

Upland Damning The Torpedoes On Issuance Of Pension Obligation Bonds

By Mark Gutglueck

The City of Upland is moving full speed ahead in its lawsuit against the city's 77,754 residents.

Because of generous commitments made by past city councils going back more than three decades, the City of Upland has an accrued pension debt that is close to three times its annual budget. The current outstanding debt the City of Upland has to the California

Public Employees Retirement System to cover the cost of the pensions being paid to already retired former Upland City employees and the anticipated cost of paying present employees their pensions in the future is referred to, in municipal parlance, as Upland's unfunded pension liability. More than nine years ago, as of June 30, 2012, Upland's unfunded pension liability had reached

\$88,994,066. It rose modestly but steadily for the seven years thereafter, jumping almost \$11 million, reaching \$99,976,917 as of June 30, 2019. Over the last two years, Upland's pension debt escalation has been historically steep. During the six months after June 30, 2019 alone, the pension debt grew by more than it had in the previous seven years, hitting \$112,039,675 by

the midway point of fiscal year 2019-20 on December 31, 2019. As of June 30, 2020, it stood at \$120,920,721. A document issued by the city in March 2021 indicated the city's unfunded pension liability as of that month had reached \$130,186,277.

For years, a small but vocal group of Upland residents, including Larry Kinley, who had been elected Upland Treasurer

in 2016, had been pushing for municipal pension reform. Alarmed at the growing pension debt, which was consuming more and more of the city's budget on a yearly basis and reducing the amount of money available for the delivery of municipal services, they called for the city to both change the terms of city employee contracts to eliminate the generous pension benefits **See P 2**

Highland Joins Rancho Cucamonga In Pursuing Moratorium On Filling Stations

The City of Highland late last month became the second city in San Bernardino County this year to impose a moratorium on the construction of new service stations.

At present, within 18.6-square mile, 55,629 population Highland there are twelve existing gas stations, with a thirteenth station nearly constructed and anticipated to be operational before

the end of the year. Within the past year, the city received four applications to construct service stations, of which three were for new stations and one for an expansion of an existing filling station to include a car wash. Two of the four applications received approvals. The third application, consisting of the addition of a car wash/expansion is pending, scheduled

for public hearing on September 21, 2021. The fourth proposal, a large new fueling station with gasoline, diesel, electrical vehicle charging stations, a convenience store and quick serve restaurant components, is yet to be fleshed out in all of its particulars.

At its August 10, 2021 meeting, the city council expressed concern about a glut of stations in the

city, and directed city staff to prepare an interim urgency ordinance temporarily halting approval of further gas stations the city council could consider.

According to a report authored and prepared for the August 24 city council meeting by Assistant Community Development Director Kim Stater and reviewed by Community Develop-

ment Director Lawrence A. Maine and City Attorney Maricela Marroquin which was provided to the city council by City Manager Joseph Hughes, it would be wise for the city to hold off on initiating new gas station projects while city staff drafts an update of the city's code for such uses.

Stater's report relates, "Five of the stations are located along **See P 5**

Free Day Of Metrolink Travel To Get Commuters To Ditch Cars

Metrolink, Southern California's regional passenger rail service, announced it is helping more people leave their cars at home on Car Free Day, with a free round-trip ticket for anyone who newly downloads and registers on the Metrolink mobile app.

Car Free Day, held every year on September 22, is a worldwide call

to action to improve air quality by choosing alternate transportation, such as a train, bus, bike or walking.

People who newly download and register on the Metrolink mobile app between September 13 and September 22 receive a free round-trip ticket that can be used between September 22 and October **See P 2**

Judge Rules Upland Council Ignored Wetlands Preservation Status In Approving Subdivision

Judge David Cohn has invalidated the Upland City Council's 2020 approval of Jim Previti's proposal to construct 65 homes on a dormant flood basin on the east side of the city.

Previti, the principal in Frontier Homes, had obtained on April 13, 2020, go-ahead from the Upland City Council as it was then composed to

complete the Villa Serena project within a 9.2-acre portion of a 32-acre percolation basin between 15th Street and 16th Street, roughly a quarter of a mile east of Campus Avenue in the lower northeastern quadrant of Upland, just north of a residential district often referred to as Foothill Knolls.

An incorporated non-profit citizens group

formed specifically for the purpose of challenging the project approval, calling itself Friends of Upland Wetlands, filed suit, taking issue with aspects of the project and challenging the city's approval. Spelled out in the suit was the contention that the means of environmental certification the project underwent, a mitigated nega- **See P 3**

Historian To Make Presentation On 1846 Mexican-American War Battle Of Chino

Local historian Paul Spitzzeri next month will provide an account of the Battle of Chino, which took place in the southwesternmost corner of San Bernardino County 175 years ago this month. Spitzzeri will speak at a site not too distant from where the historical event occurred.

The Chino Hills Historical Society will host Spitzzeri's lecture, which

is to be given at 7 p.m. Monday, October 11 at the Chino Hills Community Center, 14250 Peyton Drive in Chino Hills.

The Chino Hills Community Center is roughly four-fifths of a mile from the battleground, which is located on what is today the campus of Boys Republic.

In June 1846, the Bear Flag Revolt, led by a group of Americans liv-

ing in California, began. The rebels defied the continuation of rule by the Mexican government and proclaimed California an independent republic. By the summer of 1846, the United States had a military presence in Southern California. The U.S. Military imposed martial law over the civil population in the areas it occupied, and this included a curfew. Indigenous Mexican

nationals, some of whom were indifferent to the authority of the government and were not particularly committed to sustaining Mexico's hold on California, were nonetheless resentful of the imposition of martial law. They banded together and took back authority over Los Angeles.

The Battle of Chino took place some five months after the Mexi-

can-American War began, on September 26-27, 1846.

Prior to the battle, 24 Americans led by Benjamin D. Wilson took refuge at the adobe house of Rancho Santa Ana del Chino, then owned by Isaac Williams. Williams, originally from Pennsylvania, had become a Mexican citizen – a prerequisite for owning land – and mar- **See P 3**

One Month For Redlands Residents To Examine Plan For Urban Intensification

Efforts by Redlands city staff to redefine the city as a participant in the reinvention of Southern California as a megapolopolis linked by a mass transit corridor continues apace as the city of 68,747 is moving on with the adoption of the next phase of its Transit Villages Specific Plan makeover.

The Transit Villages Specific Plan calls for encouraging future development within the core areas of the city, in particular downtown, the area between Tennessee Street and New York Street and near the University of Redlands, where stops on the Redlands Passenger Rail Project are to be located. The concept calls for constructing high density, multi-story housing within walking distance of those railway stops to discourage the residents who live there from using their personal vehicles, and instead utilize the train system that is being developed in Southern California to allow those living in the inland areas to commute westward toward or into Los Angeles in the morning to work and return home by rail in the evening.

The element of the Transit Villages Specific Plan that calls for creating a dense living environment in Redlands' downtown area and allowing for high-rise apartments as well as parking structures clashes with many preservationists' idea of keeping the city's historic downtown intact. Moreover, the concerted efforts of a group of Redlands residents, who are determined to prevent any further development of structures of **See P 3**

City Of Upland Suing Residents To Get Them To Acquiesce To \$120 Million Bond Issuance To Guarantee City Retirees Pensions *from front page*

provided to city employees going forward and for an end of the city's affiliation with the California Public Employees Retirement System.

City employees, however, were acutely aware that if the city undertook to reform its pension system, they would see their pensions commensurately reduced. Then-City Manager Rosemary Hoerning and Assistant City Manager Steven Parker, both of whom are participants in the California Public Employees Retirement System, prevailed upon the city council to allow them to bring in advisors to advise elected officials on how the pension funding crisis should be dealt with. Hoerning and Parker then hired Urban Futures, which employs numerous current and former participants in the California Public Employees Retirement System and which stood to pick up further fees as the city's bond issuance coordinator if the city elected to issue bonds as a strategy to come to terms with the financial challenge its overwhelming pension debt represented, to serve as the city's pension debt advisor. The city also relied upon City Attorney Steve Deitsch for advice with regard to coming to its debt management options. Deitsch's law firm, Best Best & Krieger, stood to pick up fees by doing legal work relating to the issuance of the bonds. After being counseled by both Deitsch and Urban Futures Managing Director Julio Morales, the city council decided against pulling out of the California Public Employees' Retirement System and switching city employees to a more modest retirement program in which they as employees and the city as their employer would contribute money into a

somewhat less-generous retirement benefits than are provided by the California Public Employees Retirement System. Rather, the council was convinced by Hoerning, Parker, Deitsch and Morales to remain in the California Public Employees Retirement System and instead issue \$120 million in pension obligation bonds, which will allow the city to spread the payment of the money it owes to the California Public Employees Retirement System over the next 25 to 40 years, deferring the pension debt onto the next two succeeding generations of Upland's taxpayers, transferring the responsibility to the current city residents' children and grandchildren.

Morales and Deitsch allayed any concerns Mayor Bill Velto and the individual members of the council had about the process of taking on bonded indebtedness. Under normal situations in California, before new taxes or assessments can be imposed on residents or citizens, they must first assent to the new tax or tax increase through a majority vote in favor of that increase or new tax. What if, the council asked, a majority of Upland's residents refused to impose on themselves the fees or tax they would need to bear over 25 years or 30 years or 35 years or 40 years to repay the purchasers of the bonds? The city could steer around having to hold such a vote, Morales and Deitsch told the council, by having the city file a lawsuit against all of the city's residents in a legal action known as a validation complaint. If, upon the filing of the lawsuit, none of the city's residents responded within 30 days with an answer that challenged the city's intention to issue the bonds, the city would be free to create and sell bonds, and no future challenge to their issuance or the commitment that the city council made on behalf of the city's taxpayers that they would pay the bondholders could be made.

In April 2021 and then

in May 2021, after the mayor and city council and Hoerning had come to an agreement for Hoerning to leave as city manager and Parker was promoted into the post of acting city manager, the city council set the city on a course to issue at least \$120 million in pension obligation bonds. It did so as quietly as it could, taking that action as part of the consent calendars at its April 26 and May 10 meetings. Normally, in Upland and all cities elsewhere, the consent calendar is reserved for routine and noncontroversial issues that merit no discussion. The practice in Upland as elsewhere is to not consider any of the items that occur on the consent calendar individually but to vote on them collectively. In this way, it is very easy for the public to take no note of the items on the consent calendar. Accordingly, the public is very likely to miss the significance of any items that appear on the consent calendar and to have no understanding whatsoever or awareness of the substance of consent calendar items.

At its April 26 meeting, the city council, in a single vote taken relating to five other items that appeared on the consent calendar along with it, approved a \$62,500 professional services agreement with Urban Futures relating to assistance it would give the city in issuing pension obligation bonds.

On May 10, the city council, on a single item of a 16-item consent calendar, agreed to pay Best Best & Krieger, the law firm with which Steve Deitsch is a partner, \$70,000 for its assistance in readying the city for the bond issuance. The \$70,000 consisted of \$45,000 to serve as bond counsel, \$20,000 to handle the validation proceeding and \$5,000 to cover miscellaneous court costs. Another item on the consent calendar approved by the council provided for paying the law firm of Straddling, Yocca, Carlson & Rauth \$36,500 to serve as the disclosure counsel on the city's issuance of pen-

sion obligation bonds.

On July 21, 2021, the City of Upland filed the validation action against all interested parties.

On August 9, in an equally stealthy move as those taken in April and May, as an item on its eight-item consent calendar agenda, the council hired J.P. Morgan Securities LLC as the managing underwriter and Stifel, Nicolaus & Company, Incorporated as the co-managing underwriter for the proposed pension obligation bond issuance.

