

Supervisors Make Hurried Buy-In Of Burum's Call For County Secession

By Mark Gutglueck

In a nod of obeisance to the deep-pocketed developer who in the three most recent election cycles has become their most prolific campaign donor, the members of the board of supervisors tenuously endorsed his improbable proposal to have San Bernardino County secede from California.

The move has left a wide cross section of the supervisors' constituents

befuddled, as threatening to create a new state separate from California is nearly universally recognized as a ploy that carries with it virtually no prospect of success, one which exists merely as a gesture of protest and is as likely to offend the state officials at whom it is aimed as to achieve the supervisors' actual acknowledged goal of reprioritizing state funding.

On July 26, Jeff Bu-

rum came before the board of supervisors, asking them to consider putting what was termed an "advisory" measure in the form of a question on the November 8 ballot, worded thusly:

"Do you support having the San Bernardino County Board of Supervisors and all federal and state elected officials representing citizens within San Bernardino County to seek the approval of Congress and

the State Legislature to form a state separate from California?"

In what he called a "bold initiative forward" Burum decried the State of California's allocation of resources. "Our sheriff's department, our judges are constantly tasked with too much with not enough resources," Burum said. "The State of California continues to allocate resources to the high cost areas to our detriment

and other Inland Valley communities. It's time to stop it. It's time for our citizens to stand up and say, 'Enough is enough.' We need our board of supervisors to help us. We need you to put on this November ballot an initiative to tell California that we need to consider seceding from the state. We need as citizens at this point in the juncture to say we need alternatives. If we do not increase **See P 2**

City Of Redlands' Delay In Getting Water To England Estate Puts Grove In Jeopardy

Some eight months after a considerable contretemps over an ultimately abandoned plan to convert the vast majority of the trees in the historic England Estate orange grove into a residential subdivision, reports have surfaced that the grove is not being irrigated.

Those who have observed the grove in recent weeks say the neglect is threatening the

trees' survival.

Some residents say the current situation raises questions about City Hall's commitment to the preservation of Redlands' historic resources, which a considerable number of residents over multiple generations have consistently supported. It has been suggested that the essentially pro-development city council has cast a blind

eye toward the destruction of the grove because doing so will serve to remove an element central to the property's historic significance, which would ultimately result in the property being intensively developed.

City officials maintain that they are not a party to the grove's neglect or destruction. The historic orange grove property, which bears the ad-

dress of 301 W. Palm Avenue and is located at the southeast corner of West Palm Avenue and Alvarado Street on the south side of the city, was planted with naval orange trees in 1891 by Thomas Y. England. The grove involved a gravity-fed irrigation system, and in 1893 England set within the grove a home in the Victorian style, which included a

carriage house immediately behind it. England had also established on a portion of the property facing Alvarado Avenue a Queen Anne cottage. In 1914 the Victorian home was altered by a subsequent owner, Guy Hunter, into a prairie style home.

The England Estate containing all of its historic and still-functioning assets was **See P 5**

Upland In A Last Minute Rush To Get Sales Tax Measure On The November 8 Ballot

The Upland City Council next Monday night, August 8, will approve making a request that the San Bernardino County Registrar of Voters place a one-cent sales tax override measure on the November 8 ballot corresponding with the California Gubernatorial General Election.

Evidence has surfaced to indicate that city officials were hoping that the measure might be

slipped on the ballot at what turns out to be the last minute, such that no arguments in opposition to the tax and no rebuttal of the argument in favor of it would be included in the voter guide to be provided to the county's voters in early October. The absolute latest that arguments for or against the measure can be submitted in August 19.

Eagle-eyes in the community, however,

detected the effort of city officials to place the measure on the ballot, dooming the hopes of the advocates of the tax that the matter might be decided without any official opposition to the initiative surfacing.

The *Sentinel* has learned that former Upland Councilman Glenn Bozar and former Upland Treasurer Larry Kinley have come forward to write the oppo-

sition argument to the ballot measure and the rebuttal argument to the argument in favor of the ballot measure. It is a peculiarity of California law that tax initiatives approved by voters which devote the money collected to a specific purpose must be passed by a two-thirds majority. Under California law, initiatives that call for the levying of a tax to produce revenue for which

no use is specified need to gain a simple majority approval to pass.

