

Board To Consider Treasurer's Call To End Tax Sales Without Equity Return

By Mark Gutglueck

Over the last fifteen years, hundreds of landowners who have lost their property in tax lien sales in San Bernardino County have seen the equity they accrued through those now-defunct ownerships vanish in what some have characterized as seizures tantamount to wholesale theft either carried out or overseen by government officials.

The Fifth Amendment to the U.S. Constitution

requires that anyone being tried for a capital crime first be indicted, prevents anyone once exonerated of a crime from being tried again, guarantees due process to everyone being subjected to the government's system of justice and prohibits the government from compelling anyone to testify against himself. The Fifth Amendment offers American citizens further assurance that no "private property [can] be taken

for public use, without just compensation."

As in other states, California provides in its laws that taxes can be imposed upon its citizens. With regard to property tax, the taxing authority codified in California's statutes allows government authorities to seize the property of those in arrears on their property tax for five years or more and to sell that property and use the proceeds to cover the unpaid taxes owed, late

penalties on that owed tax and the incidental costs of conducting the sale of the property, which entails the holding of an auction in which the property goes to the person making the highest bid. There is some ambiguity in California law as to what is to be done with the proceeds of such a sale in excess of the delinquent taxes, penalties/fines and sale costs. Among a large segment of the state's citizenry, it has long been presumed

that the Fifth Amendment provision preventing private property from being taken for public use without just compensation applies when such tax lien sales take place. Nevertheless, California law relating to tax lien sales contains a chapter allowing the bypassing of the requirement that the amount of money obtained in a tax sale of a property above what is needed to pay the delinquent taxes must **See P 2**

Contraction Of Colton's Elective Districts Brings Back Council Contention

Three decades after Colton's residents voted to expand their city council from four council members elected at-large along with a mayor to six council members representing six districts and a mayor elected at-large in an effort to provide better representation to its residents, the city this year is returning to a council composed of four members representing four districts and a presiding mayor.

The previous change to enlarge the panel, which was fully effectuated in 1994 pursuant to the passage of Measure W in 1992, brought with it a paradigm shift that went beyond the numerical expansion, resulting in political convulsions in what was then San Bernardino County's 12th largest city population wise that reverberated for more than a decade-and-a-half. It now appears that the contraction that is to take place is on the brink of creating, or has already resulted in, political enmities that will once again roil the community, which now ranks as the county's 14th largest city.

Colton, originally a railroad town, was the second incorporated city in the county after San Bernardino, officially taking form as a municipal entity on July 11, 1887, which was more than a year before the December 3, 1888 official creation of Redlands, four years ahead of the December 10, 1891 incorporation of Ontario, nearly 19 years ahead of the 1906 apparition of Upland, a little shy of 23 years before the advent of Chino as a city and 26 years **See P 4**

Ontario Sued Over Approval Of Borba Family's Ag Preserve Logistics Projects

Less than a month after the Ontario City Council voted to approve a development plan intended to benefit one of the 175,265-population and 50.01-square mile city's most powerful and politically well-connected families while simultaneously citing overriding considerations that allowed that panel to disregard what city staff said were 16 negative en-

vironmental impacts that could not be adequately redressed, an environmental group on March 30 went to court to prevent the projects that plan envisages from proceeding.

The Borba Family owns the lion's share of 219.39 acres located within what was formerly the Chino Agricultural Preserve that are at the center of the legal dispute

which must now wend its way through the San Bernardino County Superior Court.

Pete Borba, the progenitor of the Borba Dynasty, came to the Chino Valley from the Azores in the 1920s. A dairyman, he acquired land upon which alfalfa could be grown and Holsteins, Guernseys and Jerseys raised and milked. Along the way he established his

sons Pete, Joe, George and John as dairymen and businessmen in their own right. His daughter, Mary, married into a dairying family.

George, who was born in 1932, would distinguish himself as an overachiever in a family of overachievers. He became both a director and president of the California Milk Producers Cooperative and the Los

Angeles Mutual Dairymen Association, as well as a member of the Challenge Creamery Association. He was president of the California Milk Marketing Agency and an influential member of the Alliance of Western Milk Producers. For 22 years George Borba was a director of the Inland Empire Utilities Agency. He was a founder of Chino Valley **See P 3**

Commission Hearing On Redlands Density Intensification Raises Civil Unrest Prospect

Redlands city officials' indulgence of the development community's push for the intensification of density in the ongoing urban transition of that community's once stately downtown is propelling the 71,707-population city toward a state of civil unrest.

Historically, Redlands, which was incorporated as a city in 1888, has been considered San Bernardino

County's most refined city, what many considered an idyllic blending of upscale homes and orange groves. With the gradual and eventual wholesale destruction of the citrus industry that began regionally in the 1950s and accelerated in the decades thereafter, Redlands residents more than those of any other local cities pushed back against the urbanization trend, passing

controlled-growth initiatives Proposition R in 1978, Measure N in 1987 and Measure U in 1997, all of which were intended to reduce growth to manageable levels.

Despite that sentiment among a sizable contingent of the populace and the force of law the measures provided in limiting development, members of the city council have over the last two decades proven deter-

mined to clear the way for landowners and the builders they work with to construct projects that will more than double, triple and quadruple the density of residential and commercial land use, while compacting these improvements in smaller and smaller spaces near the city's downtown core.

Whereas historic downtown Redlands had features such as La Posa-

da Hotel, the Casa Loma Hotel, the Alvarado Hotel, the Fox Theater, the Orley Building and the Mitten Building, the city council and planning commission are now accommodating projects that will put three-, four-, five- and six-story apartment buildings and parking structures downtown, allowing for up to 100 residential units to the acre. The concept pro- **See P 6**

Cavalier Local Warehouse Standards Require State Legislation Fix, Lawmaker Says

Assemblywoman Eloise Gómez Reyes has authored legislation that if passed would prevent any warehouse/logistics projects of more than 100,000 square feet yet to be built from being located within 1,000 feet of existing houses.

In the cities of Fontana, Upland, San Bernardino and Ontario, as well as within the unincorporated community

of Bloomington, there has been considerable controversy over the political leadership in those respective places permitting the construction of droves of warehouses and distribution centers. Such projects, their detractors maintain, involve intensive truck traffic that is unduly burdensome on those who live in their shadow.

Increasingly, some

elected officials, local residents and futurists are questioning whether warehouses constitute the highest and best use of the property available for development in the region. And while logistics facilities in modern times must be part of any land use mix, there is an argument to be made that there is a need to maintain a balance between such operations – or at

least the quarters for such operations, as many of them stand empty – and other types of development. In refuting the assertions of the sponsors and proponents of warehouses that they constitute positive economic development, those against their proliferation decry the relatively poor pay and benefits provided to those who work in distribution facilities,

the large diesel-powered semi-trucks that are part of those operations with their unhealthy exhaust emissions, together with the bane of traffic gridlock they create.

Over the last two decades, Southern California, the Inland Empire and San Bernardino County have experienced explosive growth, a continuation of the post-World War **See P 5**

Landowners Tardy With Tax Payments Not Only Lose Their Property But The Equity They Had Built Up With It

from front page

be returned to the original landowner.

The subject of tax lien seizures of property and their subsequent sales process to satisfy tax delinquencies is contained in chapters 7 and 8 of the California Revenue and Tax Code.

Chapter 7 delineates a precise process by which properties that have more than five years of tax delinquencies are subject to seizure by the county and are to be prepared for a sale to the highest bidder for the purpose of satisfying the payment of the property owner's past due taxes. Under that process, a property owner losing his house or land is, at least theoretically, entitled to all proceeds from the auction sale that exceed taxes/penalties due plus costs.

Chapter 8, however, is entirely mute with regard to requirements that the constitutional rights of a homeowner who is delinquent on his or her property taxes be protected. In San Bernardino County, as well as in some other California counties, this latitude in the law has resulted in the constitutional protections that are supposed to be in place for property owners being ignored when entities such as public agencies seek to obtain property for operational purposes or land trusts and affordable housing nonprofits utilize the authority provided to them in Chapter 8 to pull certain desirable properties from the auction process to reserve those properties for "special public purposes." Those purposes, ostensibly, are intended to assist a nonprofit organization rehabilitate the property in order to sell or rent it to, or otherwise use it to serve, low-income persons. In the case of vacant property, nonprofit organizations can use Chapter 8 to dedicate the land to conservation, to public use or to construct residential dwellings on

the property and sell or rent them to low-income persons.

When a property doesn't sell, it's reoffered in a secondary tax sale with lower thresholds. If it still doesn't sell, it's added to the tax sale the following year. As long as the property stays in the Chapter 7 process, its erstwhile owner stands the prospect of recovering, within a fair and Constitutional framework, some or all of the equity he or she accrued in the property. When Chapter 8 is applied, however, the landowner sees the land he or she once owned entirely subsumed by the nonprofit that claims it.