On August 12, the city filed a summons with the court, with language intended to inform all Upland residents that they were being sued.

When a small contingent of Upland residents took note of what was going on at the courthouse, they inquired about the city suing its residents.

Parker, as acting city manager, put out a statement. In it he denied the city was suing anyone.

"The city has not directly or even indirectly sued its constituents," Parker said. "What the city has done is filed a validation lawsuit regarding the potential issuance of pension obligation bonds. Under the rules imposed by the State of California, the city is required to file a complaint 'in rem.' This means that it is required by law to be stylized against 'all persons interested' in the matter."

The term "in rem" designates that the lawsuit is against the residents of Upland together rather than against the residents individually.

Over the next several weeks, both Councilwoman Shannan Maust and Councilwoman Janice Elliott parroted Parker.

On September 9, the Inland Valley Daily Bulletin ran a legal notice. The language of the notice states:

Summons

Case Number: CIV SB 2121939

Notice to Defendant: All persons interested in the matter of the proceeding for the issuance and sale of bonds for the purpose of refunding certain obligations that

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SBCSentinel@yahoo.com

Legal Notice Department 909 957 9998

Message Line 909-276 5796

the city of Upland owes to the California Public Employees' Retirement System (PERS) arising under PERS contract and the public employees retirement law, and certain proceedings leading thereto, including the adoption of a resolution that authorizes the issuance of pension obligation bonds, and the execution and the delivery of trust agreement and bond purchase agreement relating to the issuance of such bonds, You are being sued by plaintiff: City of Upland

Notice! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below. You have 30 calendar days after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court. There are

other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. Note: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

The legal notice lists the address of the court where the matter is filed, the San Bernardino County Superior Court on Third Street in San Bernardino. It identifies the attorney representing the city in the validation action as Scott W. Dittfurth of the law firm of Best & Kreiger, along with the address of the law firm together with the law firm's phone number, (951) 686-1450.

Free Metrolink Train Fare For A Day *from front page*

31. The app is available for free download on the App Store and Google Play.

For further information contact Paul Gonzales at (213) 305-9425 or gonzalesp@scrra.net.

Redlands Giving Residents An Abbreviated Window To Comment On Its Urban Make-over Plan *from front page*

more than three stories, are out of sync with the Transit Villages Specific Plan.

The Transit Villages Specific Plan is wedded to the completion of the Redlands Passenger Rail Project. The Redlands Passenger Rail Project features the lofty goal of creating a rail commuting system running from downtown Los Angeles to Redlands. Critics of the Redlands Passenger Rail Project have found fault with the nature of the rail engines being used, consisting of ones that are heavy diesel-powered models. Preferable would be a light rail system, they say. Such a light rail component of Southern Cali-

fornia's rail system does exist, that being the Gold Line, which now runs east from Downtown Los Angeles, near Little Tokyo and Union Station, to Pasadena and along the Los Angeles County San Gabriel Foothill communities to Azusa. At present, the Gold Line is being extended from Azusa to Glendora, with the intention of it reaching Pomona by 2025. Previously, both Los Angeles County and San Bernardino County transportation officials were in consonance on having the Gold Line extended through Claremont first to Montclair and then on to Ontario Airport, perhaps as early as 2028, in time for the Los Angeles Olympics to be held

that year. Thereafter, the light rail Gold Line was to go out to San Bernardino, in some scenarios as early as 2036 and then on to Redlands by 2040.

The light rail Gold Line is considered more modern, more efficient and more practical than the traditional diesel-powered Metrolink train that now runs between Downtown Los Angeles and San Bernardino. The track for the diesel-powered Metrolink, is shared with cargo trains, and it does not have frequent departures or arrivals, with the shortest time between departures from San Bernardino into Los Angeles running 20 minutes at certain times of the day and as much as two hours at other times.

Consequently, Metrolink is not heavily used and it does little or nothing to alleviate heavy traf-

fic on the freeways into and out of Los Angeles on a daily basis.

The Gold Line, which runs on a separate track dedicated to passenger transport alone from Downtown Los Angeles to Azusa, uses lighter cars and more fuel-efficient engines, with staggered departures and arrivals of as little as every eight minutes. The Gold Line is thus heavily used, and its cars, prior to the COVID-19 pandemic, neared capacity on virtually every run.

Previously, the Gold Line Construction Authority in conjunction with the San Bernardino County Transportation Agency, when it was previously known as San Bernardino Associated Governments (SANBAG), intended to continue the line from

Claremont to Montclair, and then from Montclair to Ontario Airport. SANBAG had accordingly dedicated \$39 million in available transportation money toward the Gold Line project, and did a joint application with the Los Angeles Metro Transit Agency for a State of California Transit and Intercity Rail Capital Program grant. That application was successful and it brought in \$250 million on the Los Angeles County side, which made a significant but not complete inroad on the \$850 funding deficit that jurisdiction had, and provided another \$41 million of the then-projected \$80 million cost for the San Bernardino County portion of the projected expense on the eastern side of the Los Angeles County/San Bernardino County border to

get the line to Montclair.

Subsequently, however, when the project went out to bid, it turned out the cost of building the line from Claremont to Montclair would not contain itself to an earlier \$73 million projection or the later \$80 million estimate, but had escalated to \$96 million.

In reaction to that projected cost overrun, San Bernardino County Transportation Authority Executive Director Ray Wolfe convinced a majority of the San Bernardino County Transportation Agency board in the fall of 2019 to pull the plug on San Bernardino County's portion of the Gold Line funding. On October 10, 2019 the San Bernardino County Transportation Agency's transit sub-

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The Battle Of Chino *from front page*

ried Maria de Jesus Lugo, daughter of Antonio Maria Lugo.

The Californios doubted the loyalty of Wilson's men and set out to arrest them.

Serbulo Varela, Diego Sepulveda and Ramon Carrillo left Los Angeles with about fifty men, while José del Carmen Lugo with another fifteen to twenty men left from

San Bernardino to converge upon Rancho del Chino.

On the night of September 26, 1846, the adobe ranch house was surrounded by the Californios. At dawn, the following day, gunfire was exchanged, resulting in one Californio, Carlos Ballesteros, son of the grantee of Rancho Rosa Castilla, being killed with two other Californios and three Americans wounded. When the Californios

attempted to set fire to the roof of the house, Wilson surrendered to Varela.

This brief engagement became known as the Battle of Chino.

Wilson and his men were taken prisoner and marched to Paredon Blanco in what is now Boyle Heights, the main camp of the Californio forces. The prisoners were nearly executed in retaliation for the death of Carlos Ballesteros. But because many of the

Americans were related by marriage to Mexican families, Varela and others intervened. The prisoners were taken to Rancho Los Cerritos, near present-day Long Beach, where they were detained and ultimately released.

The Bear Flag Republic was short-lived because soon after the Bear Flag was raised, the U.S. military began occupying California. In 1848, the U.S. Congress presumed to form a commission to

look into the validity of the existing Spanish and Mexican land grants in California, and most of those were recognized and sustained.

Also in 1848, just after the United States took legal possession of California, Mormon soldiers who had garrisoned California during the Mexican War cleared a trail that could accommodate a wagon up the Cajon Pass. In 1849 the California Gold Rush began.

California came into the union in 1850. Shortly thereafter, Mormon Settlers arrived in Southern California,

The Mormon settlers, acting under the authority of the Church of Jesus Christ of Latter Day Saints in Salt Lake City, purchased the San Bernardino Rancho from the Lugo Family in September 1851 for an agreed-upon price of \$77,500 based on a down payment of \$7,000.

Judge Overturns Upland Project Approval *from front page*

tive declaration, was inadequate, and that the city and the project proponent should have been required to compile a comprehensive environmental impact report for the project before the city council considered it.

Earlier this summer, Judge Cohn made a tentative finding that the project approval should be rescinded and that the city would need to complete a full-blown environmental report before the project could proceed. In delivering his final ruling, Judge Cohn backed away from requiring an environmental impact report, but he nevertheless determined

that the project approval based on the mitigated negative declaration could not stand, such that impacts of the project that were given short shrift in the previous consideration would need to be reexamined in more exacting detail if Previti and Frontier Homes are to carry on with the project.

The Villa Serena project is complicated by the consideration that in 1999 the City of Upland entered into a 25-point "streambed alteration agreement" with the California Department of Fish & Game, now known as the Department of Fish & Wildlife, that declared a portion of the basin off limits to development. It thus appears possible if not indeed likely that if a new environmental certification process for

the Villa Serena project is undertaken, there will follow a reduction in the amount of acreage that can be built upon as well as a lessening in the number of units to be constructed.

In 1939, following the devastating flooding of 1938, the San Bernardino County Flood Control District converted four parcels between 15th Street and 16th Street a little more than a mile east of Euclid Avenue into a 32-acre percolation basin as an augmentation to a then-existing stormwater control system. The basin allowed water to settle into the water table, while simultaneously intercepting stormwater runoff from 583 acres of surrounding land. That basin was capable of holding more than 50.4 million

gallons of water.

In January 1969, the dyke/embankment creating the basin, which had been compromised by the burrowing of gophers and squirrels, nearly failed during an intensive set of deluges, and the Foothill Knolls neighborhood, which lies between 15th Street to the north, the city limits to the east, and Foothill Boulevard to the south and Campus Avenue to the west, was evacuated.

In 1991, Upland obtained title to the basin.

Between the 1940s and the early 1980s, what had once been a gravel pit east of Campus Avenue and above 14th Street, west and south of the basin was utilized as a landfill. After the landfill was shuttered in the early 1980s, contaminants at the site

festered below the surface, including pockets of methane gas, which was burned off at various venting spots scattered about the site. When water seeping through the landfill began migrating into the water in the basin, the Santa Ana Regional Water Quality Control Board, because the basin was a source of water into the aquifer below Upland, ordered Upland to stop impounding and percolating water into the water table near the landfill to prevent the migration of contaminants into water wells drawing from the water table. This order required the City of Upland to reduce the size of the basin between 15th Street and 16th Street by filling in its westernmost 12 acres.

The California Department of Fish and Game,

exercising its authority, called upon the city to protect the fish and wildlife that could be adversely impacted by the regrading of the earthen-bottomed basin. Ultimately, in 1999, the Department of Fish and Game entered into a streambed alteration agreement with the City of Upland in accordance with Fish and Game Code section 1600, et sequitur. Contained within that pact was language stating, "There shall be no loss of wetland habitat and function. Impacts to wetland habitat shall be mitigated at a 1.5 to 1 ratio by management of the basin to allow for retention of wetland habitat at the eastern sector, which grows as a result of flow and [percolation] in the basin."

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City Barrelled Ahead With Approving Residential Subdivision On Property, A Portion Of Which Was Set Aside For Preservation As A Semi-Riparian Habitat *from page 3*

The agreement mandated that Upland provide annual reports until 2006 on the maintenance of the replacement wetlands. Upland had reestablished the wetlands, with the goal of preserving wildlife habitat, in December 2000. The city commissioned LSA Associates to carry out the studies of the condition of the wetlands and provide those mandated annual reports.

