILE NO- 20210007409

The following person(s) is(are) doing business as: New Look Salon, 253 No Mountain, Upland, CA 91786, Mailing Address: 577 East Montrose, Rialto, CA 92376, Tonya Johnson, 577 East Montrose, Rialto, CA 92376

Business is Conducted By: An Individual

Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT. A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing.

s/Tonya Johnson

This statement was filed with the County Clerk of San Bernardino on: 07/19/21

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

Began Transacting Business: 07/10/21

County Clerk, s/ 15199

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).

08/13/21, 08/20/21, 08/27/21, 09/03/21

FICTITIOUS BUSINESS NAME STATEMENT FILE NO- 20210007962

The following person(s) is(are) doing business as: Love Sweets, 7431 Hyssop Dr., Rancho Cucamonga, CA 91739, Latunya D. Love-Banks, 7431 Hyssop Dr., Rancho Cucamonga, CA 91739

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/Latunya D. Love-Banks

This statement was filed with the County Clerk of San Bernardino on: 08/03/21

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

Began Transacting Business: 07/01/21

County Clerk, s/ 11327

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).

08/13/21, 08/20/21, 08/27/21, 09/03/21

FICTITIOUS BUSINESS NAME STATEMENT FILE NO- 20210008339

The following person(s) is(are) doing business as: Just Peached, 325 N. 2nd Ave Suite A, Upland, CA 91786, Adrian P. Alvarez, 1412 N Grand Ave O, Covina, CA 91724

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/Adrian P Alvarez

This statement was filed with the County Clerk of San Bernardino on: 08/12/21

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

Began Transacting Business: 07/13/2021

Public Notices

07/23/21
County Clerk, s/ 17122
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).

08/13/21, 08/20/21, 08/27/21, 09/03/21

FICTITIOUS BUSINESS NAME STATEMENT FILE NO- 20210007417

The following person(s) is(are) doing business as: Detumiel, 11966 Cypress Ave, Hesperia, CA 92345, Mailing Address: 11966 Cypress Ave, Hesperia, CA 92345, Yulissa Y. Lopez-Nunez, 11966 Cypress Ave, Hesperia, CA 92345

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/ Yulissa Y Lopez Nunez

This statement was filed with the County Clerk of San Bernardino on: 07/19/21

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

Began Transacting Business: 06/30/21

County Clerk, s/ 15199

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).

08/13/21, 08/20/21, 08/27/21, 09/03/21

ORDER TO SHOW CAUSE FOR CHANGE OF NAME CASE NUMBER CIVSB2120235

TO ALL INTERESTED PERSONS: Petitioner: Jia-Yuee Chiao filed with this court for a decree changing names as follows: Jia-Yuee Chiao to Elaine Jia-yuee Chiao

THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.

Notice of Hearing:

Date: 09/29/21

Time: 9:00 a.m.

Department: S17

The address of the court is Superior Court of California, County of San Bernardino, 247 West Third Street, San Bernardino, CA 92415

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

Dated: July 14, 2021

Lynn M. Poncin

Judge of the Superior Court.

Published in the San Bernardino County Sentinel 08/13/21, 08/20/21, 08/27/21, 09/03/21

NOTICE OF PETITION TO ADMINISTER ESTATE OF:

KEITH STEPHEN STRAUSS

NO. PROSB 2100454

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or

Public Notices

estate, or both of KEITH STEPHEN STRAUSS

A PETITION FOR PROBATE has been filed by DAWN R. McVAY in the Superior Court of California, County of SAN BERNARDINO.

THE PETITION FOR PROBATE requests that DAWN R. McVAY 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. S36 at 9 a.m. on SEPTEMBER 30, 2021 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.

Filed: May 13, 2021

Attorney for the Petitioner: Jennifer M. Daniel, Esquire

220 Nordina St.

Redlands, CA 92373

Telephone No: (909) 792-9244 Fax No: (909) 235-4733

Email address: team@lawofficeofjenniferdaniel.com

Attorney for Dawn McVay

Published in the San Bernardino County Sentinel August 20, 27 and September 3 & 10, 2021.

NOTICE OF PETITION TO ADMINISTER ESTATE OF:

KEITH STEPHEN STRAUSS

NO. PROSB 2100454

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both of KEITH STEPHEN STRAUSS

A PETITION FOR PROBATE has been filed by DAWN R. McVAY in the Superior Court of California, County of SAN BERNARDINO.

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THE PETITION FOR PROBATE requests that DAWN R. McVAY 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. S36 at 9 a.m. on SEPTEMBER 30, 2021 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.

Filed: May 13, 2021

Attorney for the Petitioner: Jennifer M. Daniel, Esquire

220 Nordina St.

Redlands, CA 92373

Telephone No: (909) 792-9244 Fax No: (909) 235-4733

Email address: team@lawofficeofjenniferdaniel.com

Attorney for Dawn McVay

Published in the San Bernardino County Sentinel August 20, 27 and September 3 & 10, 2021.

NOTICE OF PETITION TO ADMINISTER ESTATE OF AND A DEATH CERTIFICATE IN SUPPORT OF PETITION FOR PROBATE FOR:

LAURA ANN DAHLSTROM CASE NO. PROSB2100473

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both of LAURA ANN DAHLSTROM has been filed by MICHELLE PIERCE in the Superior Court of California, County of SAN BERNARDINO.

THE PETITION FOR PROBATE requests that MICHELLE PIERCE be appointed as personal representative to administer the estate of the decedent.

THE PETITION requests

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that 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.

THE PETITION requests a \$550,000 bond be fixed. The bond will be admitted by an admitted surety insurer or as otherwise provided by law.

Decedent died on 10/07/2020 in MORENO VALLEY, CA, a resident of San Bernardino County.

A hearing on the petition will be held OCTOBER 12, 2021 at 9:00 a.m. in Dept. No. S35 at Superior Court of California, County of San Bernardino, 247 West Third Street, San Bernardino, CA 92415, San Bernardino District.

Rebecca Hernandez, Deputy

AUGUST 9, 2021

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.

The character and estimated value of the property of the estate is estimated at \$550,000. Filed: August 9, 2021

Attorney for Michelle Pierce
R. SAM PRICE SBN 208603

PRICE LAW FIRM, APC
300 E STATE STREET
SUITE 620
REDLANDS, CA 92373
(909) 328 7000
sam@pricelawfirm.com
Published in the San Bernardino County Sentinel August 27, September 3 & 10, 2021.