The county tax collector, in the face of a public entity or nonprofit organization requesting under the provisions of Chapter 8 of the Revenue & Tax Code to remove a property from the tax sale auction process, is obligated by law to go along with that request. The board of supervisors typically then enters into an agreement for the purchaser to buy the property for only the tax due and a processing fee, at a price that current San Bernardino County Treasurer-Tax Collector/Auditor-Controller Ensen Mason said amounts to "pennies on the dollar."

Mason characterized what is going on as an abuse of the governmental process and the authority of the board of supervisors.

"The property owners get nothing for the value of their equity," Mason said. "Chapter 8 allows county boards of supervisors to confiscate real estate from property owners with zero compensation. Counties up and down the state have been taking advantage of this law to steal tons of real estate."

Mason said, "What is done with this property falls into a few categories. In our county, the primary beneficiaries have been two land trusts. They acquire the land and lock it up so nobody can use it for anything. In other counties, there has been fraud and abusive profit taking. Three purchases being attempted in our county fall into

this category."

According to Mason, a common ostensible but often false rationale for engaging in the property diversions relates to "affordable housing."

The *Sentinel* has identified Wright Housing Corporation and Cross-Roads Housing as two of the entities that have been engaged in picking up the properties at prices far below their value.

The Wright Housing Corporation is a 501(c)(3) nonprofit organization founded in 2019 and dedicated to low-income housing assistance involved in housing development, construction and management.

Kenneath Joseph Letourneau, a real estate agent based in Bellflower, is the principal in the Wright Housing Corporation, the company's founder, chief executive officer and sole board member. Letourneau runs the Wright Housing Corporation out of a post office box within a United Parcel Service Store in Suite 107 at 13536 Lakewood Boulevard in Bellflower. Letourneau, using the variant spelling of his first name as Kenneth, is an agent with Berkshire Hathaway Home Services California Properties, located at 16911 Bellflower Boulevard in Bellflower. The Wright Housing and Bellflower Berkshire Hathaway offices are within the 90706 Zip Code.

The Wright Housing Corporation is scheduled on Tuesday, April 12, to obtain through a tax lien sale a home in Yucca Valley for \$24,300; a home in Twentynine Palms for \$11,400; and a home in Hesperia for \$61,800.

Cross-Roads Housing has been in existence since 1997. It bills itself as a faith-based organization on a "mission to help families with healthy food, gang resistance and youth mentoring programs," and is involved in housing development, construction and management that "builds, rehabilitates, manages and/or provides rental housing for low-income individuals and families, older adults and people with disabilities and which makes purchas-

able housing available to low or moderate income families by offering lower priced housing and/or affordable payments plans, by arranging for interest or mortgage subsidies or by involving eventual owners in the construction process, including sweat equity."

The principals in Cross-Roads Housing are Gregg Bynum and Shannon Bynum, who made \$192,000 and \$38,000 respectively in 2019, but did not file a tax return. They have claimed zero revenue and assets for Cross-Roads Housing. There are three addresses for Cross-Roads Housing on record, one being 5133 Santa Ana Street in Cudahy, CA 90201, the other 2006 East 103rd Street in Los Angeles, CA 90002; and 2434 East 124th Street in Compton, CA 90222. The Cudahy address is an apartment complex.

Cross-Roads Housing recently acquired a three-acre property in Apple Valley for \$2,350 through a tax lien purchase.

San Bernardino County has been able to bypass the requirement in Chapter 7 of California's Revenue Tax Code that it make a reasonable effort to sell the properties disposed of through tax lien sales at what is at least half the market rate and then take steps to ensure that those who lose their property in a tax-lien sale be provided with the difference between the sale price and the total of past-due taxes owed, penalties and reasonable sales costs in large measure because those losing their homes do not have the financial means to hire legal representation to ensure their rights are not violated.

The county acting in this fashion, Mason said, "removes any opportunity for the owner to receive the equity. Besides being immoral, it violates the takings clause of the Fifth Amendment and due process of the Fifth and Fourteenth Amendments."

That is not Mason's opinion. Rather, that principle was enunciated in the 1884 United States Supreme Court Decision in *United States vs. Lawton* and in other cases from around the country

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much more recently.

In *United States vs. Lawton*, the US Supreme Court held that when property is taken for non-payment of taxes, the property owner is entitled to proceeds that exceed taxes owed. Justice Samuel Blatchford wrote the majority opinion in *United States vs. Lawton*, stating, "To withhold the surplus from the owner would be to violate the Fifth Amendment to the Constitution and deprive him of his property without due process of law or take his property for public use without just compensation."

In 2020, the Michigan Supreme Court held in the case of *Rafaelli, LLC v Oakland County* that Michigan's tax foreclosure law that did not provide for the return of excess proceeds from tax foreclosure sales to a former property owner violated the Michigan State Constitution's taking clause. The court ruled that after paying the tax debt, government must return the surplus profits to the former owner.

In a May 2021 decision by the United States Court of Appeals for the Sixth Circuit in Ohio, applying the reasoning of Supreme Court Justice Salmon P. Chase that "a law that takes property from A and gives it to B . . . is against all reason and justice," ruled that when Montgomery County sold a home located in Dayton, Ohio that Alana Harrison had inherited from her mother to satisfy an outstanding tax bill her mother had not paid, the county violated Harrison's rights when it

did not return to her the difference between the sale price of the home when sold at auction and the taxes owed plus court costs, and fees to be collected by the sheriff, county auditor, and county recorder for processing the property seizure and holding the auction.

The precedent set in *United States v. Lawton* is applicable to all of California, including San Bernardino County. The Michigan and Ohio cases, while not considered precedent for California courts or the 9th U.S. Circuit Court which holds authority over San Bernardino County, those cases very likely presage what would occur if a similar case were to be litigated here.

Mason this week said that it was his position "that tax sales without benefit of a public auction confiscate a taxpayer's property without potential for realization of potential excess proceeds, thereby violating the Fifth Amendment to the Constitution of the United States."

He said that on April 12, when the San Bernardino County Board of Supervisors next meets, he will address the board and publicly call for eliminating the taxing loophole the California legislature has conferred upon counties and other governmental entities "that allows taxing agencies and non-government organizations to purchase tax-defaulted properties without bidding on them at a public tax sale."

Mason on Tuesday will ask the board of su-

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Accommodating The Borbas' Development Designs On Preserve Property Triggers Lawsuit Against Ontario & Its City Council *from front page*

Bank, later known as Citizens Business Bank, and he was chairman of the board for both Chino Valley Bank and Citizens Business Bank as well as CVB Financial Corp. for 38 years.

The next generation of the Borba Family included George's niece Joan Borba, who was both a San Bernardino County Municipal Court judge and later a Superior Court judge, and her sister, Joleen Borba, an agricultural attorney of note. The George Borba Family Trust numbers as its beneficiaries George Borba's widow, Dolores; George Borba, Jr. and his wife Jennifer; George Borba's daughters Kim Borba, Linda Gourdikian, Cynthia Podmajersky and Victoria Rynsburger, whose husband, Andrew Rynsburger, is the scion of a long-established Chino Valley dairy dynasty.

In the late 1950s, the Chino Valley had become a haven to dairy farmers, many of them of Dutch or Portuguese descent, who flocked there with their herds when they were displaced by the urbanization of southeast Los Angeles and north Orange counties. By the mid-1960s, Chino Valley was the most intensive milk-producing area in the world. The Chino Agricultural Preserve was formed in 1968 under the auspices of California's Williamson Act – a 1965 law that was intended to preserve California farmland and to serve as a hedge against urban sprawl. The law granted substantial tax breaks to property owners agreeing to restrict their land to agricultural uses for at least 10 years. Within the preserve's 17,000-acre confines were just under 400 dairies and 400,000 cows. With \$800 million in annual dairy production in 1976, the relatively compact Chino Valley region alone was within the entire state of California a

close third in milk output behind the much more expansive Tulare and Merced counties.

By 1970, Chino Valley was the source for most of Southern California's milk as well as a major supplier of cheese for a much larger geographical area.

By the mid-1980s, growing numbers of dairy farmers in the preserve wanted out, as the local industry was itself being subjected to the same pressures that had been brought to bear on dairyman who had been forced to pull up the stakes of their Los Angeles County and Orange County operations two decades before. Land speculators and developers eyeing the property and envisioning it as residential subdivisions supported politicians at the municipal and county levels intent on adhering to a dairy-busting agenda that in time spelled the end of the preserve as a lasting entity.