Beginning in 1999, a consortium of investors and developers known as the Colonies Partners, led by managing principals Dan Richards and Jeff Burum, began in earnest an effort to develop the Colonies at San Antonio residential and the Colonies Crossroads commercial subdivisions on property in northeastern Upland previously owned by the San Antonio Water Company that had long been deemed undevelopable. Those projects were rendered achievable by the California Department of Transportation's extension of the 210 Freeway across the northern portion of the city, which further involved the San Bernardino County Flood Control District and the Army Corps of Engineers completing elements of regional flood control projects that were augmented with the Colonies Partners' construction of storm drain and sewer facilities. Some of the infrastructure the Colonies Partners was to complete for its residential and commercial subdivisions was ultimately dedicated to the city and those improvements increased the capacities of streets, storm water drainage facilities and sewers in some areas within the Upland City Limits outside the specific plan area for the Colonies Partners' undertaking. Accordingly, on September 24, 2002, the city council approved a development agreement with the Colonies Partners allowing the development of the Colonies at San Antonio Project to proceed. A section of that agreement

entailed the city paying the Colonies Partners \$5 million as the city's fair share cost toward the infrastructure the Colonies Partners was undertaking to build in conjunction with its projects. Included in the agreement was that 20.3 acres of the original 32-acre percolation basin near 15th Street would be utilized as a flood water basin. The cash-strapped city was not in a position to pay the Colonies Partners a full five million dollars at that time. On December 22, 2003, the city council voted to modify the city's agreement with the Colonies Partners by paying Richards' and Burum's company \$1.5 million, and granting Burum and Richards a ten-year first right of refusal to explore possible uses for a portion of the reduced basin footprint, and agreeing that upon such a mutually satisfactory project being identified, the city would transfer title to that portion to the Colonies Partners for one dollar, the Colonies Partners would forgive the city's remaining \$3.5 million debt, the processing of the Colonies Partners' project proposal would be expedited, and the remainder of the basin property/wetlands preserve would be dedicated to public use.

In June 2017, the engineering firm Madole & Associates completed a drainage study for the city that was delivered to Rosemary Hoerning, then Upland's city engineer, that concluded only 11.1 acres of the basin's 20.3 acres were needed for future flood control purposes, based on the assumption that previous construction of an additional stormwater retention basin upstream and the Army Corps of Engineers' construction of a concrete drainage channel along the eastern edge of the Colonies at San Antonio project would adequately handle stormwater flows. That document, however, did not deal with the issue of having to maintain a sig-

nificant portion of the basin footprint as wetlands. Based on the Madole & Associates study, the City of Upland, by a quitclaim deed, transferred 9.2 acres of the western portion of the basin to the Colonies Partners.

Subsequently, the Colonies Partners made an arrangement with Frontier Homes and Previti to undertake the development of the 9.2 acres. It is not clear whether the Colonies Partners understood the limitations imposed on the development of the property as a consequence of the City of Upland's pact with the Department of Fish and Wildlife with regard to maintaining the property as wetlands. Nor is it known whether Burum and the Colonies Partners informed Previti and Frontier Homes about the limitations on development at the site.

In 2018 Frontier Homes learned through its consultant, Q3, that reconfiguring the remaining eastern portion of the basin would alter the facility in such way that unless the capacity of the basin was reduced from its current 50.428 million gallons of water to below 16.29 million gallons, it would be subject to the jurisdiction of California's State Division of Safety of Dams. Without that reduction in holding capacity, that state agency would not sign off on the project without significant upgrades to the remaining basin, including doing excavation so the foundation of the basin embankment could be established on bedrock and its spillway enlarged, a technically challenging and prohibitively costly undertaking. There ensued a manipulation of paperwork to indicate the holding capacity of the basin had dropped to below 16.29 million gallons, which Hoerning, as city engineer, knew to be untrue as to physical fact.

In 2019, Hoerning was installed as Upland's acting/interim city manager when then-City Manager Jeannette Vagnozzi was sacked. In March 2020, Hoerning was promoted to full-fledged city manager. Hoerning, convinced that the city council was in favor of the

Villa Serena project, had facilitated at the staff level the processing of Frontier Home's project application. By chance, the city had contracted with LSA Associates, the same firm that had carried out the annual reports prepared for the California Division of Fish and Wildlife relating to the 15th Street Basin wetlands, to prepare the mitigated negative declaration for the Villa Serena project. In April 2020, on the eve of and the very day of the city council's hearing on the project, Hoerning learned from and had confirmed by LSA Associates personnel, based on a review of the reports that company had done for the California Division of Fish and Wildlife more than a decade-and-a-half previously, of the manner in which the agreement with the California Department of Fish and Wildlife encumbered the property upon which the Villa Serena project was to be built. As the matter was a rather arcane one, and the record with regard to both the streambed alteration agreement and its accompanying limitations were buried in reams of documentation, Hoerning allowed the council to consider the project without being fully apprised of the commitment to maintain a portion of the site as open space.

Accordingly, on April 13, 2020, the Upland City Council voted 4-to-1 with Councilwoman Janice Elliott dissenting, to give Frontier Homes an entitlement to construct 65 single family detached residential units on 9.2-acres owned by the Colonies Partners within the footprint of the defunct flood control detention basin north of 15th Street.

Thereafter, Friends of Upland Wetlands, a group of Upland residents living both within and outside the Foothill Knolls District, led by Lois Sickling Dieter and Jo Beanz, formed. Friends of Upland Wetlands retained attorney Cory Briggs, who filed a petition for a writ of mandate on the newly-formed association's behalf in San Bernardino County Superior Court, naming the City of Upland as the respon-

dent and Frontier Homes as the real party in interest. The writ sought the rescission of the approval of the Villa Serena project until a full-blown environmental impact report was undertaken and completed. In October 2020, attorney John McClendon substituted in and Briggs substituted out as the representative of Friends of Upland Wetlands.

Judge Cohn in his tentative decision rendered on July 14 wrote, "Frontier Homes prepared an 'initial study-mitigated negative declaration.' Upland approved the initial study-mitigated negative declaration and the project overall. Petitioner Friends of Upland Wetlands challenged the approvals, contending that California Environmental Quality Act requires a full environmental impact report for the project, rather than a mitigated negative declaration. Friends of Upland Wetlands is correct. The project site may be a 'wetlands' area, requiring consultation with the responsible agencies. Additionally, there is substantial evidence in the administrative record supporting a 'fair argument' that the project may result in significant biological, noise, aesthetic, and groundwater recharge impacts. Accordingly, the petition is granted. A full environmental impact report is required."

In his tentative decision, Judge Cohn held that the Friends of Upland Wetlands did fail in effectively assailing the project approval on the grounds that the Upland City Council ignored the Upland Planning commission's recommendation against the approval of the project. The planning commission objected to what its members collectively found would be significant environmental impacts. In his decision, Judge Cohn dismissed the Friends of Upland Wetland's contention that the planning commission's determination constituted a binding finding that the project was unacceptable. He pointed out that "Although the planning commission recommended denial, it did so without considering certain modifications

to the project—modifications that were later considered by Upland's staff and incorporated into the staff report. Therefore, the planning commission's recommendation was based on incomplete information. As a result, the planning commission's recommendation of denial does not constitute substantial evidence of an environmental impact as contended by Friends of Upland Wetlands."

Still the same, Cohn had found in his tentative decision, "The initial study-mitigated negative declaration failed to recognize that the project may impact wetlands, requiring consultation with the responsible agencies."

Cohn's initial decision did not directly state but implied that the project site for the Villa Serena project includes property that cannot be built upon.

In his final decision, Judge Cohn wrote that "the project site may be 'wetlands' area, requiring consultation with the responsible agencies. Additionally, there is substantial evidence in the administrative record supporting [a] 'fair argument' that the project may result in significant biological impacts, groundwater recharge impacts, noise impacts, and aesthetic impacts."

Judge Cohn in his tentative decision had found that a comprehensive environmental impact report would have to be done. He altered that conclusion in his final decision.

"Friends of Upland Wetlands has failed to demonstrate that [a] full environmental impact report is necessarily required," Cohn wrote in his final decision. "Further environmental analysis and [a] revised mitigated negative declaration may be appropriate. Upland's approval of the current initial study/mitigated negative declaration, however, is set aside. The court defers ruling at this time whether [a] revised mitigated negative declaration will be sufficient or whether [a] full environmental impact report will be necessary." Furthermore, Judge Cohn set aside all other approv-

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Highland To Halt Filling Station Projects While Revamping Standards *from front page*

the Base Line corridor and six along the Greenspot Road/5th Street corridor."

Those 11 gas stations, Stater wrote, are located at or near "prominent entries to the community, and represent the city's most eligible properties for quality, comprehensive retail, business park and industrial development. Service stations now dominate many of those gateways with the looming possibility of more. It is important for the city to maintain its general plan policies and vision to ensure a 'mix of uses attractive to broad segments of Highland's population [and] protect surrounding single-family neighborhoods from incompatible uses [and] ensure quality commercial and residential development [and] concentrate office and big box retail uses along 5th Street and require commercial development to provide functional public spaces and/or plazas for shoppers and visitors.' Moreover, the proliferation of service stations in these areas of the city inequitably increases health risks for the residents in these locations due to the potential contaminants present at service stations. Their location near sensitive uses increases the risk of contaminant exposure to vulnerable populations. This problem is magnified in instances where a service station may become obsolete and become a 'brownfield' site, i. e. a property [at] which the expansion, redevelopment, or reuse may be complicated by the presence or potential presence of a hazardous substance(s), pollutant(s), or contaminant(s). Exposure to the types of contaminants that are present, or are potentially present, at service stations threatens the public health, safety or welfare of neighboring sensitive uses."

Furthermore, accord-

ing to Stater, "At the intersection of Palm Avenue and 5th Street, there is an existing station at the southeast corner, a newly entitled station at the southwest corner, and a proposed project at the northeast corner. This overconcentration reduces the opportunity for more appropriate, and highly desired business park and industrial uses that are planned for at this gateway to the San Bernardino International Airport. The city's development standards for service stations, described in *Highland Municipal Code Section 16.44.200 Service Stations*, were adopted in 1994 and modified in 2009. Now, more than 12 years old, this section should be updated to discuss the new fueling technology, state mandates, improved design standards and requirements. There should be an acknowledgment of current water quality management plan requirements for uses with the potential for hazardous substances, pollutants and/or contaminants."

Stater propounded that "If passed, a moratorium would allow staff the opportunity [to] evaluate these issues in greater detail and adopt updated standards and operational requirements. The adoption of a moratorium will allow for a comprehensive analysis on how to manage and reduce the impact of additional service stations in the city. The city will be able to analyze their potential impacts on the public health such as the potential for contaminant exposure near sensitive receptors such as residences, impacts on public safety, impacts on the public welfare due to the disproportionate concentration of service stations in certain residential areas of the city and potential for blight in connection with the declining demand for gas. These studies will help the council and city's planning division determine how best to prevent impacts to public health, safety and welfare, and evaluate the general plan, development code

and zoning map, and develop appropriate regulations and/or appropriate zones to achieve positive outcomes for the city's residents, business community, property owners and developers. Service stations demand a significant draw on police services. The fiscal impact of calls for services and time spent at the service stations will be analyzed and provided if the council elects to establish a moratorium."

When the council took the matter up at the August 24 meeting, there was some degree of tension evident between city officials and both real estate and development interests who have designs, in various states of progression, on constructing filling stations within the city limits in the future.

There is a contingent of business interests who feel the city and city staff are overreaching in attempting to impose central economic planning with regards to service stations in the city. They feel the free market should dictate how many or how few filling stations should be allowed to operate within city limits. There has been a suggestion that the proliferation of electric cars powered by batteries, natural gas and ethanol as well as further changes in technology will bring about a decline in the demand for gasoline and ultimately result in the the closures of existing and potentially-to-be-built filling stations. This has been cited as a justification for imposing a moratorium on gas station projects. Such an approach precludes the rights of investors and entrepreneurs to engage in the give-and-take of risk and prosperity that are an intrinsic element of American enterprise, those opposed to the moratorium maintain. They say there is nothing to prevent the owner/operators of gas stations from adopting their businesses to accommodate electric, natural gas and ethanol-fueled vehicles. Service stations are no different from other businesses, which must adapt to market demand, those

free-marketeers insist. Those fueling stations that adapt to the marketplace will stay in business, they say, and those that don't will go out of business. The types of vehicles people choose to drive will drive the nature of the market, they say, and the market should dictate what risk entrepreneurs are willing to take. The government should not interfere in that calculation, capitalism purists maintain.