FICTITIOUS BUSINESS NAME STATEMENT
FBN 20210008080

The following entity is doing business as ROADSHOP [and] ROADSHOP AUDIO [and] KEYAU 13390 ARROW RTE FONTANA, CA 92335; DANIEL HERNANDEZ 13390 ARROW RTE FONTANA, CA 92335

This Business is Conducted By: AN INDIVIDUAL
BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT. A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing.

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publication on this statement becomes Public Record upon filing.

S/ DANIEL HERNANDEZ
This statement was filed with the County Clerk of San Bernardino on: 8/05/2021

I hereby certify that this is a correct copy of the original statement on file in my office. All three began transacting business on MARCH 18, 2016

County Clerk, Deputy I7122
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 8/27, 9/03, 9/10 & 9/17, 2021

FICTITIOUS BUSINESS NAME STATEMENT
FBN 20210008683

The following entity is doing business as GUMDROP PROPERTIES [and] ANDI INVESTMENTS [and] URAVERAGEJO 504 NORTH MOUNTAIN VIEW AVE #302 SAN BERNARDINO, CA 92401
GUMDROP PROPERTIES LLC 504 NORTH MOUNTAIN VIEW AVE #302 SAN BERNARDINO, CA 92401

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/ JO ANNE SILVA
This statement was filed with the County Clerk of San Bernardino on: 8/20/2021

I hereby certify that this is a correct copy of the original statement on file in my office. All three entities began transacting business on: JULY 23, 2021

County Clerk, Deputy I7122
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 8/27, 9/03, 9/10 & 9/17, 2021

FICTITIOUS BUSINESS NAME STATEMENT FILE NO- 20210008408

The following person(s) is(are) doing business as: Shifted Auto Detailing, 3031 E Brookside, CA Ontario, CA 91761, Nicolas Juarez, 3031 E Brookside, CA Ontario, CA 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/ Nicolas Juarez
This statement was filed with the County Clerk of San Bernardino on: 08/13/21

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/ I1327
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). 08/27/21, 09/03/21, 09/10/21, 09/17/21

FICTITIOUS BUSINESS NAME STATEMENT FILE NO- 20210008118

The following person(s) is(are) doing business as: Perez Perez Photography, 1099 W Hill Dr, San Bernardino, CA 92407, Amilcar Perez Perez, 1099 W Hill Dr, San Bernardino, CA 92407

Business is Conducted By: An Individual

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

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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/ Amilcar Perez Perez
This statement was filed with the County Clerk of San Bernardino on: 08/05/21

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

Began Transacting Business: 07/14/2021

County Clerk, s/ I8311
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). 08/27/21, 09/03/21, 09/10/21, 09/17/21

FICTITIOUS BUSINESS NAME STATEMENT FILE NO- 20210008346

The following person(s) is(are) doing business as: RMAC Credit, 14025 Meadow Lane, Lytle Creek, CA 92358, Roy Mendez, 14025 Meadow Lane, Lytle Creek, CA 92358

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/ Roy Mendez
This statement was filed with the County Clerk of San Bernardino on: 08/12/21

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/ I7122
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). 08/27/21, 09/03/21, 09/10/21, 09/17/21

FICTITIOUS BUSINESS NAME STATEMENT FILE NO- 20210008553

The following person(s) is(are) doing business as: Gypsy Drilling, 622 Aspen Way, Upland, CA 91786, Carmine N. Cerchio, 622 Aspen Way, Upland, CA 91786, Lindsay M. Cerchio, 622 Aspen Way, Upland, CA 91786

Business is Conducted By: A Married Couple

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/ Carmine N. Cerchio
This statement was filed with the County Clerk of San Bernardino on: 08/18/21

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/ I1327
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). 08/27/21, 09/03/21, 09/10/21, 09/17/21

FICTITIOUS BUSINESS NAME STATEMENT FILE NO- 20210008547

The following person(s) is(are) doing business as: Nutribio, 4577 Condor Avenue, Fontana, CA 92336, Luis A. Reyes, 4577 Condor Avenue, Fontana, CA 92336

Business is Conducted By: An Individual

Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION

Public Notices

MATION 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/ Luis A Reyes
This statement was filed with the County Clerk of San Bernardino on: 08/18/21

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

Began Transacting Business: 08/01/21

County Clerk, s/ I1327
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). 08/27/21, 09/03/21, 09/10/21, 09/17/21

FICTITIOUS BUSINESS NAME STATEMENT FILE NO- 20210008768

The following person(s) is(are) doing business as: Jagged Fab Works, 1154 W 9th St, Upland, CA 91786, Kenneth J Charles Jr, 1154 W 9th St, Upland, CA 91786

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/ Kenneth J Charles Jr
This statement was filed with the County Clerk of San Bernardino on: 08/23/2021

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

Began Transacting Business: 07/10/2021

County Clerk, s/ I1327
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). 08/27/21, 09/03/21, 09/10/21, 09/17/21

FICTITIOUS BUSINESS NAME STATEMENT FILE NO- 20210007967

The following person(s) is(are) doing business as: Robert F Bicher & Associates, 1220 Monte Vista Dr., Redlands, CA 92373, Mailing Address: PO Box 7010, Redlands, CA 92375, Robert F Bicher, 1220 Monte Vista Dr., Redlands, CA 92373

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/ Robert F Bicher
This statement was filed with the County Clerk of San Bernardino on: 08/03/2021

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

Began Transacting Business: 12/15/1998

County Clerk, s/ I1327
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). 08/27/21, 09/03/21, 09/10/21, 09/17/21

FICTITIOUS BUSINESS NAME STATEMENT FILE NO- 20210007772

The following person(s) is(are) doing business as: Eagle Fang Realty, 15389, Muscat Ave, Fontana, CA 92335, Geovanni Teon, 15389, Muscat Ave, Fontana, CA 92335

Business is Conducted By: An Individual

Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION

Public Notices

MATION 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/ Geovanni Teon
This statement was filed with the County Clerk of San Bernardino on: 07/29/2021

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

Began Transacting Business: 01/01/2021

County Clerk, s/ I1327
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). 08/27/21, 09/03/21, 09/10/21, 09/17/21

FBN20210007333 The following entity is doing business as BUE-

NOS DIAZ INSURANCE AND REGISTRATION 17914 FOOTHILL BLVD. #A FONTANA, CA 92335; BUENOS DIAZ INSURANCE AND REGISTRATION 17914 FOOTHILL BLVD. #A FONTANA, CA 92335

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/Julie Diaz This statement was filed with the County Clerk of San Bernardino on: 7/16/2021 I hereby certify that this is a correct copy of the original statement on file in my office. Began Transacting Business: JUNE 7, 2021 County Clerk, Deputy I1327 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 7/16, 7/23, 7/30, 8/06, 2021 & 08/27/21, 09/03/21, 09/10/21, 09/17/21

ORDER TO SHOW CAUSE FOR CHANGE OF NAME CASE NUMBER CIVSB2120632

TO ALL INTERESTED PERSONS: Petitioner: Hariar Winston Tambunan filed with this court for a decree changing names as follows: Hariara Winston Tambunan, aka Tambunan Winston Hariarar

THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.