In the late 1980s and into the 1990s, the county's land use professionals were seeking to examine the desirability of maintaining the preserve's dairies as a hedge against the region's burgeoning urbanization and to determine if the scaled-down local dairy industry had a reasonable prospect of sustaining itself in the changing environment. At the same time, the county's elected leadership was heavily influenced by developmental interests, the major providers of political contributions. With a few exceptions, the supervisors leaned in favor of breaking up the preserve.

In 1986, the county took the first step toward deconstructing the Williamson Act's applicability in the Chino Valley. By 1997, half of the dairies that had been operating in the preserve at its peak had left. The jousting between Ontario and Chino over annexation of the preserve had begun.

In 1999, while there were still 140 dairies operating in the Chino Valley, the city of Ontario annexed nearly 8,200 of the 15,200 remaining acres in the preserve. Chino laid claim to the other 7,000. The county, for the most part, alternately passively

and actively accepted the inevitability of the pending urbanization. Ontario drew up master plans for development of the preserve property into 31,000 homes, 5 million square feet of retail space and 5 million square feet of industrial space.

Chino designated over 400 acres for industrial development and earmarked 2,000 acres for new residences, with complementary plans for commercial development.

Some of the dairies in the area continued to operate. By 2015, there were roughly 60 left. Today that number has dwindled to around 30.

The Borbas, in the form of the George Borba Family Trust and George Borba Jr., are the owners of many of the 219.39 acres bordered by Eucalyptus Avenue to the north, Merrill Avenue to the south, the future extension of Campus Avenue to the west and Grove Avenue to the east. Also owning property within that quadrangle are Pocamo, LLC; the County of San Bernardino, the Rudy Haringa Trust and Gerben Hettinga. At this point, and for the last two years, the Borbas, Pocamo, the Haringa Trust and Hettinga have resolved to see the property developed. When Ontario annexed the land, the 219.39 acres had been zoned to accommodate low- and medium-density residential homes and commercial centers and a large business park. For the Borbas and the others, however, developing the property residentially presents certain challenges.

At some point, an entity known as Euclid Land Venture entered the picture. Reports abounded that Euclid Land Venture was an arm of the Borba Family. However, Rudy Zeledon, Ontario's planning director, told the *Sentinel* that Euclid Land Venture and the Borba Family are separate entities and that upon the full filing and recording of the entitlements on the land, the property will be sold by the Borba Family to Euclid Land Venture.

Despite its lack of current immediate ownership, Euclid Land Venture is functioning as the prime mover, the appli-

cant pursuing the project's overarching specific plan approval. Euclid Land Venture is seeking to develop the property not as single-family homes but rather as warehousing and distribution centers, with some minor commercial and very light manufacturing concerns mixed in. Developing the property in that fashion would prove far more expeditious, the Borba family calculates, than as houses.

To oblige the Borba family, the city, at the instruction of the city council, opened up a pathway for a substantial makeover in what had previously been intended for the property.

On January 25, when the Ontario Planning Commission convened to determine whether it should recommend that the city council give approval to the South Ontario Logistics Center project and its specific plan, a litany of high-powered entities went on record as being against the project. Those included Anthony Noriega, the director of District 5, League of United Latin American Citizens of the Inland Empire; Evan Marshall, of Californians United for a Responsible Economy; Irene Chisholm; Sean Silva, a member of Californians United for a Responsible Economy; Raymond Smith; Lois Sicking Dieter, an engineer employed in the analysis of air pollution by the California Air Resources Board; along with representatives of several labor organizations, including Plumbers & Steamfitters Local 398, the District Council of Ironworkers and Teamsters Local 1932. The opposition of the labor unions was significant. Labor unions have a well-established pattern of supporting development projects in Southern California.

That the unions had come out against the South Ontario Logistics Center represented a dilemma for the city council. There was one exception to the blanket union opposition to the project at the January 25 planning commission hearing. Juan Olmedo, a representative of the Southwest Regional Council of Car-

penters, said he wanted to "speak in support of the South Ontario Logistics Center Specific Plan." Olmedo's presence at the January 25 meeting would later prove to have significance.

To avoid the appearance that the council members were selling their votes to assist the Borba family in obtaining the zone changes and land use standard alterations that matched with their expectations of how they could best profit in the development of their property, the council majority, through City Manager Scott Ochoa, pressured the director of the community development department, Scott Murphy and Ontario's assistant planner, Alexis Vaughn, to provide the planning commission with the basis upon which to make a recommendation that the specific plan be given go-ahead. The planning commission serves as a community sounding board and decision-making panel on land use and development issues. In some cases, the planning commission is entrusted with the city's ultimate land use authority. In others, it is called upon to review project proposals or matters relating to the city's planning process to make a recommendation to the city council that it can consult or rely upon in making its analysis and the final decision relating to those projects or actions. The seven members of the commission nonetheless are appointed by and serve at the pleasure of the city council. And while the planning commission is often relied upon to work its way through development proposals and make a straightforward and honest evaluation of whether the prospective projects that come before it meet the city's development and land use standards and whether they will be a positive attribute to the community, in those cases where political considerations apply – in particular where a project proponent or landowner has a favorable relationship with members of the city council – it is commonly understood that the planning commission need not strictly apply the

development standards normally used if such an analysis would result in a vote by the commission that is detrimental to an entity that is in good standing with city staff's political masters. In such cases where the planning commission has the final land use authority, it will virtually always vote to approve a project proposed by the city council's major political donors, supporters or associates. In those cases where the planning commission does not have final land use authority, it can be counted upon to tailor its recommendation to provide political cover to the council in approving a project or otherwise taking action favorable to the council members' benefactors.

That is what occurred on January 25, when after considering documentation in the environmental impact report for the South Ontario Logistics Center outlining that the project would result in no fewer than 16 negative impacts relating to the categories of traffic congestion, noise, global climate change, cultural resources, air quality and agricultural resources and that none of those impacts could be fully mitigated to a level of "less than significant," the planning commission nonetheless unanimously voted to recommend that the city council allow the conversion of the property to industrial and business park use.

That provided the city council with political cover in making its call in favor of the Borba Family when it convened on March 1 to consider the project.

At the March 1 meeting, the city council took a number of controversial steps, which included approving the scope and terms of the project, certifying the environmental impact report prepared for what is to be constructed under the aegis of the South Ontario Logistics Center Specific Plan, adopting a statement of overriding considerations, approving the mitigation, monitoring and reporting arrangements for the development of the land,

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Colton's Politicians For The Last Three Decades Have Been A Catalog Of Felons, Swindlers, Ego-tists & Backstabbers from front page

ahead of Needles.

The 1893 secession of Riverside County from San Bernardino County limited, to some degree, Colton's ability to expand, as the Riverside County border was created just to its south. Nevertheless, Colton developed as a dynamic transportation adjunct to the adjacent county seat of San Bernardino, such that all roads and rail lines to virtually everywhere else ran through Colton, for which it was dubbed "The Hub City."

Colton was a harbinger of the future in more ways than one, perhaps the foremost of which was that it was the one place in San Bernardino County as well as Southern California where the long somnolent Hispanic political giant first awakened. Early Hispanic members of the city council included John Perez, Pasqual Oliva and Pete Luque.

By the 1970s, the council included Abe Beltran and Frank Gonzales, who as kids in the 1940s had run the streets of South Colton together, despite their three-and-a-half-year age difference. In the 1970s, as previously, five members of the council were elected at-large, and the council selected from among its ranks who would serve one-year or two-year terms as mayor. Beltran, who was first elected to the council in 1970, was selected to serve as mayor in 1976. Gonzales was first elected to the council in 1972. In the 1980s, direct mayoral elections began, initially with two-year terms, by which point Beltran and Frank Gonzales were political rivals, with Gonzales besting Beltran in the contesting for the mayoral post. Beltran left the council in 1984, but returned in 1990.

By 1994, Colton had made the transition from two-year to four-year mayoral terms as well as from four at-large to six district council seats, which had initially included both two-year and four-year races to set the sequencing of

the respective district offices. This shifted the Hub City's political dynamics. George Fulp, who had three times previously sought unsuccessfully to run for the Colton Joint Unified School Board, ran for mayor. Frank Gonzales by that point had a well-developed political machine, one strengthened by his skillful use of political patronage, and no one but George Fulp fully anticipated what would come next. Knowing that Beltran would again be seeking to unseat Gonzales, Fulp persuaded Jesse Valdivia, who was otherwise non-political, to run for mayor as well, promising to buy him a pick-up truck if he did so. With three Latino candidates in the race, the Hispanic vote was diluted and split three ways. This allowed Fulp, the only Caucasian in the race, to eke out a narrow victory over Gonzales.