The only control the city legitimately has in determining where and how many gas stations should be allowed consists of its zoning codes, they say. With proper zoning, which the city presumably has already established, there will be no greater threat to public health, safety, and general welfare represented by building gas stations than by constructing any other type of business in the city, they say. City officials should have faith in the zoning codes the city has already established, they insist.

David Eady, who is representing his mother in her initiative to establish a gas station at the northeast corner of Palm Avenue and 5th Street, accused the city of seeking to obstruct certain gas station proponents, including his mother. The property in question is the one that is under consideration in a pre-application process, consisting of gasoline

vending islands, diesel pumps, electric vehicle charging stations, a convenience store and quick serve restaurant pads.

His mother's property is zoned for use as a fueling station, and the city's move to place a moratorium on gas stations comes at a crucial time for his mother, as the property is now in escrow to a proposed developmental concern, Eady said.

"This is about the seventh time we've been in escrow before the city squashed the deal," Eady said. "We're in the middle of another escrow and I'm seeing the same thing happen again. This [moratorium] seems to be directed at our property."

Eady warned the council that it should "be very careful how we consider this moratorium."

A representative of the company considering the purchase of the property from Eady's mother, who was not identified by name, said, "I hope this moratorium does not affect us, because we are en route to our plans right now. We are in the pre-application process, and we [have] already invested \$15,000 to apply for doing the application process and the plans, etcetera, so we want to give our notice to the city council in the city chamber that we are working diligently, and we hope it doesn't affect us."

Councilman John

Timmer, while saying that updating and revamping of the city's standards on the development of filling stations is overdue, indicated he was skeptical about imposing a moratorium and abridging the property rights of those who own or are looking to develop fueling stations on property that has zoning to allow such uses.

A moratorium is tantamount to "changing the rules" midstream, Timmer said. Timmer said he would be reluctant to extend the moratorium beyond the initial 45 days.

Highland Community Development Director Lawrence Mainez, however, said it was likely that the city staff would require more than 45 days to update the city's standards, and a request for at least a single extension of the moratorium, for 10 months and 15 days, would be requested.

Ultimately, on a motion by Councilman Larry McCallon, seconded by Council Member Anaeli Solano, the council voted to adopt an interim ordinance establishing a moratorium on the approval of land use entitlements for new service stations and prohibiting the expansion of the number of fueling pumps at existing stations by anything less than a four-fifths vote. Despite Timmer's expression of

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Redlands Planning Future Development Around Obsolete Rail System *from front page*

committee, composed of representatives from the cities of Big Bear Lake, Chino Hills, Colton, Fontana, Highland, Montclair, Ontario, Rancho Cucamonga, Rialto, Yucaipa and the Third Supervisorial District, endorsed Wolfe's proposal to dispense with constructing the new Gold Line track into San Bernardino County altogether and to instead have Gold Line passengers heading eastward from Los Angeles or the San Gabriel Valley

load onto another train at the Claremont Station which will run on the existing Metrolink track. Only the representatives from Ontario, Montclair and Chino Hills dissented in that 8-to-3 vote.

San Bernardino County transportation officials declared their intention to return the \$41 million State of California Transit and Intercity Rail Capital Program grant that had been freed up to allow the county to overcome the gap between the \$39 million in available revenue from the half-cent sales tax collected throughout San Bernardino County for transportation improvements for completing the Gold Line exten-

sion from Claremont to Montclair and the earlier projected cost of the 1.2-mile extension.

Thus, it appears, passenger rail lines on the east side of the Los Angeles County/San Bernardino County divide will consist of much heavier and less fuel-efficient trains which will run on a far-less-frequent basis than the alternative light rail system.

Because the Redlands Transit Villages Concept is wedded to the Redlands Passenger Rail Project, which past and current rail line usage patterns demonstrate is unlikely to be even moderately

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City Needs To Determine Whether Housing Project Is Slated For Construction On Protected Marshland, Judge Rules *from page 4*

als by Upland, to include the specific plan, general plan amendment, zoning change, tentative tract map, site plan, design review, and an environmental assessment review.

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 involved 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 Upland 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.

According to Judge Cohn, the mitigated negative declaration did not explore issues critical to the environmental impact

of the project, and was therefore inadequate.

"The initial study/mitigated negative declaration failed to recognize that the project may impact wetlands, requiring consultation with the responsible agencies," Judge Cohn wrote in his final decision. "Friends of Upland Wetlands contends the initial study/mitigated negative declaration failed to recognize that several acres of the property are 'wetlands' and are therefore under the jurisdiction of the California Department of Fish and Wildlife. Upland and Frontier Homes, however, write: 'This case is premised on the misconception that decades-old operating flood control channel is wetland. It is not, and California and Federal law make clear that operating and licensed storm-water facilities are "artificial" or "nonwetland."' It is not so simple. First, Upland and Frontier Homes rely on documents such as State Water Resources Control Board Resolution No. 2019-0015 and the Corps of Engineers Wetlands Delineation Manual (1987), which are not part of the administrative record. Although they may be proper subjects of judicial notice, not all statements within them are shown to be necessarily true. Second, the issue is not whether the property is or is not ultimately determined to be wetlands—the issue is whether Friends of Upland Wetlands has submitted 'substantial evidence' supporting [a] 'fair argument' that it is, such that [a] full environmental impact report is required or that the responsible agencies must at least be consulted."

According to Judge Cohn, "Upland and Frontier Homes have ignored substantial evidence cited by Friends of Upland Wetlands supporting [a] fair argument that the project site is wetlands area. The 15th Street Basin was originally thirty-two acres, and in 1999-2000, Upland filled in the westerly 11.2 acres with the oversight of the Santa Ana Regional Water Quality Control Board and the California Department of Fish and Wildlife. In the annual re-

port prepared for the California Department of Fish and Wildlife under the 1999 streambed alteration agreement, LSA Associates, Inc. – the same consulting firm that prepared the initial study/mitigated negative declaration in this case – states that the 1998 biological assessment of the basin found the habitat quality of the area was of low value due to the limited diversity of vegetation, but that "[t]he single habitat component of any notable value on the site is the presence of water, albeit seasonally." At that time, the LSA biological assessment characterized the vegetation of the basin as either 'upland' or 'wetland,' with 6.5 acres of the thirty-two acre basin delineated as wetlands. Of that amount, 5.3 wetland acres were located in the remaining unfilled portions of the basin. The 1999 agreement also called for 1.8 acres of 'new' wetlands area to be created in the basin to replace the 'lost' 1.2 acres of wetland area from the fill project. Therefore, additional wetland areas were apparently added to the remaining unfilled portions of the basin, where this project is to be located. At oral argument, Frontier Homes argued that the court's tentative ruling contained significant error in the description of the project site. Frontier Homes indicated that the original 5.3 wetland acres referenced in the 1999 streambed alteration agreement were located in the portion of the basin that was filled as part of that 1999 project, and that the 1.8 acres of 'new' wetlands to replace the 'lost' 1.2 wetland acres are located in the 11 acres of the basin that are to the east of the current project. The 'Streambed Alteration Agreement 6-108-99 /Annual Report CY 2006' that is contained in the administrative record states in relevant part: 'LSA delineated 6.5 acres spread over the entire 32 acres of the basin, mainly on the basin floor at areas immediately downstream of storm drain outlets to the basin, as wetlands. Within the westerly 11.2 acres that was filled, only about 1.2 acres were delineated as

such. This 1.2 acres was what was essentially lost due to the filling, with 5.3 acres remaining intact on the eastern unfilled portions of the basin. As discussed above, of the 6.5 acres delineated as wetlands, only 1.2 was lost as result of the filling of the western 11.2 acres of the basin. In accordance with the permit, this 'lost' wetland area require 1.8 acre replacement to be established within the remaining unfilled area of the flood basin, in addition to the 5.3 acres for total of 7.1 acres of wetlands over the remaining 20-acres of flood basin. There is nothing in the record stating that the 1.2 acres of replacement wetland area are located exclusively in the easternmost 11 acres of the 20-acre basin that remains. Therefore, contrary to Frontier Homes' assertion, the 1.2 acres of replacement wetland area may be located anywhere within the remaining twenty acres of the basin, including the portion where the project is to be built. Upland and Frontier Homes also contend that Friends of Upland Wetlands mischaracterizes the 1999 streambed alteration agreement, noting that it expired in 2001 and was issued under Fish and Game Code section that has since been repealed. That does not mean, however, that the law underlying the agreement no longer exists elsewhere in the code."

Judge Cohn noted that in October 2003, there were changes and clarifications in the Fish and Game Code relating to streambed alteration agreements, including that the "holder of an agreement to alter streambed remain responsible for implementing any mitigation or other measures necessary to protect fish and wildlife resources after the agreement had expired" and "authorizing the California Department of Fish and Wildlife to suspend or revoke an agreement if the holder is not in compliance with its terms." Judge Cohn then went on to state, "The 1999 streambed alteration agreement is important, notwithstanding expiration, because it provides substantial evidence that

both Upland and the California Department of Fish and Wildlife previously considered the 15th Street Basin to be [the] 'bed, channel, or bank of' [a] streambed that was under the jurisdiction of the California Department of Fish and Wildlife. At that time, the California Department of Fish and Wildlife had determined that Upland's intent to fill in the westerly 11.2 acres of the original basin could 'substantially adversely affect existing fish and wildlife resources, including: red-tailed hawk, red-winged blackbird other birds, mammals, reptiles, amphibians, plants, and other aquatic-related resources and wildlife' in the basin. Among other conditions, the agreement stated, 'There shall be no loss of wetland habitat. Impacts to wetland habitat shall be mitigated at 1.5 to 1.0 ratio by management of the basin to allow for retention of wetland habitat at the eastern sector, which grows as result of flow and [percolation] in the basin.' In accordance with the permit issued under the agreement, the 'lost' 1.2 acres of wetland area required [a] 1.8-acre replacement to be established in the remaining unfilled area of the basin."

Judge Cohn found that "The project may result in significant biological impacts."

The City of Upland and Frontier Homes staked the adequacy of the mitigated negative declaration as an environmental certification of the Villa Serena project on measures taken to offset the impact of the project identified in the initial study for the mitigated negative declaration, most particularly one known as "Mitigation Measure BIO-1." Ultimately, however, Judge Cohn would include in his final decision language a statement that "evidence supports [a] fair argument that the biological survey is inadequate to formulate mitigation measures that would mitigate the project's biological impacts."

Essentially, Judge Cohn held, the biological resource damage mitigation measures the city and Frontier Homes put forth in the mitigated negative

declaration were based on studies of the biological resources that were at best questionable and in some respects out right disingenuous. When Upland residents caught wind of what was going on, Judge Cohn said, the city and Frontier Homes, instead of examining the inadequacies in the surveys they were relying upon to complete the mitigated negative declaration and redressing them, sought to discredit the citizens who were monitoring and remarking upon the development company's and city's action.