Notice of Hearing:
Date: 09/27/21
Time: 9:00 a.m.
Department: S16

The address of the court is Superior Court of California, County of San Bernardino, 247 West Third Street, San Bernardino, CA 92415

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

Dated: July 21, 2021
Lynn M. Poncin
Judge of the Superior Court.

Published in the San Bernardino County Sentinel

nel 08/27/21, 09/03/21, 09/10/21, 09/17/21

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nel 08/27/21, 09/03/21, 09/10/21, 09/17/21

NOTICE OF PETITION TO ADMINISTER ESTATE OF:

ROBERT LUCIEN UNDERWOOD

NO. PROSB 2100564

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both of ROBERT LUCIEN UNDERWOOD

A PETITION FOR PROBATE has been filed by NATALI UNDERWOOD MERIDA in the Superior Court of California, County of SAN BERNARDINO.

THE PETITION FOR PROBATE requests that NATALI UNDERWOOD MERIDA be appointed as personal representative to administer the estate of the decedent.

THE PETITION requests the decedents 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. S36 at 9 a.m. on NOVEMBER 2, 2021 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.

Filed: SEPTEMBER 1, 2021

SELYNA RAZO, Court Deputy Clerk

Attorney for Natali Merida:
Jennifer Daniel
220 Nordina St.
Redlands, CA 92373
Telephone No: (909) 792-9244 Fax No: (909) 235-4733
Email address: team@lawofficeofjenniferdaniel.com
Published in the San Bernardino County Sentinel September 3, 10 & 17, 2021

Public Notices

FBN 20210008745

The following person is doing business as: BRB TRANSPORT 9820 SIERRA AVE, H FONTANA, CA 92335 (PRINCIPAL PLACE OF BUSINESS SAN BERNARDINO); BRANDON RR BAER 9820 SIERRA AVE H 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: AUG 16, 2021
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 179130. I am also aware that all information on this statement becomes Public Record upon filing.

s/ BRANDON R. BAER, OWNER
Statement filed with the County Clerk of San Bernardino on: 08/23/2021
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 08/27/2021, 09/03/2021, 09/10/2021, 09/17/2021 CNBB33202101MT

FBN 20210008591

The following person is doing business as: RESTORATION PRO 7868 GRACE AVE FONTANA, CA 92336 (PRINCIPAL PLACE OF BUSINESS SAN BERNARDINO); ISIDRO ANGEL MENDOZA 7868 GRACE AVE FONTANA, CA 92336

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 179130. I am also aware that all information on this statement becomes Public Record upon filing.

s/ ISIDRO ANGEL MENDOZA, OWNER
Statement filed with the County Clerk of San Bernardino on: 08/18/2021
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 08/27/2021, 09/03/2021, 09/10/2021, 09/17/2021 CNBB33202102SN

FBN 20210008063

The following person is doing business as: INSIGHT BY EME 9890 ARROW RTE UNIT 2 RANCHO CUCAMONGA, CA 91730 (PRINCIPAL PLACE OF BUSINESS SAN BERNARDINO); EDERLYN M ENCLONA 9890 ARROW RTE. UNIT 2 RANCHO CUCAMONGA, CA 91730

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The following person is doing business as: EG DESIGNS 15024 ROSEMARY DR FONTANA, CA 92335 (PRINCIPAL PLACE OF BUSINESS SAN BERNARDINO); EDGAR GUTIERREZ MEZA 15024 ROSEMARY DR 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: 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 179130. I am also aware that all information on this statement becomes Public Record upon filing.

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EDGAR GUTIERREZ MEZA, OWNER Statement filed with the County Clerk of San Bernardino on: 08/04/2021 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).

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FBN 20210007828
The following person is doing business as: CORONADO'S TEE'S 1701 E. HIGHLAND AVE. SAN BERNARDINO, CA 92404 (PRINCIPAL PLACE OF BUSINESS SAN BERNARDINO); [MAILING ADDRESS 3438 RAINBOW LN HIGHLAND, CA 92346]; MELINDA L CORONADO 1701 E. HIGHLAND AVE. SAN BERNARDINO, CA 92404 The business is conducted by: AN INDIVIDUAL The registrant commenced to transact business under the fictitious business

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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 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ MELINDA L. CORONADO, OWNER Statement filed with the County Clerk of San Bernardino on: 07/29/2021 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

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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 08/27/2021, 09/03/2021, 09/10/2021, 09/17/2021 CNBB33202105IR
FBN 20210008062
The following person is doing business as: BEAUTIPRO 14911 MERRILL AVE FONTANA, CA 92335 (PRINCIPAL PLACE OF BUSI-

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NESS SAN BERNARDINO); KENDRY T ALVAREZ 14911 MERRILL AVE 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: AUG 17, 2021 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 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ KENDRY T. ALVAREZ, OWNER Statement filed with the County Clerk of San Bernardino on: 08/04/2021

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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 08/27/2021, 09/03/2021, 09/10/2021, 09/17/2021 CNBB33202106MT

Historic Redlands Orange Grove On The Chopping Block from page 2

issues dealt with in the initial study. Any such disagreements between experts as to whether an impact is significant or not necessitates that a comprehensive environmental report be compiled, McClendon said.

To make a negative declaration of no significant impacts and bypass the requirement for a full environmental impact report, McClendon said, the city had to consult with all agencies in the state with responsibility pertaining to the issues at play in the development. He asserted that the city had failed to make such consultations. The documentation upon which the mitigated negative declaration was based, “was not sent to the state clearing house,” McClendon said. “It was not properly distributed.”

McClendon included arguments that the destruction of the historical assets the project would entail imposed a mandate that the full-blown environmental impact report be conducted.