While Upland officials have stated that the money collected from the sales tax will very likely be used for funding public safety and public infrastructure, specifically the paving of streets and alleys, the city will not officially commit toward using the money in that fashion. This will allow the measure to **See P 3**

Now Unwanted LAFCO Study Of Public Services Threatens 29 Palms H₂O District

The San Bernardino County Local Agency Formation Commission remains on course to consider the viability of the City of Twentynine Palms subsuming two of that community's independent agencies, despite the apparent discontinuation of City Hall's enthusiasm for doing so.

San Bernardino County's division com-

mitted to hashing out jurisdictional disputes and setting both geographical and administrative boundaries will review, in a meeting to be held next month, whether the municipal services in Twentynine Palms which are not currently provided through the city government should continue under the administration of two entities that were in existence prior to the

city's 1987 incorporation.

The city triggered the review, but the city council has now rethought the wisdom of forcing the service realignment. To the chagrin of at least a handful of officials, the county remains intent on following through with the examination. A survey of Twentynine Palms residents conducted last year queried as to wheth-

er keeping the city's water department and cemetery under the management of independent districts was considered acceptable. Before all of the responses had trickled in, city staff and the council requested that the county commission, known by its acronym LAFCO, have its staff examine, at an approximated cost of \$7,699, the merger of the water and

cemetery districts with the city. That application included an indication that the consolidation of functions was being contemplated. Upon assessing the survey, however, city officials concluded that such a merger was not a priority with the city's residents, who expressed in relatively straightforward terms that they were satisfied with the perfor- **See P 5**

County's Slow Reaction To Assessor's Death To Cost Taxpayers A Cool \$3 Million

It does not appear that the board of supervisors will be able to meet the daunting gamut of requirements and deadlines to include the race to replace the late County Assessor Bob Dutton on the November 8 ballot and save the county's taxpayers the roughly \$3 million it will cost to hold a special election to fill that now empty position from January 2023 until January 2027.

Quietly and privately, because no one wants to create a spectacle of bad-mouthing a dead man, county officials lay blame for the situation on Dutton, who died on July 23, after seeking and achieving reelection earlier this year despite knowing late last year that he had terminal prostate cancer. There is a tremendous economy of scale in holding consolidated elections, which in California over the last 40 years have been concentrated on the days of national elections corresponding to the presidential primary and presidential general elections held in leap years and the California gubernatorial primary and general elections held in the alternating even-numbered years between leap years. By placing numerous elections on those ballots, the cost of printing the ballots, printing the sample ballots, printing the voter guides that accompany the sample ballots, mailing the packets containing the voter guides and the sample ballots, conducting the voting at the polling places and finally collecting and then counting the votes registered on those **See P 3**

The U.S. Constitution By The Most Direct Straightforward Interpretation Will Not Allow San Bernardino County To Secede From California from front page

the measure of those who do have too little in our county it will be too late. Infrastructure needs in our state have continued to be underfunded.”

Burum continued, “We have unfunded mandates from the State of California in every human services that we provide. We are now being tasked with taking on Southern California’s population growth, and they do not give us the infrastructure dollars for either our roads or water or our sewers. It is time for us to get our fair share allocation. If we put on an advisory vote, for just San Bernardino County residents – a simple yes or no – do they support you looking into with our state legislatures that are voted in San Bernardino County, do they support you in looking at seceding from the State of California, I promise you you will get an affirmative vote. The people of San Bernardino County have had enough. As a business leader and as a father, it is time for us to stand up for our rights, it’s time to push back as a county to the State of California and Sacramento and tell them, “It’s our fair share time. And through this process, the worst that’s going to happen is you get your citizens to support you, you get your citizens to encourage you to look into this. And we file lawsuits which are allowed under our Constitutional rights for us to get our fair share mandates under the existing allocations of state law, which we are not obviously receiving. I’d like you to consider calling a special meeting so we can get on the same second reading of August 9.”

In a demonstration of Burum’s influence, the board did just what he requested, scheduling a special meeting for August 3.

At that meeting Board of Supervisors Chairman

Curt Hagman pointed out that he and his board colleagues had made a special effort to accommodate Burum’s suggestion.