Judge Cohn noted that "The biological resources assessment in the initial study/mitigated negative declaration... were conducted for the burrowing owl, and general field surveys 'focused on general site conditions, vegetation, potential jurisdictional waters, and suitability of habitat for various special-status species...' The assessment found that '[n]o sensitive biological resources (e.g., sensitive species and critical habitats) had been documented in the immediate area according to the California Department of Forestry California Natural Diversity Database,' and "[n]o special-status plant or wildlife species were observed. The assessment also states that 'no sensitive habitats (e.g., wetlands, vernal pools, or critical habitats for sensitive species) were observed,' and therefore the project was 'not expected to result in loss of suitable habitat for any special-status species with potential to occur' [and] 'The project-specific biological resources assessment did not identify any wetland habitat on-site or in adjoining areas.'"

Judge Cohn continued, "During the public comment period, however, several wildlife biologists and amateur birdwatchers noted personal observations of various wildlife species and habitats on the site. Friends of Upland Wetlands argues that these comments by local 'experts completely debunked' the conclusions in the initial study/mitigated negative decla-

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Public Notices

NOTICE OF PETITION TO ADMINISTER ESTATE OF: JOHN H. SUMNER aka JOHN HUBERT SUMNER JR.

CASE NO. PROSB2100582
To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both of JOHN H. SUMNER aka JOHN HUBERT SUMNER JR.:

A Petition for Probate has been filed has been filed by ANTHONY SUMNER in the Superior Court of California, County of SAN BERNARDINO.

THE PETITION FOR PROBATE requests that ANTHONY SUMNER 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.

THE PETITION requests a \$378,778.70 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 5659 PALOMAR AVE. SAN BERNARDINO, CA 92404, a resident of San Bernardino County.

Decedent died intestate.
A hearing on the petition will be held OCTOBER 27, 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.

Sabrina Felix, Deputy
SEPTEMBER 1, 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 \$378,778.70.

Filed: September 1, 2021
Attorney for Anthony Sumner

R. SAM PRICE SBN
208603
PRICE LAW FIRM, APC

Public Notices

300 E STATE STREET SUITE 620
REDLANDS, CA 92373
(909) 328 7000
sam@pricelawfirm.com

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NOTICE OF PETITION TO ADMINISTER ESTATE OF: JAMES PAUL WHITELEY

CASE NO. PROSB2100556
To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both of JAMES PAUL WHITELEY:

A PETITION FOR PROBATE has been filed by PAUL JAMES WHITELEY in the Superior Court of California, County of SAN BERNARDINO.

THE PETITION FOR PROBATE requests that PAUL JAMES WHITELEY 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. S-36 at 9:00 a.m. on OCTOBER 4, 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. MADDUX, ESQ.

1894 COMMERCENTER WEST, SUITE 108
SAN BERNARDINO, CA 92408

Telephone No: (909) 890-2350

Public Notices

Fax No: (909) 890-0106
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T.S. No. 19-20977-SP-CA Title No. 191138141-CA-VOI A.P.N. 0218-752-18-0-000 NOTICE OF TRUSTEE'S SALE. YOU ARE IN DEFAULT UNDER A DEED OF TRUST DATED 01/11/2006. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER. A public auction sale to the highest bidder for cash, (cashier's check(s) must be made payable to National Default Servicing Corporation), drawn on a state or national bank, a check drawn by a state or federal credit union, or a check drawn by a state or federal savings and loan association, savings association, or savings bank specified in Section 5102 of the Financial Code and authorized to do business in this state; will be held by the duly appointed trustee as shown below, of all right, title, and interest conveyed to and now held by the trustee in the hereinafter described property under and pursuant to a Deed of Trust described below. The sale will be made in an "as is" condition, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by the Deed of Trust, with interest and late charges thereon, as provided in the note(s), advances, under the terms of the Deed of Trust, interest thereon, fees, charges and expenses of the Trustee for the total amount (at the time of the initial publication of the Notice of Sale) reasonably estimated to be set forth below. The amount may be greater on the day of sale. Trustor: Carlos A Urbina and Bertha Rodriguez, husband and wife, as joint tenants Duly Appointed Trustee: National Default Servicing Corporation Recorded 01/23/2006 as Instrument No. 2006-0045762 (or Book, Page) of the Official Records of San Bernardino County, CA. Date of Sale: 10/14/2021 at 12:00 PM Place of Sale: At the North Arrowhead Avenue entrance to the County Courthouse, 351 North Arrowhead Avenue, San Bernardino, CA 92401 Estimated amount of unpaid balance and other charges: \$474,213.44 Street Address or other common designation of real property: 2932 E Big Range Rd Ontario, CA 91761-0000 A.P.N.: 0218-752-18-0-000 The undersigned Trustee disclaims any liability for any incorrectness of the street address or other common designation, if any, shown above. If no street address or other common designation is shown, directions to the location of the property may be obtained by sending a written request to the beneficiary within 10 days of the date of first publication of this Notice of Sale. If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse. The requirements of California Civil Code Section 2923.5(b)/2923.55(c) were fulfilled when the Notice of Default was recorded. NOTICE TO POTENTIAL BIDDERS: If you are considering bidding on this property lien, you should understand that there are risks involved in bidding at a trustee auction. You will be bidding on a lien, not on the property itself. Placing the highest bid at a trustee auction does not automatically entitle you to free and clear

Public Notices

ownership of the property. You should also be aware that the lien being auctioned off may be a junior lien. If you are the highest bidder at the auction, you are or may be responsible for paying off all liens senior to the lien being auctioned off, before you can receive clear title to the property. You are encouraged to investigate the existence, priority, and size of outstanding liens that may exist on this property by contacting the county recorder's office or a title insurance company, either of which may charge you a fee for this information. If you consult either of these resources, you should be aware that the same lender may hold more than one mortgage or deed of trust on the property. NOTICE TO PROPERTY OWNER: The sale date shown on this notice of sale may be postponed one or more times by the mortgagee, beneficiary, trustee, or a court, pursuant to Section 2924g of the California Civil Code. The law requires that information about trustee sale postponements be made available to you and to the public, as a courtesy to those not present at the sale. If you wish to learn whether your sale date has been postponed, and, if applicable, the rescheduled time and date for the sale of this property, you may call or visit this Internet Web site www.ndscorp.com/sales, using the file number assigned to this case 19-20977-SP-CA. Information about postponements that are very short in duration or that occur close in time to the scheduled sale may not immediately be reflected in the telephone information or on the Internet Web site. The best way to verify postponement information is to attend the scheduled sale. Date: 09/01/2021 National Default Servicing Corporation c/o Tiffany & Bosco, P.A., its agent, 1455 Frazee Road, Suite 820 San Diego, CA 92108 Toll Free Phone: 888-264-4010 Sales Line 855-219-8501; Sales Website: www.ndscorp.com By: Rachael Hamilton, Trustee Sales Representative 09/10/2021, 09/17/2021, 09/24/2021; CPP# 351367

FICTITIOUS BUSINESS NAME STATEMENT FILE NO-20210008317

The following person(s) is(are) doing business as: Fangeang4u, 1495 W 9th St, Unit 607, Upland, CA 91786, Seung Don Kim, 14760 Moon Crest Ln, Unit B, Chino Hills, CA 91709

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/ Seung Don Kim
This statement was filed with the County Clerk of San Bernardino on: 08/11/21

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

Began Transacting Business: 09/01/2019

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).

09/10/21, 09/17/21, 09/24/21, 10/01/21

FICTITIOUS BUSINESS NAME STATEMENT FILE NO-20210008879

The following person(s) is(are) doing business as: Rose and Chalice; Rose & Chalice, 1153 East Highland Court, Ontario, CA 91764, Mailing Address: 305 North 2nd Ave, Unit 183, Upland, CA 91786, Serene D. Plant, 1153 E Highland Ct, Ontario, CA 91764

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/ Serene D Plant

This statement was filed with the County Clerk of San Bernardino on: 08/26/21

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/ 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).

09/10/21, 09/17/21, 09/24/21, 10/01/21

FICTITIOUS BUSINESS NAME STATEMENT FILE NO-20210008980

The following person(s) is(are) doing business as: HHK Designs, 2188 Lorraine Dr, Upland, CA 91784, Mark K Fitzpatrick, 2188 Lorraine Dr, Upland, CA 91784

Public Notices

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/ Mark K Fitzpatrick

This statement was filed with the County Clerk of San Bernardino on: 08/30/21

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/ 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).

09/10/21, 09/17/21, 09/24/21, 10/01/21

FICTITIOUS BUSINESS NAME STATEMENT FILE NO-20210008317

The following person(s) is(are) doing business as: Fangeang4u, 1495 W 9th St, Unit 607, Upland, CA 91786, Seung Don Kim, 14760 Moon Crest Ln, Unit B, Chino Hills, CA 91709

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/ Seung Don Kim
This statement was filed with the County Clerk of San Bernardino on: 08/11/21

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

Began Transacting Business: 09/01/2019

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).

09/10/21, 09/17/21, 09/24/21, 10/01/21

FICTITIOUS BUSINESS NAME STATEMENT FILE NO-20210007242

The following person(s) is(are) doing business as: On Time Home Inspections, 10123 Hampshire St., Rancho Cucamonga, CA 91730, Mailing Address: 10123 Hampshire St., Rancho Cucamonga, CA 91730, Juan J. Tojin, 10123 Hampshire St., Rancho Cucamonga, CA 91730

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/ Juan J Tojin

This statement was filed with the County Clerk of San Bernardino on: 07/14/21

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/ 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).

08/06/21, 08/13/21, 08/20/21, 08/27/21 & Corrected on: 09/10/21, 09/17/21, 09/24/21, 10/01/21

Public Notices

FBN20210009200
The following persons are doing business as TED'S SHIRTS & SHYTT
13231 YAKIMA RD. APPLE VALLEY, CA 92308:

TAILOR L. TITUS 13231 YAKIMA RD. APPLE VALLEY, CA 92308 [and] DIXIE BOLAN 14466 IROQUOIS ROAD APPLE VALLEY, CA 92307

This Business is Conducted By: A GENERAL PARTNERSHIP 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/ TAILOR L. TITUS

This statement was filed with the County Clerk of San Bernardino on: 9/08/2021

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

Began Transacting Business: AUGUST 31, 2021

County Clerk, Deputy D511

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 September 10, 17, 24 & October 1, 2021.