The point was further made that the listing of the 8.8-acre England Estate as a privately-owned historic resource subjected the property to a requirement that the historical assets be preserved in context, requiring that the two homes, the carriage house, the groves, their gravity-fed irrigation system and the surrounding wall be kept intact, and that any permanent changes to the exterior or setting of a designated historic resource be done in accordance with the Secretary of the Interior’s Standards for Historic

Properties.

The estate’s grove qualified as prime farmland, McClendon said, and the mitigated negative declaration did not provide adequate disclosure of that.

Without his saying so explicitly, McClendon’s document and abbreviated presentation of it at the July 20 meeting stood as a warning that approving the project by means of an environmental certification of anything less than an environmental impact report would trigger a lawsuit against the city.

Sherli Leonard, the executive director of the Redlands Conservancy, said her organization had twice sought to purchase the England Estate to ensure its preservation but had been rebuffed. Diversified Pacific’s preservation of the two historic homes and carriage house fell short of keeping “the site intact,” she said. The grove, she said, was “integral” to the house and should be preserved.

A statement from Jack Stewart, who claimed 68 years experience in farm management, was read into the record at the hearing. Stewart said he had done a visual inspection of the grove from the street, and that it was his opinion as a “professional farmer” that the grove could be “saved,” given the grove’s “deep root system. The trees are still viable. The grove can be productive,” according to Stewart.

A statement from former Mayor Bill Cunningham was also read to the council.

“The decision you face has ramifications far beyond the merit or lack thereof of 28 homes proposed in this project,” he said. Cunningham noted that Measure O

provided the city with bond money to “save [the local citrus] industry, jobs and heritage.” He said the England grove could easily be added to the city’s inventory of preserved citrus trees, and that the grove “can be brought to productivity.” Calling the England Estate a “unique asset,” Cunningham said it “should be treasured” as one of the last remaining such elements in Redlands. “It is the only property of the city that exists at it did 100 years ago. Its fruit has been of first quality. When one considers the unique attributes of the estate and the contributions the Englands made to the town we all cherish, the destruction of the grove can only be considered a sacrilege.”

Stuart Carlson took issue with Councilman Paul Foster’s advocacy on the part of Diversified Pacific and the charge he had made that the project’s opponents were seeking to block progress toward the project’s approval at the last minute by raising issues that should have been dealt with previously, pointing out that when Redlands residents approached him a year-and-a-half before with their concerns about the destruction of the grove, Foster had told them “we were too early.”

Carlson said “Diversified Pacific is requesting variances to existing codes for this project.”

He asked, “Is this the proper development that is consistent with the neighborhood? The answer is ‘No.’ There are too many homes on too small of lots, putting their homes too close to our homes.”

This proximity between dwelling units, Carlson said, was a vio-

lation of the city’s zoning code. “This is pouring salt into the wound of losing the attributes of this beautiful neighborhood in the name of developer profit. We expected that from the developer. The final question is: Will the council add to the salt in the wound for developer profit or deny the variances at the very least or the project as a whole for a plan that better fits in the neighborhood?”

Michael Kowalski said the council has a “history of essentially ignoring its constituents when it comes to development in the city.” The council, he said, could be counted upon to “appease the developers at every time. Why is it necessary to tear up one of the last remaining orange groves so 28 houses can be squeezed onto the property? Why is it that there are vast open spaces to the north [where] these same houses could go? Why have building codes and requirements if all that it takes to deviate from them is to seek variances with little to no logical support for those requests? Why is it that these 20 modern homes which have no resemblance to the homes in the established neighborhood have to be squeezed onto this minimal acreage?”

Susan Crockett said she felt “these 28 houses crammed like shoeboxes” were “destroying this piece of our history.”

Richard O’Donnell said that the project was out of compliance with Redlands’ Measure U’s restrictions on development and the California Environmental Quality Act. He said the property was one lot of record as of March 1997, and the “30 something new lots” planned for the project are “new lots of record.

New lots of record of are not exempt from Measure U’s restrictions. The land has been agricultural for over a century. Land used as agriculture as of November 1986 has to be developed at residential estate standards” as opposed to the less restrictive zoning in the current development proposal. O’Donnell went on to say, “The trees on that land have been intentionally mismanaged since it was purchased by the developer. Send this thing back to the drawing board. A new proposal should be required, using all of the residential estate zoning requirements.”

LuAnn Benton, who lives on Palm Avenue in the Montgomery House immediately adjacent to the England Estate orange grove, called upon the city council “to deny this project proposed by Diversified Pacific and require a full environmental impact report be performed according to California Environmental Quality Act guidelines.”

Redlands’ status as a “Certified Local Government” within the context of having committed to historical preservation, Benton said, requires it “to provide regular reports of their compliance” in making efforts to maintain significant historical and cultural resources.”

Benton said, “In reference to the mitigated negative declaration, the Historic and Scenic Preservation Commission concurred with our claim, and disagreed with [the City of Redlands development issue consultant] LSA’s conclusions. The Historic and Scenic Preservation Commission recommended that this project not move forward, along

with the recommendation for the preparation of an environmental impact report.”

Benton noted that “The England Grove Estate is the last remaining intact gravity-fed irrigation property in Redlands. To simply retain the England main house, without its context of the grove, gravity-fed irrigation, granite cut wall, barn, carriage house and contributing historic elements, is a significant impact pursuant to the California Environmental Quality Act. The 28 homes, in place of the historic grove, would have a significant impact on the England residence, as well as the entire neighborhood. The requested variances are not warranted. The squeezing of large tract homes on very small lots will destroy the historic context of our neighborhood.”

If the city were to approve the project as proposed, Benton said, the city would violate its own development standards.

“According to the general plan update, the preservation of historic neighborhoods and associated resources is paramount to keeping Redlands unique,” she said. “Diversified Pacific is systematically destroying the entire historic grove by not watering consistently. The trees are dying. They only water when a city meeting is upon them.”

Susan Keith, referencing the full council’s acknowledgment of having met with Diversified Pacific and Foster’s refusal to meet with the residents advocating against the project, said, “It really bothers me that you have time for the developers but not your

Continued on Page 12

Vagnozzi Suing Up-land *from page 6*

members returned to the council dais in the council chamber, at which point Markman announced that Vagnozzi had been terminated on a 4-to-1 vote, with Mayor Stone in opposition. No cause was cited in making the termination, which was to be effective one month hence, on June 13, 2019. Nevertheless, Vagnozzi was relieved of her duties and capacity as city man-

ager immediately.