Unrecognized by a large segment of those in Colton at that time was that the bombastic Fulp was an unrepentant, indeed raging, alcoholic. Empowered by his election as mayor, he took to drinking himself into a state of incandescence, liberally spraying himself with cologne to mask the tell-tale alcohol vaporific that oozed from his pores and engulfed him, and then gallivanting about the city in his bright-red late-model Cadillac, confident that the police would not stop, cite, ticket nor arrest him for being under the influence, given his new-found political pre-eminence. Throwing his authority around, engaging in confrontations with residents as well as city staff members from the lowest levels right up to the city manager and verbally sparring with members of the council during the course of meetings, Fulp amassed enemies at a prolific pace. This triggered an unprecedented, for Colton, effort to recall him from office, which succeeded with a special measure placed on the November 1996 ballot. Ultimately, 53.52 percent of those who went to the polls voted in favor of his removal from office and 46.48 percent were opposed. In the contest between Gonzales and Karl Gaytan to replace Fulp, Gaytan prevailed.

That same year, San

Bernardino County District Attorney Dennis Stout and Assistant District Attorney Dan Lough had devoted considerable prosecutorial office resources in targeting Beltran, whose re-electoral prospects were damaged by the investigations and leaks relating to them. He was voted out of office and replaced by Kelly Chastain.

By late 1999 and early 2000, both the FBI and investigators with the San Bernardino County District Attorney's Office were focusing on entrenched political corruption in San Bernardino County, including within Colton. In August 2001, Beltran, Gaytan, former City Councilman James Grimsby and then-Councilman Don Sanders were indicted by a federal grand jury for accepting bribes from businessmen doing business in and around Colton.

In the summer of 2006, Colton First District Councilman Ramon Hernandez was arrested and charged with 24 felony counts of misappropriation of public funds. While that case was pending against him, he was defeated in the November 2006 race by David Toro.

Also in the November 2006 election, Mayor Deidre Bennett was running for reelection against Third District Councilwoman Kelly Chastain. Bennett, who had been the city's Fifth District Councilwoman from 1992 until 2001, was selected to serve as mayor in 2001, after Betty Cook, another longtime councilwoman, who had been promoted to mayor to succeed Gaytan after his indictment and resignation from office, suffered a stroke within days of being chosen for the mayoral honorific and died shortly thereafter. Bennett and Chastain had been allies since Chastain's election in 1996, and Chastain had supported Bennett when she successfully ran for mayor as the incumbent in 2002. A widespread report in 2006 was that Chastain's challenge of Bennett was not a serious one, and that she was in the contest against her friend merely to ward off anyone else who might run a hard-hitting campaign against Bennett. That report had some degree of credibility, because Chastain had most

recently been reelected as Third District Councilwoman in 2004, and thus she would remain on the council at least until 2008 if her mayoral bid was not successful that year. No other opponent declared against Bennett and Chastain did not run an aggressive campaign. As it turned out, the race came right down to the wire, and neither Bennett nor Chastain received a majority of the vote. Rather, Chastain, with 3,235 votes or 49.93 percent, was declared the winner and Bennett, with just nine fewer votes than Chastain, 3,226 votes or 49.79 percent, came in second. The real difference in the race was that 18 voters, or 0.28 percent, voted for neither Bennett nor Chastain, casting votes for write-in candidates.

The result of that race embittered Bennett toward Chastain, her erstwhile ally and close political associate. Two years later, in 2008, Bennett, who was itching to get back into the Colton political game, ran once more for her former position on the city council, to again represent the Fifth District. In doing so, she had to compete against another of her allies, John Mitchell, her longtime advisor whom she had succeeded in having appointed to replace her when she moved into the mayor's post in 2001 and whom she supported when he ran, unopposed, to remain as Fifth District councilman in 2004. Bennett won that contest and returned to the council. The wicked vicissitudes of politics in Colton, however, left Bennett estranged from both Mitchell and Chastain, both of whom had been key to her early political success.

In 2010, David Zamora defeated Chastain in her effort to remain as mayor. Bennett sustained herself in office in 2012, gaining reelection as Fifth District Councilwoman. Chastain has not been able to reignite her political career in Colton. In 2016, she failed in her effort to defeat Frank Navarro for council in the Third District.

In 2017, Councilman Luis González, saying he had done considerable research into the matter, floated the idea of reducing the city council to four councilors and a mayor. He

said most of the county's cities with a larger population than Colton had fewer council members. He said the move would reduce costs. He said the city's voters should be extended the opportunity, in a ballot measure, to decide whether they wanted to reduce the size of the council.

Councilmen David Toro and Isaac Suchil said they did not think it a good idea, and Toro said that if the residents wanted to make the reduction, they should seek that out by qualifying the measure for the ballot without the assistance of the city council.

The concept died at that time.

The following year, however, the issue was explored once more. The council, again with Toro and Suchil opposed, voted to put what that November was designated as Measure R on the ballot. In the November 2018 election, Colton voters considered Measure R, which asked if "Starting with the November 8, 2022 election, shall the Colton City Council be reduced in number from 6 members with an at-large mayor to 4 members with an at-large mayor, and shall members of the Colton City Council be elected by 4 districts?"

Measure R passed with 5,321 votes in favor and 4,469 opposed, a margin of 54.35 percent to 45.65 percent.

At present, the city council overseeing 15.32-square mile Colton consists of Mayor Frank Navaro, First District Councilman David Toro, Second District Ernest Cisneros, Third District Councilman Kenneth Koperski, Fourth District Councilman Luis González, Fifth District Councilman John Echevarria and Sixth District Councilman Isaac Suchil.

In accordance with the terms of Measure R, in the November 2020 election, districts 3, 5 and 6 were up for election, but only for 2-year terms. Districts 1, 2, and 4 were not up for election in 2020. In the upcoming November 2022 election, all districts in Colton will be contested, with the new districts 3 and 4 being conducted with 4-years at stake and districts 1 and 2 involving 2-year terms. Thus, by 2024 the elections for the districts will be staggered,

with district 1 and 4 candidates competing in elections corresponding with U.S. Presidential elections and districts 3 and 4 being held in connection with the California gubernatorial elections.

As a consequence of the district confections, councilmen Toro and Cisneros now live within the new District 1. Councilman Koperski lives in District 2. Councilmen González and Suchil reside in the new district 3. Councilman Echevarria resides in District 4.

It is assumed that Koperski is running this year. No challenger against him has surfaced. It is known that Echevarria intends to run. No opponent for him has yet materialized.

There are indications that both Toro and Cisneros will run, but there is no official word on that. There is no past history of bad blood or rivalry between Toro and Cisneros. Over the last several months, the two men have appeared to be, during council meetings, eyeing one another warily.

That González and Suchil will cross political swords is at this point a foregone conclusion. Both are political animals. Suchil was first elected to the council representing District 6 in 2004. He failed to gain reelection in 2008, having lost to Alex Perez in that contest. He avenged that loss to Perez in 2012, however, and also beat González in that race, when González was then a District 6 resident. Suchil gained reelection in 2016 and again in 2020. González was first elected to the council in 2014, after he relocated from District 6 to District 4.

Like all politicians, both González and Suchil have devoted plenty of time and effort doing their damndest to signal to the world what great guys they are.

Suchil is a 30-year law enforcement veteran, now retired. He was a deputy with the San Bernardino County Sheriff's Department from 1987 until 2017, having patrolled the streets early on and then serving as a bailiff in the court system during his more mature years. He has an associate's degree in public administration from San Bernardino Valley Col-
Continued on Page 6

Gómez Reyes-Authored Bill Would Restrict Warehouse Locations *from front page*

II trend that continued unabated for the last half of the 20th Century. Whereas previously, residential expansion outpaced both commercial and industrial growth, warehouse development has over the last decade-and-a-half come to hold more than its own in terms of construction activity.

Southern California, which involves large port facilities in San Pedro and Long Beach, lands massive amounts of merchandise from manufacturers in Asia brought across the Pacific Ocean by ship. That cargo is offloaded onto trains and trucks and distributed throughout much of the country. In this way, the Inland Empire has become a major logistics hub.

In this atmosphere, warehouse developers and the owners of property to be converted to warehousing can make a quick buck. Consequently, they have proven to be significant donors of money to the campaign war chests of politicians who hold sway over the Inland Empire's cities, as well as the county board of supervisors, which has ultimate land use authority over the unincorporated areas of the county, such as Bloomington. Warehouse proponents reportedly have targeted Upland Mayor Bill Velto as an easy mark, believing money slipped to him will perpetuate his unquestioning support of warehouse development. That quid pro quo is being hidden, those within shouting distance of Upland City Hall say, by City Clerk Carrie Johnson not posting any campaign finance disclosure documentation relating to Velto for nearly 18 months, even as Velto has had multiple meetings with entities pursuing the construction of logistics projects.