T.S. No. 21-20339-SP-CA

Title No. 210278435-CA-VOI A.P.N. 1089-201-16-0-000 NOTICE OF TRUSTEE'S SALE. YOU ARE IN DEFAULT UNDER A DEED OF TRUST DATED 11/21/2005. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER. A public auction sale to the highest bidder for cash, (cashier's check(s) must be made payable to National Default Servicing Corporation), drawn on a state or national bank, a check drawn by a state or federal credit union, or a check drawn by a state or federal savings and loan association, savings association, or savings bank specified in Section 5102 of the Financial Code and authorized to do business in this state; will be held by the duly appointed trustee as shown below, of all right, title, and interest conveyed to and now held by the trustee in the hereinafter described property under and pursuant to a Deed of Trust described below. The sale will be made in an "as is" condition, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by the Deed of Trust, with interest and late charges thereon, as provided in the note(s), advances, under the terms of the Deed of Trust, interest thereon, fees, charges and expenses of the Trustee for the total amount (at the time of the initial publication of the Notice of Sale) reasonably estimated to be set forth below. The amount may be greater on the day of sale. Trustor: Jamal Elyazal, a single man Duly Appointed Trustee: National Default Servicing Corporation Recorded 12/06/2005 as Instrument No. 2005-0911247 (or Book, Page) of the Official Records of San Bernardino County, CA. Date of Sale: 10/19/2021 at 1:00 PM Place of Sale: At the Main (South) Entrance to the City of Chino Civic Center, 13220 Central Avenue, Chino, CA. 91710 Estimated amount of unpaid balance and other charges: \$679,799.29 Street Address or other common designation of real property:

Public Notices

6731 Florence Place Rancho Cucamonga, CA 91701-8612 A.P.N.: 1089-201-16-0-000 The undersigned Trustee disclaims any liability for any incorrectness of the street address or other common designation, if any, shown above. If no street address or other common designation is shown, directions to the location of the property may be obtained by sending a written request to the beneficiary within 10 days of the date of first publication of this Notice of Sale. If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse. The requirements of California Civil Code Section 2923.5(b)/2923.55(c) were fulfilled when the Notice of Default was recorded. NOTICE TO POTENTIAL BIDDERS: If you are considering bidding on this property lien, you should understand that there are risks involved in bidding at a trustee auction. You will be bidding on a lien, not on the property itself. Placing the highest bid at a trustee auction does not automatically entitle you to free and clear ownership of the property. You should also be aware that the lien being auctioned off may be a junior lien. If you are the highest bidder at the auction, you are or may be responsible for paying off all liens senior to the lien being auctioned off, before you can receive clear title to the property. You are encouraged to investigate the existence, priority, and size of outstanding liens that may exist on this property by contacting the county recorder's office or a title insurance company, either of which may charge you a fee for this information. If you consult either of these resources, you should be aware that the same lender may hold more than one mortgage or deed of trust on the property. NOTICE TO PROPERTY OWNER: The sale date shown on this notice of sale may be postponed one or more times by the mortgagee, beneficiary, trustee, or a court, pursuant to Section 2924g of the California Civil Code. The law requires that information about trustee sale postponements be made available to you and to the public, as a courtesy to those not present at the sale. If you wish to learn whether your sale date has been postponed, and, if applicable, the rescheduled time and date for the sale of this property, you may call or visit this Internet Web site www.ndscorp.com/sales, using the file number assigned to this case 21-20339-SP-CA. Information about postponements that are very short in duration or that occur close in time to the scheduled sale may not immediately be reflected in the telephone information or on the Internet Web site. The best way to verify postponement information is to attend the scheduled sale. Date: 09/10/2021 National Default Servicing Corporation c/o Tiffany & Bosco, P.A., its agent, 1455 Frazee Road, Suite 820 San Diego, CA 92108 Toll Free Phone: 888-264-4010 Sales Line 855-219-8501; Sales Website: www.ndscorp.com By: Rachael Hamilton, Trustee Sales Representative 09/17/2021, 09/24/2021, 10/01/2021 CPP351412

T.S. No. 21-20046-SP-CA Title No. 210047684-CA-VOI A.P.N. 1047-191-32-0-000 NOTICE OF TRUSTEE'S SALE. YOU ARE IN DEFAULT UNDER A DEED OF TRUST DATED 06/26/2006. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST

Public Notices

YOU, YOU SHOULD CONTACT A LAWYER. A public auction sale to the highest bidder for cash, (cashier's check(s) must be made payable to National Default Servicing Corporation), drawn on a state or national bank, a check drawn by a state or federal credit union, or a check drawn by a state or federal savings and loan association, savings association, or savings bank specified in Section 5102 of the Financial Code and authorized to do business in this state; will be held by the duly appointed trustee as shown below, of all right, title, and interest conveyed to and now held by the trustee in the hereinafter described property under and pursuant to a Deed of Trust described below. The sale will be made in an "as is" condition, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by the Deed of Trust, with interest and late charges thereon, as provided in the note(s), advances, under the terms of the Deed of Trust, interest thereon, fees, charges and expenses of the Trustee for the total amount (at the time of the initial publication of the Notice of Sale) reasonably estimated to be set forth below. The amount may be greater on the day of sale. Trustor: Francisco Sandoval, a single man Duly Appointed Trustee: National Default Servicing Corporation Recorded 07/13/2006 as Instrument No. 2006-0474939 (or Book, Page) of the Official Records of San Bernardino County, CA. Date of Sale: 10/25/2021 at 12:00 PM Place of Sale: At the North Arrowhead Avenue entrance to the County Courthouse, 351 North Arrowhead Avenue, San Bernardino, CA 92401 Estimated amount of unpaid balance and other charges: \$672,603.71 Street Address or other common designation of real property: 959 Sycamore Court Upland, CA 91786 A.P.N.: 1047-191-32-0-000 The undersigned Trustee disclaims any liability for any incorrectness of the street address or other common designation, if any, shown above. If no street address or other common designation is shown, directions to the location of the property may be obtained by sending a written request to the beneficiary within 10 days of the date of first publication of this Notice of Sale. If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse. The requirements of California Civil Code Section 2923.5(b)/2923.55(c) were fulfilled when the Notice of Default was recorded. **NOTICE TO POTENTIAL BIDDERS:** If you are considering bidding on this property lien, you should understand that there are risks involved in bidding at a trustee auction. You will be bidding on a lien, not on the property itself. Placing the highest bid at a trustee auction does not automatically entitle you to free and clear ownership of the property. You should also be aware that the lien being auctioned off may be a junior lien. If you are the highest bidder at the auction, you are or may be responsible for paying off all liens senior to the lien being auctioned off, before you can receive clear title to the property. You are encouraged to investigate the existence, priority, and size of outstanding liens that may exist on this property by contacting the county recorder's office or a title insurance company, either of which may charge you a fee for this information. If you consult either of these resources, you should be aware that the same lender may hold more than one mortgage or deed of trust on the property. **NOTICE**

Public Notices

TO PROPERTY OWNER: The sale date shown on this notice of sale may be postponed one or more times by the mortgagee, beneficiary, trustee, or a court, pursuant to Section 2924g of the California Civil Code. The law requires that information about trustee sale postponements be made available to you and to the public, as a courtesy to those not present at the sale. If you wish to learn whether your sale date has been postponed, and, if applicable, the rescheduled time and date for the sale of this property, you may call or visit this Internet Web site www.ndscorp.com/sales, using the file number assigned to this case 21-20046-SP-CA. Information about postponements that are very short in duration or that occur close in time to the scheduled sale may not immediately be reflected in the telephone information or on the Internet Web site. The best way to verify postponement information is to attend the scheduled sale. Date: 09/10/2021 National Default Servicing Corporation c/o Tiffany & Bosco, P.A., its agent, 1455 Frazee Road, Suite 820 San Diego, CA 92108 Toll Free Phone: 888-264-4010 Sales Line 855-219-8501; Sales Website: www.ndscorp.com By: Rachael Hamilton, Trustee Sales Representative 09/17/2021, 09/24/2021, 10/01/2021 CPP351411

NOTICE OF PETITION TO ADMINISTER ESTATE OF: JUVENTINO MARTINEZ SAUCEDO
CASE NO. PROSB2100503
To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both of JUVENTINO MARTINEZ SAUCEDO:
A PETITION FOR PROBATE has been filed by MARIA GUADALUPE CHAIDEZ in the Superior Court of California, County of SAN BERNARDINO.
THE PETITION FOR PROBATE requests that MARIA GUADALUPE CHAIDEZ 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. S-35 at 9:00 a.m. on OCTOBER 4, 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 gen-

Public Notices

eral 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. MADDUX, ESQ.
1894 COMMERCENTER WEST, SUITE 108
SAN BERNARDINO, CA 92408
Telephone No: (909) 890-2350
Fax No: (909) 890-0106
Published in the San Bernardino County Sentinel on 9/17/9/24 & 10/01, 2021.
ORDER TO SHOW CAUSE FOR CHANGE OF NAME
CIV SB 2123259
TO ALL INTERESTED PERSONS:
Petitioner BRUCE THOMAS GILSTRAP filed with this court for a decree changing names as follows: BRUCE THOMAS GILSTRAP to BRUCE THOMAS BLACK
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: October 15, 2021
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: SEPTEMBER 3, 2021
Lynn M. Poncin
Judge of the Superior Court.
The attorney for Bruce Thomas Gilstrap is:
Cory Briggs
Briggs Law Corporation
99 East C Street, Suite 111 Upland, CA 91786
Published in the San Bernardino County Sentinel September 17, 24, and October 1 & 8, 2021
FICTITIOUS BUSINESS NAME STATEMENT FILE NO-20210008140
The following person(s) is(are) doing business as: Motel 6 Barstow Lenwood, 2551 Commerce Parkway, Barstow, CA 92311, Mailing Address: 3237 Vista Pointe, Riverside, CA 92503, Lenwood Lodging LLC, 3237 Vista Pointe, Riverside, CA 92503
Business is Conducted By: A Limited Liability Company

Public Notices

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/ Mahendra Desai
This statement was filed with the County Clerk of San Bernardino on: 08/06/21
I hereby certify that this is a correct copy of the original statement on file in my office.
Began Transacting Business: 07/20/2021
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).
Published in the San Bernardino County Sentinel on 09/03, 09/10, 09/17 & 09/24, 2021
FICTITIOUS BUSINESS NAME STATEMENT FILE NO-20210008935
The following person(s) is(are) doing business as: Certified Selections, 951 Feather Hollow Court, Chino Hills, CA 91709, Z&S Enterprises Inc, 951 Feather Hollow Court, Chino Hills, CA 91709
Business is Conducted By: A Corporation
Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT.
A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing.
s/ Siddique Rahman
This statement was filed with the County Clerk of San Bernardino on: 08/27/21
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).
Published in the San Bernardino County Sentinel on 09/17/21, 09/24/21, 10/01/21, 10/08/21
FICTITIOUS BUSINESS NAME STATEMENT FILE NO-20210008897
The following person(s) is(are) doing business as: SG Metal Works LLC, 522 W. 1ST Street, Suit F, Rialto, CA 92376, Mailing Address: 8034 Alder Ave, Fontana, CA 92336, SG Metal Works LLC, 8034 Alder Ave, Fontana, CA 92336
Business is Conducted By: A Limited Liability Company
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/ Angelica Arellano
This statement was filed with the County Clerk of San Bernardino on: 08/26/21
I hereby certify that this is a correct copy of the original statement on file in my office.
Began Transacting Business: 02/26/21
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).
Published in the San Bernardino County Sentinel on 09/17/21, 09/24/21, 10/01/21, 10/08/21
Business is Conducted By: A Limited Liability Company

Public Notices

FICTITIOUS BUSINESS NAME STATEMENT FILE NO-20210009057
The following person(s) is(are) doing business as: XSA Investigative Services, 1535 N Third Ave, Upland, CA 91786, Mailing Address: 154 W. Foothill Blvd, STE A355, Upland, CA 91786, Kurt Donham, 1535 N Third Ave, 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/ Kurt Donham
This statement was filed with the County Clerk of San Bernardino on: 09/01/21
I hereby certify that this is a correct copy of the original statement on file in my office.
Began Transacting Business: 08/30/21
County Clerk, s/ D5511
NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk. 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 09/17/21, 09/24/21, 10/01/21, 10/08/21
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 17913). 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 CN-BB33202101MT
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 17913). 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 CN-BB33202102SN
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 EN-