“We have one discussion item today and first of all I want to thank the staff for being here,” said Hagman. “It’s after hours. It’s not normal to have meetings at 6:15. There were reasons that are kind of outside our control to call it this late. So, thank you for being here. Thank you for being dedicated to San Bernardino County residents. We have one discussion and that is to consider a proposed ordinance relating to placing a measure on the ballot to pursue the county’s fair share of state [and] federal resources. The background of this is as we had the meeting last Tuesday at our board meeting we had a lot of residents and people I respect and mayors I respect come up and say, ‘Hey, why aren’t you fighting for us and our fair share from the State of California, especially for the residents of San Bernardino County. That was on Tuesday [July 26]. We really don’t know if we’re missing out. We really don’t know what our fair share is because it’s not something we generally track per capita, so I engaged with our staff and said, ‘Let me find out.’ Find out are we missing out for our residents. Are we not fighting hard enough for our residents? Briefly, what would that take to go fight for our residents to get their fair share of their tax dollars back to them? We got some preliminary numbers, and it was that maybe we are not getting our fair share. But it is going to take resources to go off and fight this. It’s going to take resources to get the information. It’s going to take data analytics to find out. And what do you do about it? What happens when you find out you’re in the bottom third of the counties in the State of California getting their tax dollars back for the residents? What do you do about that? And so a lot of questions, a lot of unknowns in a short period of time. The requests from the residents were, ‘Well, put something on the ballot to fight this.’

Here’s where we [are] at on the timing: We have to, by our rules, put stuff on the ballot [by] the second reading next Tuesday. That has to be five days prior [i.e., after] the first reading, which means tomorrow morning at 10 o’clock. And, we also have to notice this meeting 24 hours in advance. So that gave us a window between 6 p.m. or 6:15 tonight and probably 9 o’clock tomorrow morning for us to even consider doing something like that. So, that’s why we have the 6:15 meeting tonight. It’s not normal. Again, hats off to the full team of San Bernardino County to make this hearing at least a possibility at this point.”

Ultimately, the board voted 4-to-0, with Supervisor Paul Cook not in attendance, to begin the process of putting the measure on the ballot.

Across the county, residents of differing levels of sophistication reacted to the board’s action. Most who contacted the Sentinel or were contacted by the Sentinel were skeptical of the motives for the measure’s placement on the ballot. Those involved in government broke into two camps: Officials who have received money from Burum or want to stay on his good side and those who dismissed the move as a publicity stunt and bluff that will ultimately resolve to the county’s detriment.

Those among the later group pointed out the Constitution seems, by one interpretation, to prohibit precisely what Burum is seeking to have San Bernardino County do. The only other logical interpretation of what the Constitution’s language lays is that there is an extremely high bar that would need to be cleared to attain what Burum was calling for, and the improbability of meeting all of the requirements to actually do so is abundantly apparent.

Article IV, Section 3, Clause 1 of the U.S. Constitution addresses the issue:

“New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Ju-

risdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.”

The last time any part of a state successfully seceded from an existing state was in 1863 when West Virginia left Virginia in the midst of the Civil War, some two years after Virginia had seceded from the United States, or attempted to secede from the United States. Thus, what Burum was requesting was that San Bernardino County’s political leaders engage in an extraordinary act that took place in its only precedent under circumstances which in no way match the current situation in California.

To the extent that the U.S. Constitution forbids such a secession, California law does not provide a process or protocol for secession. To the extent that the California Constitution and its laws relate to a secession of a portion of a county from a county or defection of a portion of a county to another or a merging of counties, the process is far more complicated than a majority of those residing in one jurisdiction simply coming to a determination that they wish to depart from the political connections that have bound them to another and making the separation on that basis alone. Setting aside superseding federal law which would prevent such an outcome, state policy would indicate that either both houses of the state legislature – the California Senate and the California Assembly – would need to make a majority vote to allow the separation to occur in a vote subject to a potential gubernatorial veto or, in the alternative, a statewide vote on a proposition consisting of a question as to whether the people of the state support the departure of the county or counties in question.

In this way, Burum’s suggestion and the board’s support of it carried with it the ring of absurdity. That the board supported Burum’s call

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and that several other incumbent San Bernardino County officeholders endorse it was widely seen as an indication of Burum’s generosity as a campaign donor rather than a sincere and earnest support of what he was proposing.

Fontana Mayor Acquanea Warren at the July 26 meeting immediately followed Burum to the public podium.