In Ontario, the entire city council - Councilwoman Debra Dorst-Porada and councilmen Alan Wapner, Jim Bowman and Ruben Valencia - and Mayor Paul Leon have re-

ceived substantial money from the development community pursuing warehouse and logistics project development. Having accepted money from those interests, Leon, Dorst-Porada, Wapner, Bowman and Valencia have consistently voted to allow warehouse projects in their 50.01-square mile city to proceed and have not been able to muster the resolve or strength of character to resist warehouse proposals even in those cases where a prospect of a higher and better use of the property in question existed, their detractors maintain.

Rancho Cucamonga City Councilman Ryan Hutchinson is an advocate of intensive warehouse development.

In Fontana, Mayor Acquanetta Warren has taken more than \$100,000 in donations from warehouse developers. Both her admirers and opponents apply the sobriquet "Warehouse Warren" when referring to her. Warren has an unquestioned command over the three other members of her ruling council coalition - councilmen John Roberts, Phil Cothran Jr and Pete Garcia. Warren has vectored money from the warehouse industry to Roberts, Cothran and Garcia through her own campaign fund and has succeeded in getting warehouse project proponents to contribute directly to them. Garcia, who is employed by the California Department of Toxic Substances Control, has voted right down the line with Warren on warehouse project approvals, even as the agency that employs him is taking action against ten transportation/trucking companies, several engaged in warehouse operations in some respects indistinguishable from the projects he voted to approve.

In July, California Attorney General Rob Bonta filed a civil action against the City of Fontana's approval of a warehouse project to be located at the corner of Slover and Oleander avenues in southwest Fontana. In April 2021, the planning commission, in accordance with Warren's dictate, applied to the project one of

the least exacting forms of environmental certification that exists, a mitigated negative declaration, in giving it go-ahead. There followed an appeal of that approval to the city council, which heard it in June. Warren, Roberts, Cothran Jr. and Garcia rejected the appeal and upheld the planning commission, whereupon Bonta the following month filed suit, asserting that the city's limited environmental review of the project and its failure to appropriately analyze, disclose, and mitigate the project's environmental impacts violates the California Environmental Quality Act.

"Under the California Environmental Quality Act, the City of Fontana is required to implement all feasible mitigation measures to reduce harmful air pollution and other significant environmental impacts of the Slover and Oleander Warehouse project," Bonta said. "Plain and simple: Everyone has the right to breathe clean air where they live and where they work. I am committed to standing up for communities who live at the intersection of poverty and pollution. Fontana residents shouldn't have to choose between economic development and clean air. They deserve both. Unfortunately, the City of Fontana cut corners when it approved the Slover and Oleander Warehouse Project. We're going to court to compel the city to go back and take a hard look at the environmental impacts of this project - and do all it can to mitigate the potential harms to local residents and workers - before moving forward."

According to Bonta, "The Slover and Oleander Warehouse Project will be constructed in a low-income south Fontana neighborhood that suffers from some of the highest pollution levels in all of California. Over 20 warehouses have already been built within a mile of the project site, in an area that encompasses two public high schools and serves as home to hundreds of Californians. Collectively, these warehouses generate thousands of daily heavy-duty diesel truck trips. As a result, local residents and workers suf-

fer from some of the highest exposures statewide to fine particulate matter, which are inhalable microscopic particles that travel deep into human lungs and are linked to increased risk of premature death, cardiovascular disease, lung cancer, and asthma attacks. They are also heavily exposed to ozone and toxic chemicals that can cause a wide array of other concerning health problems."

In the lawsuit, Bonta maintains the City of Fontana violated the California Environmental Quality Act in its approval of the Slover and Oleander warehouse project by failing to prepare an environmental impact report despite substantial evidence that the project will have significant environmental impacts, and that the city did not disclose the existence of dozens of other industrial warehouses in the area. The city further did not disclose, Bonta asserted, that the city has approved and is planning additional warehouse developments within blocks of the project, and it did not account for those nearby warehouses in its cumulative air quality analysis.

In San Bernardino, Mayor John Valdivia, after receiving substantial campaign contributions from both landowners and developers with an interest in warehouse development, thwarted an effort by Fifth District Councilman Ben Reynoso to have the city initiate an initial 45-day moratorium on the permitting of new warehouse construction in the county seat, which might have been extended for as long as two years. Reynoso sought the timeout from warehouse construction to allow San Bernardino, which since 2015 has approved 26 warehouse projects entailing acreage under roof of 9,598,255 square feet, or more than one-third of a square mile, translating into 220.34 acres, to consider a revamping of its general plan and making a determination on how much more warehousing, if any, the city wants to accommodate.

Reynoso obtained the consent of four of his colleagues - First Ward

Councilman Ted Sanchez, Second Ward Councilwoman Sandra Ibarra, Sixth Ward Councilwoman Kimberly Calvin and Seventh Ward Councilman Damon Alexander - to impose the moratorium. Their five votes on the seven-member San Bernardino City Council were insufficient to suspend warehouse development. California law requires that such a ban be passed by a four-fifths vote of a governmental entity's legislative body. In San Bernardino, where the mayor is not empowered to vote, that meant six of the seven members of the council had to sign off on the moratorium. Third Ward Councilman Juan Figueroa, a firm and fast political ally of Mayor John Valdivia, was unwilling to support a moratorium. Nor would Fourth Ward Councilman Fred Shorett, who has built his political career by professing to be pro-development and has been the recipient of money from the development community, support a moratorium.

Thus, though Reynoso had solid majority support on the council, he has been unable to put the warehouse moratorium in place.

In Chino and Colton, however, city leaders there have embraced holding off on further warehouse construction.

In May 2021, the City of Colton, by a unanimous vote, gave city staff direction to study the advisability and long-term implication of allowing any remaining fast-depleting undeveloped land in the city to be converted into warehouses, distribution centers or similar uses, simultaneously imposing the moratorium on warehouse construction. It has since extended the moratorium while the city studies the issue.

In October, Chino imposed a 45-day ban on constructing more warehouses in the once-agriculturally-oriented city.

Gómez Reyes, who is now the California Assembly majority leader, recently authored and introduced Assembly Bill 2840, which is aimed not at stopping warehouse development, she said, but rather imposing on it con-

ditions intended to prevent warehouses from having undesirable consequences on those who must live near them.

Under AB 2840, local governments, in exercising their land use authority, would be restricted from allowing any subsequently built logistics projects of 100,000 square feet or more from being any closer than 1,000 feet from homes, schools, health care centers, playgrounds and other places where the inhabitants or those who frequent them are sensitive to or at risk of exposure to air pollution, including vehicle exhaust and diesel fumes. AB 2840 would prevent existing warehouses currently covering less than 100,000 square feet from expanding to 100,000 square feet or more if there are homes, churches, schools or the like nearer than 1,000 feet.

Also taken up in AB 2840 are concerns that warehouses do not make sound and reliable employment venues. The bill calls for a "skilled and trained workforce" to be employed in constructing the warehouses. The bill further mandates that a "set percentage of jobs created by the qualifying logistics use project shall go to local residents." The bill does not say precisely what that percentage is.

Reyes' 47th Assembly District includes Bloomington, Colton, Grand Terrace, Fontana, Muscog, Rialto and part of San Bernardino.

AB 2840 is somewhat similar to legislation Gómez Reyes introduced last year, AB 1547, which had sought a buffer between warehouses and homes that was three times greater, at 1,000-yards between the boundary of the site and sensitive land uses such as schools, parks and residential neighborhoods. AB 1547 had also called for requiring on-site equipment such as forklifts and other dock machinery to be powered by zero emission technology. AB 1547 has not been enacted.

Warehouses are encroaching on residential neighborhoods, Gómez Reyes said. She said local governments are not do-

Continued on Page 12

This Year's Colton City Council District 3 Race Between Suchil And González Likely To Get Ugly *from page 4*

lege. Prior to becoming a councilman, he served as a member of the Colton Planning Commission and the Colton Parks & Recreation Commission. He was a member of the Colton Joint Unified School District Citizens' Oversight Committee on Measure G, monitoring the expenditure of bond money on educational purposes. As a councilman during what is approaching four terms in office, he has served on multiple committees within the city, including those formed to retain businesses in Colton, recruit a city manager and suggest political reform measures. Additionally, he has served as a member of several boards for governmental adjuncts and regional joint powers authorities, including the Agua Mansa Industrial Growth Association and the Colton/San Bernardino Regional Tertiary Treatment & Water Reclamation Authority. He has been the secretary/treasurer of the Inland Empire division of the California League of Cities and a member of the league's legislative task force. He was the co-chairman of the Inland Valley Development Authority.