Curiously, Goldberg and Gage waited more than two years, until August 4, 2021 to file an employment-related lawsuit on Vagnozzi's behalf. The suit does not allege wrongful termination but instead cites discrimination, harassment, failure to accommodate, retaliation and failure to take corrective action.

Given the way in which Goldberg had botched the filing with the California Depart-

ment of Fair Employment and Housing, which led to Vagnozzi's actual termination in 2019, Bradley Gage of Goldberg & Gage will be handling Vagnozzi's case from here on out.

The lawsuit does not dwell on Vagnozzi's sexuality, emphasizing rather that she was a woman, unmarried, had eclipsed the age of 40 and was a breast cancer survivor. The suit maintains she was subjected to harassment by other

city employees and had to endure a hostile work environment.

According to the lawsuit, Vagnozzi, who was the assistant city manager, city clerk, director of administrative services, human resources manager and risk manager before she was promoted to city manager, was not treated as an equal within the city's senior management division. She was originally hired in 2015 to serve as assistant city manager under

then-City Manager Rod Butler. She served as acting city manager for five days after Butler was terminated in July 2016, but was thereafter replaced as acting city manager by Thouvenell. When Thouvenell departed as acting city manager on January 1, 2018, the city did not replace him with Vagnozzi but instead brought in Bill Manis, who had been the city manager of Rosemead, to serve as city manager. She was cut off from the flow of

information and prevented from exercising the authority her managerial position normally entailed, the suit claims.

The case has been assigned to Judge John Tomberlin. The suit seeks unspecified amounts of economic compensation due to loss of future earnings, lost pension wages plus monetary compensation for emotional distress.

-Mark Gutglueck

H₂O Replacement Fee Will Put It Out Of Business, Searles Valley Minerals Says *from page 2*

in this way will be used to purchase imported water and pay for the infrastructure needed to bring in the imported water.

One issue complicating the matter is that both the Bureau of Land Management and the China Lake Naval Air Weapons Station, as federal entities, are exempt from the groundwater sustainability plan and the Sustainable Groundwater Management Act, and therefore not subject to the restrictions that will be imposed in the groundwater sustainability plan. The China Lake Naval Air Weapons Station encompasses two ranges and totals over 1,100,000 acres or 1,719 square miles, much of that within Indian Wells Valley. While the China Lake Naval Air Weapons Station has made strides in recent years in reducing its water use, it still drafts some 1,600 acre-feet of water from the aquifer annually.

In September 2020, Searles Valley Minerals, represented by Eric Garner, Jeffrey Dunn and Maya Mouawad with the law firm of Best Best & Krieger, filed a lawsuit in Kern County Superior Court against the Indian Wells Valley Groundwater Authority in an effort to protect what Garner, Dunn and Mouawad asserted are the company's groundwater rights within the Indian Wells Valley Groundwater Basin, and to stop the collection of what they characterized as an illegal and

unfair groundwater replenishment fee and a tax disguised, they assert, as an "extraction fee."

Searles Valley Minerals uses solution mining, which involves soaking portions of the company's dry Searles Lake in San Bernardino County with water to precipitate brine which is then extracted and processed to produce boric acid, sodium carbonate, sodium sulfate, several specialty forms of borax, and salt.

The groundwater replenishment fee, Garner, Dunn and Mouawad maintained, is unprecedented and exorbitant, and will increase the company's water costs by 7,000 percent or \$6 million per year – pushing Searles Valley Minerals out of business after more than 140 years of operation, and threatening the livelihood of the company's 700 employees. The groundwater replenishment fee ignores and violates Searles Valley Minerals' adjudicated water rights, according to the lawsuit.

Searles Valley Minerals' 91-year-old water rights are the most senior in the Indian Wells Valley Groundwater Basin.

Garner, Dunn and Mouawad took issue with the fashion in which the China Lake Naval Air Station is not subject to the restrictions in the plan nor its fees.

"Searles Valley Minerals' right to pump water in the basin for domestic uses is senior to any water right reserved to [the] Weapons Station, and because [the] water district's groundwater pumping began no earlier than 1955, its appropriate right, if any, to basin water remains junior to

Searles Valley Minerals' right," according to the lawsuit. "The authority falsely asserts in its groundwater sustainability plan that any pumping allocations under the groundwater sustainability plan will be 'consistent with existing groundwater rights and priorities.'"

In a joint statement, Searles Valley Minerals and Garner, Dunn and Mouawad maintained the groundwater management plan that the authority is attempting to implement "represents an arbitrary and illegal taking of Searles Valley Minerals' water rights," and Searles Valley Minerals had been "singled out" by the authority.

Despite the ongoing litigation, in January 2021, the Indian Wells Valley Groundwater Authority undertook to collect groundwater replenishment fees from all well owners within its bailiwick. Citing the contentions in the lawsuit it had already initiated, Searles Valley Minerals balked at paying the fee, seeking an injunction from the court to prevent the Indian Wells Valley Groundwater authority from assessing it.

The dispute was removed to Orange County Superior Court, which was considered to be an impartial forum, since there are entities in San Bernardino, Kern and Inyo counties which have a direct interest in how water conservation measures are going to be applied by the Indian Wells Valley Groundwater Authority. Searles Valley's legal action was one of two similar legal pleadings, the other one having come from an agricultural company, Mojave

Pistachios.

Both Searles Valley Minerals and Mojave Pistachios have been pumping water since January without paying the fee to the Indian Wells Valley Groundwater Authority.

More than three months ago, on May 25, both Searles Valley Minerals and Mojave Pistachios suffered a setback when Judge Nakamura ruled that their legal actions contesting the imposition of the fee did not give them the right to excuse themselves from paying the assessment. This was summarized in the language "pay first, litigate later," an applicable principle which prevails when the lawfulness of a tax is being contested. Both companies would need to live with the imposition of the assessment while their legal action contesting the fees are pending in the court, Judge Nakamura ruled. If the court indeed determines that the fees should not be imposed on them, they will be provided a refund at that time. Nakamura on May 25 held that a "delay in implementing the groundwater sustainability plan will cause further harm to the basin, increase the cost of imported water, and continue to damage shallow wells throughout the basin." The judge reasoned that the replenishment fees were being used to remedy the overdraft in the basin by paying for the importation of water, which was helping to prevent shallow wells from drying up.