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CLONA 9890 ARROW RTE. UNIT 2 RANCHO CUCAMONGA, CA 91730
The business is conducted by: AN INDIVIDUAL
The registrant commenced to transact business under the fictitious business name or names listed above on: N/A
By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 17913). I am also aware that all information on this statement becomes Public Record upon filing.
s/ EDERLY M. ENCLONA, 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).
Published in the San Bernardino County Sentinel 08/27/2021, 09/03/2021, 09/10/2021, 09/17/2021 CN-BB33202103SB
FBN 20210008018
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 17913). I am also aware that all information on this statement becomes Public Record upon filing.
s/ 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).
Published in the San Bernardino County Sentinel 08/27/2021, 09/03/2021, 09/10/2021, 09/17/2021 CN-BB33202104MT
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 name or names listed above on: N/A
By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 17913). I am also aware that all information on this statement becomes Public Record upon filing.
s/ 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 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 CNB-B33202105IR
FBN 20210008062
The following person is doing business as: BEAUTIPRO 14911 MERRILL AVE FONTANA, CA 92335 (PRINCIPAL PLACE OF BUSINESS 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 17913). 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
I hereby certify that this copy is a correct copy of the original state-

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ment 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 CN-BB33202106MT
FBN 20210008816
The following person is doing business as: BEE ANGEL CLEANING SERVICE 2516 W 3RD AVE SAN BERNARDINO, CA 92407 (PRINCIPAL PLACE OF BUSINESS SAN BERNARDINO); FABIOLA DELGADO 2516 W 3RD AVE SAN BERNARDINO, CA 92407
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 17913). I am also aware that all information on this statement becomes Public Record upon filing.
s/ FABIOLA DELGADO, OWNER
Statement filed with the County Clerk of San Bernardino on: 08/25/2021
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 09/10/2021, 09/17/2021, 09/24/2021, 10/01/2021 CN-BB35202101MT
FBN 20210008352
The following person is doing business as: BRYAN'S AUTOMOTIVE REPAIR 481 E LAUREL ST SUITE E COLTON, CA 92324 (PRINCIPAL PLACE OF BUSINESS SAN BERNARDINO); BRYAN GRANADOS RAZO 481 E LAUREL ST SUITE E COLTON, CA 92324
The business is conducted by: AN INDIVIDUAL
The registrant commenced to transact business under the fictitious business name or names listed above on: N/A
By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 17913). I am also aware that all information on this statement becomes Public Record upon filing.
s/ BRYAN GRANADOS RAZO, OWNER
Statement filed with the County Clerk of San Bernardino on: 08/12/2021
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 09/10/2021, 09/17/2021, 09/24/2021, 10/01/2021 CN-BB35202102MT
FBN 20210008449
The following person is doing business as: MOSHA BEAUTY BAR 8223 ILEX ST #59 FONTANA, CA 92335 (PRINCIPAL PLACE OF BUSINESS SAN BERNARDINO); HEIDY S PONCE-FLORES 8223 ILEX ST #59 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: SEP 01, 2020
By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 17913). I am also aware that all information on this statement becomes Public Record upon filing.
s/ HEIDY S. PONCE-FLORES, OWNER
Statement filed with the County Clerk of San Bernardino on: 08/13/2021
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 09/10/2021, 09/17/2021, 09/24/2021, 10/01/2021 CNB-B35202103IR
FBN 20210008446
The following person is doing business as: AMH CONSTRUCTION

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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 09/17/2021, 09/24/2021, 10/01/2021, 10/08/2021 CN-BB36202112MT

FBN 20210009292
The following person is doing business as: GRUPO PANTERA AUTO INSURANCE & SERVICES 2816 W. RIALTO AVE RIALTO, CA 92376 (PRINCIPAL PLACE OF BUSINESS SAN BERNARDINO); PANAMERICA INCOME TAX AND INSURANCE SERVICES II 1175 N UNRUH AVE LA PUENTE, CA 91744 The business is conducted by: A CORPORATION The registrant commenced to transact business under the fictitious business name or names listed above on: N/A By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ JORGE ANTONIO CAMPOS, CHIEF FINANCIAL OFFICER Statement filed with the County Clerk of San Bernardino on: 09/10/2021 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 09/17/2021, 09/24/2021, 10/01/2021, 10/08/2021 CN-BB36202113EM

FBN 20210008137
The following person is doing business as: MORA'S DEALS ON WHEELS 17921 VALLEY BLVD. SUITE C BLOOMINGTON, CA 92316 (PRINCIPAL PLACE OF BUSINESS SAN BERNARDINO); XOCHITL J MORA 17921 VALLEY BLVD. SUITE C BLOOMINGTON, CA 92316 The business is conducted

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ed 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/ XOCHITL MORA, OWNER Statement filed with the County Clerk of San Bernardino on: 08/06/2021 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 08/20/2021, 08/27/2021, 09/03/2021, 09/10/2021 CNB-B30202101IR

FBN 20210008129
The following person is doing business as: MELCHOR'S GARAGE DOORS 325 E. 3RD ST. RIALTO, CA 92376 (PRINCIPAL PLACE OF BUSINESS SAN BERNARDINO); CHRISTIAN J MELCHOR 325 E. 3RD ST. RIALTO, CA 92376 The business is conducted by: AN INDIVIDUAL The registrant commenced to transact business under the fictitious business name or names listed above on: N/A By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ CHRISTIAN J. MELCHOR, OWNER Statement filed with the County Clerk of San Bernardino on: 08/06/2021 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 08/20/2021, 08/27/2021, 09/03/2021, 09/10/2021 CNB-B30202103IR

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Published in the San Bernardino County Sentinel 08/20/2021, 08/27/2021, 09/03/2021, 09/10/2021 CNB-B30202102IR

FBN 20210008122
The following person is doing business as: AVILEZ AUTO BODY 10078 CLAREMONT AVE. BLOOMINGTON, CA 92316 (PRINCIPAL PLACE OF BUSINESS SAN BERNARDINO); MAILING ADDRESS 10701 CEDAR AVE SP 206 BLOOMINGTON, CA 92316; JEREMY W FIGLEY 10078 CLAREMONT AVE BLOOMINGTON, CA 92316 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/ JEREMY W. FIGLEY, OWNER Statement filed with the County Clerk of San Bernardino on: 08/06/2021 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 08/20/2021, 08/27/2021, 09/03/2021, 09/10/2021 CNB-B30202103IR

FBN 20210008139
The following person is doing business as: AGUILAR'S TRUCKING 16170 OWNE ST FONTANA, CA 92335 (PRINCIPAL PLACE OF BUSINESS SAN BERNARDINO); CESAR I AGUILAR 16170 OWNE ST 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. s/ CESAR I AGUILAR, OWNER Statement filed with the County Clerk of San Bernardino on: 08/06/2021

Public Notices

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 08/20/2021, 08/27/2021, 09/03/2021, 09/10/2021 CNB-B30202104IR

FBN 20210008213
The following person is doing business as: RAMO'S TIRE SERVICES 1486 W. 11TH ST. #4 POMONA, CA 91766 (PRINCIPAL PLACE OF BUSINESS SAN BERNARDINO); JESUS R GAXIOLA 1486 W. 11TH ST. #4 POMONA, CA 91766 The business is conducted by: AN INDIVIDUAL The registrant commenced to transact business under the fictitious business name or names listed above on: JUL 01, 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/ JESUS R. GAXIOLA, OWNER Statement filed with the County Clerk of San Bernardino on: 08/09/2021 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 08/20/2021, 08/27/2021, 09/03/2021, 09/10/2021 CNB-B30202105IR

FBN 20210008189
The following person is doing business as: HERITAGE CUSTOM POOLS & DESIGN 8780 19TH ST. #278 ALTA LOMA, CA 91701 (PRINCIPAL PLACE OF BUSINESS SAN BERNARDINO); DREAMSCAPES ENTERPRISES, INC. 8780 19TH ST. #278 ALTA LOMA, CA 91701

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The business is conducted by: A CORPORATION The registrant commenced to transact business under the fictitious business name or names listed above on: MAR 27, 2020 By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ SAMUEL MILNE, CEO Statement filed with the County Clerk of San Bernardino on: 08/09/2021 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 08/20/2021, 08/27/2021, 09/03/2021, 09/10/2021 CNB-B30202106IR

FBN 20210007997
The following person is doing business as: ONE WAY CONSULTANTS 1014 N WATERMAN AVE UNIT D SAN BERNARDINO, CA 92410 (PRINCIPAL PLACE OF BUSINESS SAN BERNARDINO); MAILING ADDRESS 1883 W ROYAL HUNTE DR. SUITE 200A CEDAR CITY, CA 84720; NEW CREATION, LLC 1883 W ROYAL HUNTE DR. SUITE 200A CEDAR CITY, CA 84720 The business is conducted by: A LIMITED LIABILITY COMPANY The registrant commenced to transact business under the fictitious business name or names listed above on: N/A By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ ANTHONY MARTINEZ, MANAGING MEMBER 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 fil-

Public Notices

ing 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 08/20/2021, 08/27/2021, 09/03/2021, 09/10/2021 CN-BB30202107MT

FBN 20210007643
The following person is doing business as: PARAMOUNT WINDOWS & DOORS 723 W MILL STREET SAN BERNARDINO, CA 92410 (PRINCIPAL PLACE OF BUSINESS SAN BERNARDINO); AKAL SAHI INC 1817 THOMAS CT MODESTO, CA 95355 The business is conducted by: A CORPORATION The registrant commenced to transact business under the fictitious business name or names listed above on: JUL 15, 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/ HARSIMRANJIT BOHGUNH, SECRETARY Statement filed with the County Clerk of San Bernardino on: 07/27/2021 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 08/20/2021, 08/27/2021, 09/03/2021, 09/10/2021 CN-BB30202108MT

FBN 20210007942
The following person is doing business as: GOLDEN AMERICA INVESTMENT CO 2287 LERONA AVE ROWLAND HEIGHTS, CA 91748 (PRINCIPAL PLACE OF BUSINESS SAN BERNARDINO); ESTEFANI C LIAOU 2287 LERONA AVE ROWLAND HEIGHTS, CA 91748 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

Public Notices

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/ ESTEFANI C. LIAOU, OWNER Statement filed with the County Clerk of San Bernardino on: 08/03/2021 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 08/20/2021, 08/27/2021, 09/03/2021, 09/10/2021 CN-BB30202109MT

FBN 20210008464
The following person is doing business as: GAREY TEST ONLY 2580 N GAREY AVE B POMONA, CA 91767 (PRINCIPAL PLACE OF BUSINESS SAN BERNARDINO); JUAN RAMON MARTINEZ 11448 BASYE ST EL MONTE, CA 91732 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/ JUAN RAMON MARTINEZ, OWNER Statement filed with the County Clerk of San Bernardino on: 08/16/2021 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 08/20/2021, 08/27/2021, 09/03/2021, 09/10/2021 CNB-B30202110CH

Redlands Going Through The Motions In Hearing Resident Protests Over Intensifying Downtown Density from page 5

used, there has been a fair amount of opposition to the Redlands Transit Villages Specific Plan, with Redlands residents trying to convey to city officials that they are on the verge of eradicating a huge swathe of historic properties in the downtown area in order to construct high-rise apartment complexes intended to be occupied by future train commuters who will, in fact, never materialize. Despite that opposition, Redlands officials have persisted

Highland Gas Station Moratorium from front page
reluctance to support a moratorium and his additional misgivings of seeing that moratorium extended, even given Mainez's prediction that such an extension would take place, the council

with the Redlands Transit Villages Specific Plan, pushing forward with the compiling of a draft environmental impact report document for the initiative.

On August 31, the city gave notice of its preparation of the initial study for that environmental impact report. The notice informed the city's residents that they had between September 1 and September 30, inclusive, to involve themselves in the "scoping" for the plan, that is, to offer feedback on what environmental considerations they believe should be made with regard to the development of the Transit Villages area, which covers roughly 947 acres in three non-contiguous expanses in

ratified the motion with a 5-to-0 vote. The motion shut the door on the consideration of the project on the property owned by Eady's mother.