Suchil touts his success in bringing Richardson's Recreational Vehicle Center and the sales tax revenue from the sales of big-ticket items sold there to what had been the va-

cant K-Mart location in south Colton, the progress he has made in conjunction with the Union Pacific Railroad toward removing an obsolete and dangerous



Isaac Suchil

bridge on Barton Road and the relocation of a trucking company formerly located on Barton Road to Agua Mansa Road.

González has a Ph.D. from the University of Cincinnati and has 40 years experience as a music and history teacher. He is effective in drawing attention to himself, and other members and elements of the community. He writes the "City Talk" column for the Colton Courier, which features information about the individuals he chooses to honor with variously "Employee Spotlight" recognition or "Community Impact" awards, given, respectively, to Colton city workers and/or city volunteers or entrepreneurs he feels merit that recognition. This "feel good" approach has generated a fair amount of good will. He is also the founder/sponsor of the Colton Area Museum Day and the Colton Youth Leadership Program.

González is also the president for Historical Society of Colton and is often involved conducting workshops for young people involved in various undertakings.

As a councilman, has now served more than sev-

en years, and has striven to be answerable to residents who find themselves at odds with City Hall, while simultaneously seeking to bridge build in a way that will allow those residents distrustful of city workers and city officials, and city officials who have gotten off on the wrong foot with citizens, to come to some mutually beneficial solutions.

Both Suchil and González have channeled through alliances they have each had over their time on the council, and each has now established support from residents or business interests that previously opposed each. Suchil once had supporters who now indicate they will stand with González in this year's election. There are Colton residents who once praised González as forthright and

understanding, someone who best exemplified the most service-oriented and sincere of the council's members who now, nonetheless, say they will vote for Suchil. Similarly, some of those who once opposed Suchil now side with him over González in the upcoming election.

Both González and Suchil have been criticized by Colton residents who say they have experienced shoddy service or treatment from city employees, and that one or the other or both councilmen have been and remain more interested in kowtowing to the city's employees than making certain that municipal services are provided to the city's residents and taxpayers.

The *Sentinel* was approached by someone who said González had misused

his authority as an elected official with influence at City Hall to have the city's code enforcement division seize property he owned, and he alleged González



Luis González

intended to swoop in and obtain the property for himself at a sharply discounted rate. Others have told the *Sentinel* that Suchil has become vindictive about criticism leveled at him and his performance as a city councilman, and he has used the city's code enforcement division as a

cudgel against them to silence them.

Word is that both Suchil and González are loading up to go negative in this year's District 3 council race.

González is prepared to call into question Suchil's strongest suit, that being his credentials as a law enforcement officer. González is arming himself with information to demonstrate that Suchil's performance as a sheriff's deputy was lackluster and filled with questionable acts and misjudgments, the *Sentinel* is informed. Suchil is confident that a side-by-side comparison of his accomplishments and performance on the council compared to that of González will redound to his reelection, those supporting him say.

-Mark Gutglueck

700 Apartment Units, 5-Story Parking Structure & Densely-Packed Buildings Downtown Raise Redlands Residents' Ire *from front page*

moted by city officials is to convert the city's historic train depot into one modernized to handle large numbers of working commuters using the yet-to-be-fully-realized-and-actuated regional rail system to travel daily to Los Angeles and other Southern California destinations, and transform the downtown area into a series of high-rise apartments to house individuals who travel most often not by car, but use public transportation. There is some debate as to whether these residents will be families or mostly un-

married individuals or couples without children. Though urban planners say these downtown denizens will not often use their own personal vehicles, the city yet plans to make places for their cars, which will generally be parked in structures as high as six and seven stories.

There has been substantial citizen resistance to this plan, but so far those proposing projects in keeping with this vision in Redlands have been warmly received by the city council, the planning commission, city administration and the city's planning division.

Next week, on Tuesday April 12, the planning commission is to consider a proposal by VPV State Street Village, LLC to redevelop 11.5 acres of the now mostly dormant

Redlands Mall site with a mixed use project that includes residential and commercial uses within five new multi-tenant buildings. The project calls for demolishing existing on-site buildings and improvements; constructing five mixed-use buildings up to four stories high; building up to 700 multifamily dwelling units, i.e., apartments and condominiums, to include studio, one-bedroom, two-bedroom, and three-bedroom, and live/work units; constructing an approximately 6,000 square-foot recreational amenity building including a pool and other private courtyards for residents; building up to 71,778 square-feet of commercial floor area on ground floors to include retail and restaurant uses, as well as a rooftop

restaurant; constructing up to 12,328 square feet of office space on upper floors; establishing a pedestrian plaza totaling approximately 22,742 square-feet on Third Street; constructing a five-level above-ground parking structure with 686 spaces; and constructing two subterranean parking garages with 269 and 225 spaces. Included in the plans are public and private open space areas to involve landscaping, shade trees, street trees, and pedestrian improvements; and related site improvements to include sidewalks, driveways, landscape, lighting and street lights, storm drains, flood prevention features, and public and private utility connections.

A cross section of *Continued on Page 12*

Landowners' Property Seized Without Compensation *from page 2*

pervisors to deny Chapter 8 sales of 36 tax-defaulted parcels. Those include the sales of the three aforementioned tax-defaulted parcels to The Wright Housing Corporation for the price of \$97,500 plus the cost of notice; the sales of two tax-defaulted parcels to the Bighorn-Desert View Water Agency for the price of \$6,100 plus the

cost of notice; the sales of 27 tax-defaulted parcels to The California Desert Land Conservancy doing business as Mojave Desert Land Trust for the price of \$68,800 plus the cost of notice; and the sales of four tax-defaulted parcels to the San Bernardino Mountains Land Trust for the price of \$180,950 plus the cost of notice.

The three tax-defaulted properties the Wright Housing Corporation is requesting are improved, single-family residences, one in Yucca Valley, one

in Twentynine Palms and a third in Hesperia, which are intended for use as low-income housing.

The property coveted by the Bighorn-Desert View Water Agency consists of a five-acre parcel located in Johnson Valley and another 1.25-acre spread, located in Yucca Valley, both undeveloped. The intended use for those parcels is for future capital improvements, including but not limited to water storage reservoir(s), pipelines, and appurtenances to serve as alternative wa-

ter sources for current residents, as well as for a potable water production well to service projected growth and to supply blending water for the reduction of total uranium produced by other wells within the agency's boundaries.

The 27 tax-defaulted parcels the California Desert Land Conservancy doing business as Mojave Desert Land Trust is seeking to lay claim to through the Chapter 8 sale are vacant and undeveloped lots, located in the northern portion of San

Bernardino County. The intended use for those parcels is to preserve wilderness open space habitat and for general public recreational use.

Three of the four parcels the San Bernardino Mountains Land Trust has requested to take possession of through the Chapter 8 process are in Skyforest, contiguous to each other with a combined total acreage of 44.39. The fourth parcel is in the Deep Creek Area and is approximately 0.06 of an acre. The intended use for those parcels is

to preserve natural open space and wildlife habitat, which is consistent with the goals and policies of San Bernardino County's Countywide Plan. The acquisition of those parcels is also intended to further the objectives of the community's preservation of open space and conservation of wildlife and riparian habitat in their respective areas.

Mason said he will "ask the board to deny such so-called Chapter 8 sales" from this time forward.

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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: 05/02/2022
Time: 09:00 AM
Department: S16

The address of the court is Superior Court of California, County of San Bernardino San Bernardino District-Civil Division 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: 03/17/2022

Judge of the Superior Court: John M. Pacheco

Published in the San Bernardino County Sentinel on 4/1/2022, 4/8/2022, 4/15/2022, 4/22/2022

SUMMONS
(CITACION JUDICIAL)
CASE NUMBER (Numero del Caso): 20STCV49727

NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):
RODRIGO FRANCISCO MANUEL

YOU ARE BEING SUED BY PLAINTIFF:

(LO ESTÁ DEMANDANDO EL DEMANDANTE):
MACK GOLDSBURY and JANET GOLDSBURY

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 any 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.

AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted puede usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que la queda más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le de un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por

Public Notices

incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 o más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desear el caso.