In his ruling yesterday, Judge Nakamura cited his May 25 ruling in ordering both Searles Valley Minerals and Mojave Pistachios to begin paying the

fee forthwith. Essentially, if the two companies are to continue to pump water, they must pay the fee that the Indian Wells Valley Water Groundwater Authority has levied. In the Searles Valley Minerals case specifically, Judge Nakamura held that the "pay first, litigate later" principle applies to both local and state taxes and fees.

Referencing California Water Code, section 10726.6 subsections (c) or (e), Judge Nakamura ruled there was nothing in the law that authorized the suspension of tax payments as the result of ongoing litigation calling the tax's or assessment's applicability into question.

Nakamura stated, "[T]he pay first principle is explicitly included in subsection (d) where it instructs that the fee may be paid under protest and states, 'Payments made and actions brought under this section shall be made and brought in the manner provided for the payment of taxes under protest and actions for refund of that payment.'"

Neither Searles Valley Minerals nor Mojave Pistachios established that the imposition of the water replenishment was tantamount to unconstitutionally abridging either parties established water rights, Judge Nakamura found.

The community of Trona, which lies at the westernmost extreme of San Bernardino County, presently has a population of 1,900 and has been piggybacking on Searles Valley Minerals for the provision of domestic water. The groundwater management plan will transform Trona into a

ghost town, according to Garner, Dunn and Mouawad.

"...all domestic and municipal activities for the disadvantaged Trona communities are supplied by groundwater that Searles Valley Minerals pumps from the basin," according to a joint statement from Searles Valley Minerals and Garner, Dunn and Mouawad. "The economic impacts of the authority's fee will devastate the Trona community."

The authority's decision to impose hefty new "replenishment fees" on the valley's civilian water users while providing no check on other major groundwater users in the basin such as the China Lake Naval Air Weapons Station is indefensible, Garner, Dunn and Mouawad contend.

"Searles is a pillar of the Trona and Ridgecrest communities, providing jobs and economic benefits to these communities since we were founded in 1873," said Burnell Blanchard, vice president of operations for Searles Valley Minerals. "We've maintained our workforce through natural disasters, a global pandemic and the subsequent economic crisis. Now, we face the threat of closing our doors and putting hundreds of people out of work because the authority has refused to recognize our long-established groundwater rights."

According to the lawsuit filed a year ago by Searles Valley Minerals, which exists in the form of a petition for a writ of mandate, a complaint for declaratory and injunctive relief and a takings

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Key SB Municipal Employees Departing from page 4

council. Both Nickel and Mulvihill were voted out of office in 2020, replaced, respectively, by Ben Reynoso and Damon Alexander. Reynoso at this point is competing with Calvin for the title of Valdivia's primary political nemesis on the council. Though Valdivia had hoped he might cultivate Alexander as member of his political machine, that has not occurred. Alexander, while not necessarily hostile toward the mayor, has demonstrated sharp differences with him over multiple issues.

In 2020, in what was one of Valdivia's last political successes, he managed to induce the city council to agree to the city hiring Robert Field, who had formerly been the County of Riverside's economic development director and a close friend of Valdivia's lawyer, Rod Pacheco, to serve as San Bernardino city manager.

For more than six months, beholden to Valdivia for having been hired as city manager and assuming, erroneously, that Valdivia had control over the city council, Field made managerial decisions that were favorable toward Valdivia's political donors who had business with the city. Through what has been a sometimes painful process, Field has learned that Valdivia is at diametric odds with three-sevenths of the city council and unable to control or count on the assistance of three of the other members of the council. Field's indulgence of Valdivia during most of the first year of his tenure as city manager has created a degree of distrust toward him on the parts of Calvin and Reynoso, and left him at least partially out of sync with Ibarra and Alexander. His prospects for survival as city manager are uneven.

McBride was appointed acting police chief the month after Valdivia became mayor, when the former police chief, Jarrod Burguan, underwent knee replacement surgery. Burguan never returned, leaving

McBride as his logical replacement. Despite Valdivia's efforts to move McBride into the full-fledged police chief role, that never came about. This has been for Valdivia, McBride and the city something of an embarrassment. While McBride was given steady increases in pay over the last two-and-a-half years, there was considerable resistance to conferring the police chief position on him.

A resident of Hemet in Riverside County, McBride was formerly a member of the city council there, and in 2010 was that city's mayor. As mayor, McBride introduced a resolution that was endorsed by the entire Hemet City Council calling for the State of California to adopt a law similar to one in Arizona that requires police officers to routinely and automatically check the immigration status of those they encounter in the field to determine whether they are undocumented immigrants. In 2015, the City of El Monte hired McBride to serve as its police chief, but rescinded that offer because the city council thought better of making him the city's highest law enforcement official, since 68 percent of El Monte's population is Hispanic, and the community traditionally had a laissez-faire stance with regard to immigration law enforcement. It was thought that McBride's attitude on that issue would be equally incompatible in San Bernardino, where 60 percent of the population is Latino, and an estimated 5,000 to 6,000 illegal aliens dwell within the city.

McBride, who is now 54 and has thirty years in as a law enforcement officer, voluntarily departed from the police chief's post, which was paying him an annual \$251,000 salary plus \$224,000 per years in perks and benefits for a total annual compensation of \$475,000.

Valdivia's inability to move McBride into the actual police chief post is widely seen as an indication of the mayor's eroding grip over the 222,101-population city.

McBride has been re-

placed, temporarily, by acting Assistant Chief David Green. Valdivia would like, for personal and political reasons similar or even identical to those that had driven him to seek to boost McBride into the police chief position, to make Green police chief. It is even less likely, however, that Green will have that honor and title conferred upon him than that McBride would ever have become San Bernardino police chief.

Two considerations militate against Green's police chief prospects. A litany of excessive force complaints have been lodged against Green during his time as a police officer in San Bernardino, including several which evolved into lawsuits against the city. The city lost several of those suits, resulting in awards totaling in the millions of dollars. The city ducked that issue, however, when it filed for Chapter Nine bankruptcy protection in 2012, and then-U.S. Magistrate Meredith Jury allowed the city to satisfy those judgments at a ratio of one cent on the dollar. Substantial numbers of residents on San Bernardino's West Side, where residents have been subject to what they say is brutality on the part of the police department for decades, have made clear that they intend to take to the streets if the city so much as contemplates offering the police chief position to Green.