In April, the Rancho Cucamonga City Council imposed a moratorium on gas stations.

-Mark Gutglueck

the city. By late November or early December, the environmental impact report will be assembled into draft form. Thereafter, the document will be available, for 45 days, for review and further input.

The upshot is that the city is going to insist on layering the Redlands Transit Villages Specific Plan onto the city's zoning map.

Evident from the already-available documentation relating to the Redlands Transit Villages Specific Plan and the scoping document released on September 1 is the Redlands Passenger Rail Project, the extension of the rail line from San Bernardino that is already 90 percent completed, is to become a permanent part of the landscape in Redlands, including rail line infrastructure spanning the nine miles between San Bernardino at Waterman Avenue and the University of Redlands. The rail line right-of-way is owned by the San Bernardino County Transportation Authority. In support of the Red-

lands Passenger Rail Project, the city is to undertake multiple upgrades, including train and traffic signalization, new bridges and culverts, existing bridge reinforcements, utility relocations and replacements. The corridor will be augmented with four train station/platforms, three in Redlands. Those stations will have accompanying parking lots where train passengers will be able to leave their vehicles in the morning before they board the train. The stations to be built within Redlands city limits will include one at New York Street just west of downtown, Orange Street in downtown Redlands and at University Street in front of the entrance to the University of Redlands.

While coordinating and incorporating rail stations into the city's general plan and Downtown Specific Plan has been discussed at least since 2007, a clear-cut vision of what that is to entail has never been articulated. The Downtown Specific Plan was adopted in 1994

and revised through 2008. A comprehensive contemplated update took place in 2011 but was not adopted. Efforts to carry out the updating to the Redlands General Plan were long ongoing, but failed to be completed over a period of a decade. Not until 2017 was the rewrite of the general plan adopted. That document makes reference to the Redlands Transit Villages concept, but lacks clarity. A recurrent criticism of the Redlands Transit Villages Specific Plan was that it should have been coordinated with the general plan.

Of some importance, residents have said, is the city's lack of coordination on planning for infrastructure. The city has arranged to collect fees from developers for certain infrastructure, such as sewers and a water treatment plant, but left uncovered at this point is to what degree the developers building density-intensive projects under the Redlands Transit Villages Specific Plan, given the greater burden their

projects will place on such infrastructure, will see those fees increased or whether they will be increased at all.

Those taking issue with the Redlands Transit Villages Specific Plan question what provisions are contained in it regarding commitments on infrastructure as pertains to traffic circulation.

A document typically generated for this purpose is a TIA – a traffic impact analysis – meant to look into what will happen to the traffic flow on surface streets in a five-mile radius around a project. That document has not been produced, and some Redlands residents suspect the city is stalling on doing the analysis or will fail to undertake it altogether because it will show that the project will create gridlock at some intersections and that the confluence of the rail line and sidewalks which will at times result in a mortal threat to pedestrians that will be exceedingly difficult to address or eliminate.

-Mark Gutglueck

Judge Sets Aside Upland Council's Approval Of The Villa Serena Project

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ration, and therefore, pursuant to California Environmental Quality Act Guidelines section 15064, subdivision (g), Upland should have required an environmental impact report. Upland and Frontier Homes, however, argue that these commenters are not 'experts,' and therefore their unsubstantiated opinions and comments cannot constitute substantial evidence of fair argument because they lack credibility. Contrary to this argument, comments by members of the public who are not environmental experts may constitute substantial evidence supporting [a] fair argument that [the] project may have a significant effect on the environment if the statements "are based on relevant personal observations or involve 'non-technical' issues."

Judge Cohn cited the statements of several Upland residents or individuals with specific knowledge relating to the project site and its natural or biological resources.

He wrote, "Bill Rodstrom, 'former U.S. Fish Wildlife Services biologist,' commented that he had seen or heard the Coastal California Gnatcatcher 'virtually every time' he visited the basin area, and he opined that since the sage scrub habitat in the area is 'critical habitat for this species, the removal of this habitat will only exacerbate the shrinking habitat for this threatened species.' Upland and Frontier Homes contend Rodstrom's comments are not substantial evidence because he is not an expert."

Judge Cohn wrote "Tina Stoner, an Upland resident and regular participant in the Audubon Society's Christmas bird count, observed 'more than [a] dozen additional species' of birds in the area, contrary to the initial study/mitigated negative declaration's finding of only seven bird species."

Continuing, Judge Cohn wrote, "Notwithstanding these comments,

Upland and Frontier Homes contend Friends of Upland Wetlands' claim fails because none of the commenters addressed or objected to Mitigation Measure BIO-1, which purports to reduce the biological impacts of the project to less than [a] significant level. The argument ignores oral comments by one person addressing the inadequacy of the biological assessment, and thus alluding to the inadequacy of the recommended mitigation measure. Natasha Walton, wildlife biologist and sixteen-year Upland resident, opined that the field survey conducted for the biological resources assessment was performed at the wrong time of year and failed to follow proper survey protocols. Walton stated that burrowing owls had historically been present in the basin and that suitable burrowing owl habitat had been noted in the report, but an adequate survey was not conducted. In addition, she opined that the delineation of jurisdictional waters was done at the wrong time of year because 'everything's dead or dormant' in July. Walton also asserted that the California Department of Fish and Wildlife should have been consulted regarding the proper protocol for conducting an accurate survey according to the California Department of Fish and Wildlife report on burrowing owl mitigation, and that the California Department of Fish and Wildlife should have been consulted to obtain its comments on the evaluation and mitigation measures in the initial study/mitigated negative declaration. Such technical interpretation requires an expert evaluation, but Walton stated she had expertise as [a] wildlife biologist, the type of expertise that would allow her to evaluate the adequacy of the biological assessment. Upland and Frontier Homes contend that Walton's comments were properly disregarded because she did not provide any information about her credentials or education. The statutes, guidelines, and case law impose no such requirement. Walton's expertise as [a] wild-

life biologist is sufficient to qualify her to opine on the sufficiency of the biological assessment. Moreover, her expertise is also important in evaluating her assertion that the California Department of Fish & Wildlife's comments should have been obtained regarding mitigation measures. This assertion by Walton implies that the suggested Mitigation Measure BIO-1 may not have comported with California Department of Fish & Wildlife mitigation measures for the burrowing owl and other avian species."

Mitigation Measure BIO-1 required that burrowing owl and nesting bird pre-construction clearance surveys be conducted three days prior to any ground-disturbing activities and if special-status or sensitive species were found during the pre-construction survey, then "authorization from the United States Forest Service and the California Department of Fish and Wildlife must be obtained."

Judge Cohn stated, "Walton's expertise as wildlife biologist is sufficient to qualify her to opine on the sufficiency of the biological assessment. Walton's comments are substantial evidence supporting fair argument that the failure to perform proper wildlife and habitat surveys reflects fundamental deficiency in the initial study/mitigated negative declaration."

Furthermore, Judge Cohn wrote in his final decision, that lawyers for the city and Frontier homes had made an "assertion that comments [regarding impacts to habitat within the project site] were made only about 'ordinary species' is directly contradicted by counsel's discussion regarding the comments made by Shari Wasson. Counsel specifically referenced Wasson's assertion that she had observed blue heron, among several other bird species, in the basin. During oral arguments, counsel seemed to concede that the blue heron is a 'concerned' species."

He had taken into consideration the complete body of testimony and evidence regarding the

efforts to survey the biological resources present at the project site, Judge Cohn wrote. "As result, the evidence supports [a] fair argument that the biological survey is inadequate to formulate mitigation measure that would mitigate the project's biological impacts," he concluded.

Judge Cohn further found that "there is substantial evidence in the record supporting fair argument that Upland and Frontier Homes failed to qualitatively analyze the noise impacts of the project."

"There is substantial evidence supporting [a] fair argument of significant aesthetics impacts" from the project, Judge Cohn found.

Judge Cohn wrote, "Friends of Upland Wetlands contends the initial study/mitigated negative declaration failed to adequately address the project's adverse impacts on groundwater recharge. The initial study/mitigated negative declaration found that absent mitigation, the project could result in potentially significant impact that would 'substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that [the] project may impede sustainable groundwater management of the basin.' The initial study/mitigated negative declaration states that the project site, which is classified in Upland's general plan as 'public utilities-flood control/recharge' and 'serves as [a] flood-control and groundwater recharge basin,' is currently '100 percent pervious, and storm water drains through an on-site flood control basin from east to west where runoff enters [a] culvert that conveys storm water off-site through the municipal sewer system underneath 15th Street.' The project proposes to 'convert approximately 55 percent of the project site into impervious surfaces,' but still maintain the current drainage pattern. As result, the project involves reconfiguring the 15th Street Basin 'adjacent to the east in order to maintain adequate local flood control

and recharge potential.' Friends of Upland Wetlands contends, however, that the proposed mitigation, Mitigation Measure HYD-3, will not address the groundwater recharge issue, but only addresses water treatment and detention volumes."

After an analysis of the situation, Judge Cohn concluded, "The absence of information regarding pre-development and post-development groundwater recharge leaves [a] gap in the record which enlarges the scope of the fair argument of significant impact by lending plausibility to [a] wider range of inferences regarding possible adverse impacts. Since it appears Upland did not carefully investigate the impacts of the project on groundwater recharge, but simply found that the project 'does not propose direct additions to or withdrawals of groundwater,' then there is no substantial evidence in the record to support Upland's decision to adopt the [mitigated negative declaration]."

Judge Cohn did reject some elements of the Friends of Upland Wetlands' contentions.

He said that Friends of Upland Wetlands' contention that the alteration of the project after the planning commission considered it and rejected the project and the time the city council considered it rendered the project description inadequate did not hold up.

Friends of Upland Wetlands' assertion that the importation of 41,000 cubic yards of fill dirt for the project represented an unacceptable environmental impact was invalid, Judge Cohn ruled.

Friends of Upland Wetlands' contention there is substantial evidence supporting a fair argument that the project may result in traffic safety issues, Judge Cohn ruled "is moot, because traffic congestion based on level of service is no longer considered a significant impact on the environment under the California Environmental Quality Act."

In the conclusion to his final decision, Judge Cohn wrote that "the pe-

tion for writ of mandate is granted in part. There is substantial evidence supporting [a] fair argument that the project site contains wetlands, and that the project may result in significant biological impacts, groundwater recharge impacts, noise impacts, and aesthetic impacts. The initial study/mitigated negative declaration and related approvals are set aside. A full environmental impact report may or may not be required. Consultation with the responsible agencies must be undertaken to determine whether the project impacts wetlands. Further analysis of the potential environmental impacts addressed [in the body of the final decision] is ordered. The remaining grounds for the petition are denied. Counsel for Friends of Upland is ordered to prepare proposed writ of mandate and submit it to the court within ten days after consultation with Upland and Frontier Homes."

The final decision was released on September 13, and the text of the proposed writ of mandate that McClendon is to prepare was not available at press time.

The *Sentinel* today sent an email to Previti, asking him for his reaction to Judge Cohn's ruling and whether he intended to make an appeal. The *Sentinel* inquired as to whether Previti would resubmit the proposal to the city and abide by whatever conclusion city officials come to with regard to whether the project will need to undergo a revised mitigated negative declaration or a full blown environmental report. The *Sentinel* also asked Previti if he was prepared to proceed with the project if it is ultimately determined that a portion of the basin will need to remain as a wetland. The *Sentinel* sought from Previti whether he would abandon the project entirely if the project needed to be downscaled from 65 homes.

Previti, perhaps understandably given the abbreviated window during which he had an opportunity to do so, had not responded by press time.

-Mark Gutglueck