The name and address of the court is:

(El nombre y dirección de la corte es):

Los Angeles Superior Court
111 N. Hill Street
Los Angeles 90012

The name, address, and telephone number of the plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

J. Derek Pakiz, Esq. (SBN 140605)

THE REEVES LAW GROUP
200 W. Santa Ana Blvd., Suite 600

Santa Ana, CA 92701
800-644-8000
877-491-7860
Date: December 30, 2020
Sherri R. Carter, Clerk
By: /s/ R. CLIFTON, Deputy

Published in the San Bernardino County Sentinel on 04/01/2022, 04/08/2022, 04/15/2022, 04/22/2022

STATEMENT OF DAMAGES

(Personal Injury or Wrongful Death)

To: RODRIGO FRANCISCO MANUEL

Plaintiff: MACK GOLDSBURY seeks damages in the above-entitled action,

as follows:

1. General damages a. Pain, suffering, and inconvenience \$0

b. Emotional distress \$0 c. Loss of consortium \$0

d. Loss of society and companionship (wrongful death actions only) \$20,000,000

e. Other (specify) \$0

f. Other (specify) \$0

g. Continued on Attachment 1.g.

2. Special damages

a. Medical expenses (to date) \$0

b. Future medical expenses (present value) \$0

c. Loss of earnings (to date) \$0

d. Loss of future earning capacity \$0

e. Property damage \$0

f. Funeral expenses (wrongful death actions only) \$ According to Proof

g. Future contributions (present value) (wrongful death actions only) \$ According to Proof

h. Value of personal service, advice, or training (wrongful death actions only) \$ According to Proof

i. Other (specify) \$0

j. Other (specify) \$0

k. Continued on Attachment 2.k.

3. Punitive damages. Plaintiff reserves the right to seek punitive damages in the amount of (specify) when pursuing a judgment in the suit filed against you. \$0

/s/ Marc B. Thompson, Esq. (SBN 229842)

SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF

San Bernardino County Sentinel on 04/01/2022, 04/08/2022, 04/15/2022, 04/22/2022

STATEMENT OF DAMAGES

(Personal Injury or Wrongful Death)

To: RODRIGO FRANCISCO

Public Notices

MANUEL
Plaintiff: JANET GOLDSBURY seeks damages in the above-entitled action,

as follows:

1. General damages a. Pain, suffering, and inconvenience \$0

b. Emotional distress \$0

c. Loss of consortium \$0

d. Loss of society and companionship (wrongful death actions only) \$20,000,000

e. Other (specify) \$0

f. Other (specify) \$0

g. Continued on Attachment 1.g.

2. Special damages

a. Medical expenses (to date) \$0

b. Future medical expenses (present value) \$0

c. Loss of earnings (to date) \$0

d. Loss of future earning capacity \$0

e. Property damage \$0

f. Funeral expenses (wrongful death actions only) \$ According to Proof

g. Future contributions (present value) (wrongful death actions only) \$ According to Proof

h. Value of personal service, advice, or training (wrongful death actions only) \$ According to Proof

i. Other (specify) \$0

j. Other (specify) \$0

k. Continued on Attachment 2.k.

3. Punitive damages. Plaintiff reserves the right to seek punitive damages in the amount of (specify) when pursuing a judgment in the suit filed against you. \$0

/s/ Marc B. Thompson, Esq. (SBN 229842)

SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF

San Bernardino County Sentinel on 04/01/2022, 04/08/2022, 04/15/2022, 04/22/2022

NOTICE OF PETITION TO ADMINISTER ESTATE OF: THERESA MARKOWSKI

CASE NO. PROSB2200401

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

THE-RESA MARKOWSKI has been filed by JANE LaFOUNTAIN in the Superior Court of California, County of SAN BERNARDINO.

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

THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.)

The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

A hearing on the petition will be held MAY 3, 2022 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.

Filed: March 21, 2022

Rebecca Hernandez, Deputy Court Clerk

IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under Section 9052 of the California Probate Code.

Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.

YOU MAY EXAMINE the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

Filed: APRIL 1, 2021

Cesar Marin, Court Deputy Clerk

Attorney for Nicole Cruz: Jennifer Daniel

220 Nordina St.

Redlands, CA 92373

Telephone No: (909) 792-9244

Fax No: (909) 235-4733

Email address: team@lawofficeofjenniferdaniel.com

Published in the San Bernardino County Sentinel April 8, 15, 22 & 29, 2022.

NOTICE OF PETITION TO ADMINISTER ESTATE OF: VELIA DELGADO

CASE NO. PROSB2200410

Public Notices

rights as a creditor. You may want to consult with an attorney knowledgeable in California law. YOU MAY EXAMINE the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk. Filed: March 21, 2022

Attorney for Jane LaFountain: R. SAM PRICE SBN 208603
PRICE LAW FIRM, APC
300 E STATE STREET SUITE 620
REDLANDS, CA 92373
(909) 475 8800
sam@pricelawfirm.com

Published in the San Bernardino County Sentinel on April 8, 15 & 22, 2022.

NOTICE OF PETITION TO ADMINISTER ESTATE OF: DAVID JOHN MITCHELL

NO. PROSB 2200063

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both of: DAVID JOHN MITCHELL

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

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

THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.)

The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

A hearing on the petition will be held in Dept. No. S-36 at 9:00 a.m. on MAY 9, 2022 at Superior Court of California, County of San Bernardino, 247 West Third Street, San Bernardino, CA 92415, San Bernardino District.

IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under Section 9052 of the California Probate Code.

Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.

YOU MAY EXAMINE the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

Filed: 02/14/2022

Judge of the Superior Court: JOHN M PACHECO

Published in the San Bernardino County Sentinel on April 8, 15 & 22, 2022.

NOTICE OF SALE OF REAL PROPERTY AT PRIVATE SALE CASE NO. PROPS 2100264

In the Superior Court of the State of California, for the County of San Bernardino: In the matter of the Estate of FRED EDWARD CARLSON, Decedent

Notice is hereby given that LILLIAN BLACK and RUTH DYSART as Personal Representatives of the Estate of FRED EDWARD CARLSON will set at a private sale of real property, subject to confirmation by the Superior Court, on or after the 3rd day of May, 2022, at 9:00 am at the San Bernardino County Superior Court Department S36P, 247 West Third Street, San Bernardino, California, 92415-0212, of the following real property of the Estate: 406 N. 6th Avenue, Upland, Ca 91786.

The terms and conditions of sale are: All cash; the amount of the sale is \$475,000.00. The required amount of the first overbid is \$499,750.00. At least ten percent (10%) of the amount bid must be paid with the offer, and the balance must be paid on the close of escrow after the confirmation of the sale by the Court.

Dated: March 17, 2022

LILLIAN BLACK

Personal Representatives of the

Public Notices

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both of: VELIA DELGADO A PETITION FOR PROBATE has been filed by ERIC ANDREW DELGADO in the Superior Court of California, County of SAN BERNARDINO. THE PETITION FOR PROBATE requests that ERIC ANDREW DELGADO be appointed as personal representatives to administer the estate of the decedent.

THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take 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 MAY 9, 2022 at Superior Court of California, County of San Bernardino, 247 West Third Street, San Bernardino, CA 92415, San Bernardino District.

IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under Section 9052 of the California Probate Code.

Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.

YOU MAY EXAMINE the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

Filed: 02/14/2022

Judge of the Superior Court: JOHN M PACHECO

Published in the San Bernardino County Sentinel on April 8, 15 & 22, 2022.

Public Notices

Estate
RUTH DYSART
Personal Representatives of the Estate

JAMES LEE, ESQUIRE
SBN: 110838

LAW OFFICE OF MARC E. GROSSMAN

100 N. EUCLID AVE, SECOND FLOOR

Upland, CA 91786
jim@weight4you.com

Telephone: (909) 608-7426

Fax: (909) 949-0119

Published in the San Bernardino County Sentinel on, 04/08/2022, 04/15/2022 & 04/22/2022

ORDER TO SHOW CAUSE FOR CHANGE OF NAME CASE NUMBER CIVSB2204133

TO ALL INTERESTED PERSONS: Petitioner: RAMON ROSAS filed with this court for a decree changing names as follows:

ALEX JAY DIAZ to ALEX JAY ROSAS 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: 05/17/2022

Time: 09:00 AM

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: 03/22/2022

Judge of the Superior Court: JOHN M PACHECO

Published in the San Bernardino County Sentinel on 04/08/2022, 04/15/2022, 04/22/2022, 04/29/2022

SUMMONS - (CITACION JUDICIAL)

CASE NUMBER (NUMERO DEL CASO) CIVSB2123357

NOTICE TO LUIS CARDENAS, ELIZABETH CARDENAS, NOELLA GABRIELA CARDENAS

(AVISO DEMANDADO): YOU ARE BEING SUED BY PLAINTIFF: TAYLOR STRICKLAND

(LO ESTÁ DEMANDANDO EL DEMANDANTE): TAYLOR STRICKLAND

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 is 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.

AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted puede usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que la queda más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le de un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por

incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 o más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desear el caso.