Green was the member of the department to whom then-Mayor-elect Valdivia had turned to for help on November 14, 2018 after he had become entangled in circumstances surrounding a hold-up and shooting at what was at that time an illicit marijuana dispensary located at 1435 North Waterman Avenue. Questions immediately emerged as to what Valdivia was doing at that location, and whether the money he had been provided with by the operator was a result of a shakedown the then-councilman/mayor-elect was engaged in. The police department's report of what occurred has never been publicly released. The city council,

which is out of step with the mayor, is unlikely to confer the police chief's position on Green, who may be privy to blackmail material the police department possesses relating to Valdivia and bribes being provided to him by the cannabis industry.

Huntley, who was previously the director of community and economic development and the director of planning and economic development respectively with the cities of Monterey Park and Montebello, came to San Bernardino in 2019 to succeed Mark Persico as San Bernardino's director of community and economic development. Persico was fired in 2018, after he became knowledgeable about monetary payments being provided to Valdivia, then a councilman vying for mayor, by proponents of development projects in the city. Shortly after he recommended, as the city's community and economic director, against the city approving one of those projects, a liquor store to be located on Inland Center Drive proximate to an off-ramp and on-ramp to the 215 Freeway, Persico was ignominiously terminated.

Huntley was hired under the presumption he would accommodate Valdivia's campaign donors and consulting business clients whenever they had project applications with the city. He lived up to that expectation.

As community and economic development director, Huntley had a close-up window on the applicants seeking permits and licensing to operate marijuana cultivation facilities, marijuana/cannabis production facilities, marijuana research facilities, medical marijuana dispensaries, wholesale marijuana distribution operations and markets selling marijuana for its intoxicative effect. Many of those applicants were plying Valdivia with money in exchange for his assurances he could get their permits and licenses approved.

In July 2020, Huntley facilitated an application by a Valdivia campaign

donor, Greenleaf Engineering, for a temporary use permit to haul and dump concrete from a razed building in Redlands to a field next to Palm Avenue in north San Bernardino. The permit was granted in August 2020. The presence of the mounds of concrete became an issue with the residents in the area, who were demanding its removal. Huntley was accused of downplaying the seriousness of the circumstance by acquiescing in a characterization of the presence of the concrete as a "potential" hazard during public discussion of the matter at city council meetings. Treasure Ortiz, who is being promoted by a contingent of San Bernardino residents as a candidate for mayor in 2022, recently unearthed a declaration made by Huntley and filed with the Superior Court as part of the city's efforts to abate the massive pile of concrete. In that declaration, Huntley stated, "[T]he unlawful conditions that I have identified on the subject property pose significant risk to the life, health and safety of the residential community within 1,000 feet of the subject property as well as the general public and must be abated immediately. In addition, the temporary use permit has been revoked; the materials are no longer authorized to remain at the subject property."

On Wednesday, September 1, 2021, Ortiz filed a formal complaint with the city, accusing Huntley of purposefully misleading the public about the hazard the concrete represented. She had previously accused Huntley, as community and economic director, of mismanaging a federal program to provide San Bernardino residents with money to cover rent payments during the COVID-19 crisis. Huntley acceded to allowing one of Field's associates to serve as the distributor of the funds. The designated distributor, however, had no office in San Bernardino. Because renters in San Bernardino had to travel to Moreno Valley to apply for and undergo eligibility vet-

ting, \$6.9 million in rent relief funding earmarked for San Bernardino has remained bottled up and not used for its intended purpose. Ortiz also maintains that Huntley actively assisted Valdivia, who was entitled to two appointments to the city's downtown advisory commission, secure three appointments to that panel by falsifying a staff report. That change in the commission's make up has delayed, she maintains, a crucial makeover of downtown from occurring, Ortiz charged.

Within hours after Ortiz filed her complaint, Huntley tendered his resignation, the *Sentinel* was told.

The *Sentinel* is informed that Rebekah Kramer elected to leave as assistant city manager after being continuously pestered by Valdivia to take action she did not have proper authorization from the city council or the city manager to engage in.

Tickemyer, who was once perceived to be on relatively decent terms with Valdivia, reportedly fell out of grace with the mayor after he balked at bypassing normal contracting procedures so that companies that have shown generosity toward Valdivia in terms of the provision of campaign contributions were provided with construction and maintenance work at the city's parks and recreation facilities.

While both Tickemyer and Kramer are gone for good, Brizuela has reportedly gone out on an extended leave of absence as an investigation into Valdivia's use of city money for political purposes is ongoing. One report was that Brizuela had allowed her home address to be used to receive material paid for by the city's taxpayers which was intended for use at what turned out to be a political event for the mayor following his state of the city address. Sources have said that Valdivia believes that if Brizuela lays low and is not available at her city office, she can avoid being questioned by those investigators.

-Mark Gutglueck

Residential Subdivision Proposal Has Redlands Facing Potential Legal Challenges From Developer & Preservationists *from page 9*

constituents.”

Invited by Mayor Paul Barich to refute what the opponents of the project had said, Pitassi said he would remind the council and everyone else that “This property is private. It is privately owned. It’s been zoned for this use for many, many, many years, going back to 1955.”

Pitassi sought to put to rest reports that there somehow was more to the circumstance than meets the eye with regard to how Diversified Pacific was able to acquire the property, despite paying the Brumetts, as the heirs of the Heeney family, less money for the property than the Redlands Conservancy had offered.

“The property was on the open market for sale for over ten years,” Pitassi said. “There were attempts made, as I understand it, by the conservancy to purchase it. The sellers for reasons known to them were not able to come to an agreement with them, and consequently it continued to be on the market when we entered discussions with them, and we were able to complete a transaction, closing escrow in June of 2019. The Heeneys were struggling with the grove. That’s why it was on the market. Unfortunately, commercial viability of the grove simply wasn’t there any longer. As someone pointed out, the trees are, many of them, over 100 years old. Their productive life simply isn’t there any longer, and the market for citrus, particularly oranges, isn’t very strong. The economic records we received showed it was a money-losing operation, and they were struggling to keep it. So, it was clearly not what the image of it may be from an economic perspective.”

Pitassi dismissed objections to the project relating to the size of the lots and the density of the homes to be built.

“The minimal lot size

for this project proposal is 6,400 feet and the average lot size is over 7,200 square feet, which is very common for subdivisions within this community and many, many communities,” Pitassi said. “In fact, in some communities, it would be considered rather large. We believe the yield and land plan for this site is appropriate.”

Pitassi said the zoning in the area would allow over 40 homes to be built there and that Diversified Pacific had chosen not to build two-story homes, though Redlands’ zoning code would have allowed the company to do so.

“We’ve gone to some significant effort to be as sensitive as we can be to the conditions around our property,” Pitassi asserted. “We think we have a project that will be very beneficial to the community and the neighborhood.”

The lawyer for Diversified Pacific, Mark Ostoich, insisted the letter of the law is on the side of the developer, and that the project opponents could offer nothing beyond their various points of view holding that the project was not right for their neighborhood.

“The California Environmental Quality Act is based on substantial evidence that is in the record,” Ostoich said. “Opinions are not based on substantial evidence. They are opinions. They’re respected. They are what they are.”

Those opinions carry no legal authority, Ostoich said.

“The mitigated negative declaration that was prepared in this case is based on the only substantial evidence in the record of these proceedings, and that substantial evidence is the cultural resources assessment that was prepared by our consultant who is a Secretary of the Interior-qualified professional and was aggressively peer-reviewed by the city’s consultant, LSA

Associates. I submit to you that the only substantial evidence in the record of these proceedings is the cultural resources assessment.”

The preservationists in Redlands should content themselves with what they are getting out of the project, Ostoich said.

“The cultural resources that are being lost [i.e., 90 percent of the the grove and the irrigation system and the wall] are less significant than the highly visible cultural resources that are being retained [the two homes and the carriage house],” Ostoich said.

The *Sentinel* made repeated efforts this and last week, both by phone and email, to reach Burum and Jordan for their input with regard to the project and the burgeoning opposition to it among Redlands’ residents. Neither had responded by press time.

Toward the end of the July 20 hearing, Councilman Eddie Tejada, in reaction to his having been forced to acknowledge that he had meet-

ings with representatives from Diversified Pacific and hearing that all of his council colleagues had likewise had private exchanges with Diversified Pacific together with repeated references to the council members shunning residents when they sought to engage with them regarding the project, said, “I am sorry if it appears that the council is only listening to the developers and not the community. I think we can do a better job of expressing how it is that we are doing our best to communicate what you are sharing with us, because, trust me, we read all of the emails and I know that some of you reread some the things you already sent in. Part of the process, for me at least, is to receive your concerns and convey them to city staff through questions.”

With the council chamber packed with opponents of the project, the city council on July 20 receded from a vote regarding the project that night, instead continu-

ing the hearing until the next regularly scheduled council meeting on August 3.

At the August 3 meeting, the city council unanimously approved continuing the public hearing for the Redlands Palm project until September 7.

The agenda for the September 7 meeting gives the city council the option of voting for or against receiving and accepting a socioeconomic cost/benefit study prepared for the proposed project, approving a tentative parcel map for the project, approving a conditional use permit for the project, approving a tentative tract map for the project and consenting to two variances.

Elsewhere on the agenda is a notice that the city council is to discuss during its closed session that “a significant exposure to litigation exists based upon the facts and circumstances set forth in a letter for the initial study/mitigated negative declaration for the 301 West Palm Avenue residential development project.”

The *Sentinel* is reliably informed that McClendon was not responsible for the referenced letter.

In the body of the staff report for the agenda item for the development project, two options are laid out for the city coun-

cil. The agenda item reads: “Pursuant to discussion during its closed session, the following alternative motions are being provided to council for consideration: recirculate the proposed mitigated negative declaration in accordance with law or move that the city council request staff to prepare an environmental impact report.”

Based upon remarks made by Councilman Paul Foster at the July 20 meeting in which he essentially telegraphed his intention to approve the project, the council appears to be leaning toward allowing Diversified Pacific to proceed with constructing the 28 homes.

Foster on July 20, speaking directly to the preservationists who oppose the project, said, “I have a sensitivity that is not being recognized for the passion you have. But I have to weigh that against my belief in private property rights. That is going to weigh heavily on my mind as I look at not only what we have seen tonight, and I look forward to doing [sic] staff’s comments on the letter we received today, which I would point out to you is not an unusual thing, as the city attorney acknowledges. [U]sually what happens is an attorney representing one or more people, they like

to wait to submit their comments and drop it on us at a planning commission meeting or city council meeting when we are in the process of making the decision, thereby finding a way to delay the project, or delaying a decision. Very common practice. I was not at all surprised when the city clerk handed us the documents which actually came late in the meeting. But I would just tell you, we have to look at the big picture. We have to look at everything. We cannot just be driven by emotion, even if that’s what we have a passion for, which is preserving things. We have to recognize everyone’s rights in this situation. That may not mean that it doesn’t go down the way that you want.”

Litigation following a council decision on the project appears inevitable, with Diversified Pacific and Ostoich poised to sue the city if the council does not give approval to the project or if the council subjects the project to a full environmental impact report even as *Save The Grove* and McClendon appear to be on a trajectory to bring suit if the city council does not carry out a full environmental impact report on the project proposal before taking a vote on it.

Pay Water Fee, Judge Tells Trona Company *from page 10*

claim under the California Constitution, “An actual controversy has arisen and now exists as to whether the authority’s adoption of the groundwater sustainability plan, sustainable yield report, engineer’s report, extraction fee and the replenishment fee constitute an unlawful taking of property for public use without just compensation.”

The suit calls upon the court to make a finding that the “authority attempted to determine Searles Valley Minerals’ water rights in a way that is inconsistent with applicable law.” If, the suit says, “the court finds that

the authority’s actions did not deprive Searles Valley Minerals of all economically beneficial use of their groundwater rights as alleged, then Searles Valley Minerals alleges in the alternative that the authority committed an unlawful physical taking by erroneously deeming the entire basin’s sustainable yield to be reserved by the Weapons Station, and then putting that groundwater to public use without compensating Searles Valley Minerals. What the authority claims as a transfer of federal reserved rights is in reality an unlawful taking of Searles Valley Minerals’ groundwater rights. Because the basin groundwater given to the

Weapons Station will be physically unavailable to Searles Valley Minerals due to [the] authority’s adopted groundwater sustainability plan, sustainable yield report, engineer’s report and replenishment fee, this claimed transfer and its related actions constitute a physical taking.”

According to the joint statement by Searles Valley Minerals and its lawyers, “The authority’s ‘sustainable’ groundwater management plan is anything but sustainable – it’s a significant new burden on a select few groundwater users that will push many entirely out of operation without any regard to existing water rights.”

-Mark Gutglueck