The name and address of the court is:

(El nombre y dirección de la corte es):

Los Angeles Superior Court
111 N. Hill Street
Los Angeles 90012

The name, address, and telephone number of the plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

J. Derek Pakiz, Esq. (SBN 140605)

THE REEVES LAW GROUP
200 W. Santa Ana Blvd., Suite 600

Mayor & Council Used Union And Commission For Political Cover To Approve Borba Family Development Proposal *from page 3*

okaying an amendment to the general plan which provided for a change in zoning on the property, modifying the land use element of the policy plan in the city's general plan, changing the city's land use map to alter the low-medium density residential (5.1-11 dwelling units per acre) zoning on 157.06 acres and business park zoning on 62.36 acres specifying a maximum floor area ratio of 0.55 to zoning allowing 184.22 acres of industrial buildings and 35.17 acres of business park with a floor area ratio of 0.6 and ignoring entirely a torrent of calls for reestablishing the abandoned agricultural zoning on the property. In addition, by approving the conversion of 71.58 percent of the 219 acres into what is primarily industrial uses, the city council agreed to intensify the density of residential development elsewhere in the city to make up for the number of units that would have eventually been built on the Borba property if the zone change had not been granted.

The city council made a further key sidestep on March 1, one which consisted of neutralizing the intensive lobbying against the project by union members. With multiple unions having gone on record on January 25 before the planning commission as being opposed to a project that would result in the creation of large numbers of warehouses in which automation would limit the number of jobs and which would offer positions that would not be likely to pay much beyond minimum wage, efforts were made offstage to convince the leadership of those unions to have their members stand down and not participate at the hearing before the city council. Simultaneously, efforts were made to have members of the single union that had expressed support for the

project, the Southwest Regional Council of Carpenters, to show up en masse on March 1.

Indeed, that is what occurred. Moreover, during the meeting, whenever a member of the Southwest Regional Council of Carpenters came to the podium to speak in favor of the project, Mayor Paul Leon, who was presiding over the meeting, from his position on the dais choreographed the union members' show of support by instructing them to collectively stand up with the verbal cue, "All rise."

The members of the Southwest Regional Council of Carpenters reiterated the theme that the project would provide them with construction jobs paying respectable wages that would allow them to take care of their families. Virtually all of the members of the Southwest Regional Council of Carpenters present were clad in orange shirts, such that the spectacle of them standing up on unison, which was repeated several times, had an immense psychological effect, making everyone in the council chamber acutely conscious of the dominant presence of the union contingent.

During the March 1 meeting, an issue discussed was the zoning on the property. At the time of the annexation of the 8,200 acres of the 15,200 acres in the preserve into Ontario, the zoning on the vast portion of the land had been redesignated from agricultural to residential. The action contemplated and ultimately granted by the city council on March 1 was to change the zoning again, this time to light industrial use. Before the council took that action, however, there were calls and suggestions by some of those opposed to the project that if the city council felt altering the zoning was called for, it should redesignate it for agricultural use. Both Councilman Alan Wapner and Councilman Jim Bowman and ultimately Mayor Leon seized upon that as an effort by the project proponents to deny the Borbas' property rights. At one point, in seeking to justify cer-

tifying the environmental impact report prepared for the project, adopting the statement of overriding considerations, approving the mitigation, monitoring and reporting arrangements for the development of the land, signing off on amending the city's general plan, granting a change in zoning on the property, modifying the land use element of the policy plan in the city's general plan and ultimately changing the city's land use map to alter it from low-medium density residential acreage and business park property to industrial use and denser business park buildings, Councilman Alan Wapner purposefully and artfully misinterpreted what the residents were saying as demands that either the Borbas and the other landowners be prohibited from selling the property or that the city purchase the property and utilize it as farmland.

"Certainly, you can't expect the City of Ontario to pay taxpayers' money – hundreds of millions of dollars – to buy a piece of land to grow crops," Wapner said. "If folks are interested in a certain type of land use, then they have the opportunity to come forward and buy the land for the land use that they want."

At the same time, the council suggested that the property could no longer be used for agricultural purposes because of the concentration of nitrate contamination in its soil.

Throughout the run-up to the hearing at which the project was approved, over 1,000 community members submitted comments and statements of opposition to the project.

On March 30, the Center for Community Action and Environmental Justice, represented by the law firm of Shute, Mihaly & Weinberger, filed a lawsuit against the City of Ontario and the Ontario City Council. The suit calls upon the San Bernardino County Superior Court to rescind the project, general plan amendments, zone changes and the specific plan's environmental impact report on grounds that the environmental impact report failed to adequately address the

project's impacts on air quality, its pollution and contamination of the soil and water table, threats to public health and the loss of lands designated for agricultural use, together with the failure to identify mitigation measures to offset those impacts.

According to the Center for Community Action and Environmental Justice's interim executive director, Ana Gonzalez, "This project violates the right of the community to live free from environmental harm. These lands are restricted to agricultural use and the community's voices were ignored. To preserve environmental justice and equity, it is crucial that these communities receive transparency about the impacts that this rezoning can have on their health and wellbeing. The draft environmental impact report prepared for the South Ontario Logistics Center Specific Plan failed to disclose that parcels identified for phase 2 development were originally acquired with Proposition 70 funds, and are

currently restricted for agricultural preservation, agricultural and wildlife education or wildlife habitat, or for open space conservation purposes."

Proposition 70 was passed by voters statewide in 1988 to provide bond funding to pay for the preservation of agricultural lands and open space. San Bernardino County purchased some of the property adjoining that owned by the Borba family, which is included within the 219.39-acre project area, using Proposition 70 money provided it in the form of grants by the State of California.

"Additionally, responses to the draft environmental impact report comments fail to fully disclose all potentially significant impacts and the lack of implementation of mitigations to reduce impacts," Gonzalez said. "In fact, the draft environmental impact report's claim that there are no feasible mitigation measures misconstrues the California Environmental Quality Act's definition of feasibility and

violates the basic principles of the California Environmental Quality Act, and comments which raise the concern that the project would convert farmland to nonagricultural use were not adequately addressed. The final environmental impact report failed to satisfy the informational requirements of the California Environmental Quality Act, to provide an accurate, stable and finite project description, to provide an adequate discussion of feasible mitigation measures for the project's significant agricultural impacts and failed to adequately analyze and mitigate the project's other potentially significant impacts, including impacts to air quality and greenhouse gas emissions. For these reasons, implementation of the project prior to a proper environmental analysis will irreparably harm the environment, and will result in significant and unmitigated adverse impacts to the community's health, safety, and welfare."

-Mark Gutglueck

Anger At Redlands Officials' Indulgence Of Aggressive Development Provoking Resident Revolt *from page 6*

Redlands residents are hopping mad about what is being proposed. Some have suggested that city officials, including members of the city council, the planning commission and city staff have conflicts of interest growing out of the intensification of density in the downtown area. An allegation, unverified by the Sentinel, is spreading that the

city manager has a sibling involved in the local real estate market who will profit if the project to be considered Tuesday is approved.

City officials want to discourage the prospect of an untoward incident during the hearing. On the basis that an overflow and angry crowd is expected in the city's meeting chamber, the

city has already moved to limit seating, and is forcing all others who want to participate in the hearing to utilize Zoom, an online audio and web conferencing platform, to do so. The police department has been put on alert and will have officers paid overtime on standby in and near City Hall to deter any acts of civil disobedience or acts of violence toward the commissioners or planning staff.

-Mark Gutglueck

Reduce Warehouse Emissions & Move Them Out Of Neighborhoods, Gómez Reyes Says *from page 5*

ing their part in providing such as making sure the diesel trucks and other pollution-spewing machinery remains at a safe distance from those living, playing and attending school or other social events.

"If California is going to meet its environmental goals, we must develop environmental standards for warehouse developments, which often are built near already disadvantaged communities and account

for nearly half of NOx [nitrogen oxide] emissions," Gómez Reyes said.

Nitrogen oxides are a major component in air pollution, particularly nitric oxide (NO) and nitrogen dioxide (NO₂). They contribute to the formation of smog and acid rain, as well as affecting tropospheric ozone.

The Inland Empire has more than 1.1 billion square feet of warehouse space, the equivalent of nearly 23,000 football fields. Some warehouse

projects have been constructed within 100 feet of homes, despite warnings from air regulators about the health dangers of people living that close to warehouse developments due to truck pollution.

Some 70 percent of the cargo that moves through the Los Angeles and Long Beach ports moves via heavy diesel trucks through the South Coast Basin, with 40 percent of those trucks making delivery stops at warehouses, distribution centers, and logistics facilities in Riverside and San Bernardino Counties.

-Mark Gutglueck