“We need one San Bernardino [County] to stand up and think about how we can we do things better,” Warren said. “My great friend just talked about our fair share. There is more at stake. Our future is at stake We cannot continue to beg and crawl and squirrel count. That’s what I call it when they’re getting their little nuts out of the tree to get resources for our county. We have millions of citizens that have needs, and the county is a lifeline. And that lifeline continues to be choked. I know people will say, ‘You all done went crazy.’ Yes we have. We have went crazy to serve others. We have went crazy to make sure that things get done. It’s time, supervisors. Let’s step out and be bold about it and let’s let the people decide about what they want to do. And then the research begins. But I guarantee this public will be happy that you stood for them.”

Warren has held public office since 2002 and was first elected mayor in Fontana in 2010 and was reelected in 2014 and 2018. At present, she has one of the best endowed campaign war chests among all of San Bernardino County’s politicians. Available

documentation shows she had \$252,584.53 in her political activity account as of December 31, 2021. She was required to file a later statement as of June 30, 2022, but as of this week, Fontana City Clerk Germaine McClellan Key has not posted that information. It is believed that Warren’s available electioneering funding at present stands at over \$300,000. Examination of available campaign finance documentation shows that since 2018, Burum has been one of Warren’s primary campaign donors.

In the first decade of the Third Millennium, Burum was among the most prolific of political donors in San Bernardino County. In the aftermath of his indictment on charges of bribing and extorting elected officials in 2011 and until his exoneration on those charges after a lengthy trial in 2017, Burum discontinued his monetary support of the region’s politicians. Over the last four years, however, Burum has reasserted himself as the premier figure in bankrolling elected officials in San Bernardino County. Almost as significant as Burum’s own contributions to local politicians is his encouragement of other individuals involved in the San Bernardino County development and business community to exhibit generosity toward those officeholders.

One such politician who has been a recipient of money put by Burum is Ontario Mayor Paul Leon.

In the aftermath of

Continued on Page 4

A Stand-Alone Election For Assessor Will Run Taxpayers At Least \$3 Million from front page

ballots is spread among a large pool of candidates and public agencies, reducing the cost for each as it is defrayed among many.

Agencies and districts which hold their elections on alternate occasions or time venues such as in April of even-numbered years or in odd-numbered years sustain greater expense for doing so because the associated

costs of staging an election in such circumstances involves far fewer jurisdictions sharing the ballot, such that the basic underlying cost of the effort is divided by fewer entities.

Similarly, agencies, districts or cities which on relatively rare occasions find themselves obliged to put on a special election at which the residents or citizens of their political jurisdiction alone are called upon to weigh in with regard to filling an empty position or approving/rejecting a measure or proposal or settling some other polit-

ical question find themselves having to bear the cost of that election alone. Depending on the size of the jurisdiction, both population-wise and geographically as well as the number of its voting precincts, the cost of such an undertaking can be costly. For example, the cost of putting a stand-alone measure on the ballot in Upland, a city then of roughly 75,000 population, in 2017 was initially estimated to be \$110,000-to-\$125,000 and was ultimately pegged at \$242,000. In 2022, an available government resource document says

the cost of such elections in California cities based upon average population density typically are estimated to range from \$130,000 to \$150,000.

A stand-alone countywide election for assessor in San Bernardino County would involve all 1,139,988 of the county's registered voters living in the 20,105-square mile county's 22 cities, two incorporated towns and at least 86 of its unincorporated communities. Extrapolating on the available data, the San Bernardino County Registrar of Voters would not be able to hold such an

election for anything less than \$3 million.

The dilemma presented by Dutton's death had its roots in a circumstance that pre-dated his demise. Because of privacy laws and considerations of personal decorum, much is not publicly known about the deterioration of Dutton's health, which, it is now known, was recognized by him four years ago, around the time of his unopposed reelection as assessor/recorder/county clerk in 2018. A former Rancho Cucamonga city councilman, California assemblyman and state

senator, Dutton was originally elected assessor in 2014 in a hard fought and close election against then-Assistant Assessor Tom Harp. Dutton had prevailed in that race, largely on the strength of his superior political fundraising ability. Harp kept the election close by virtue of his in-and-out, top-to-bottom and forward-and-backward understanding of the office and command of its operations, based upon his 34 years' experience in the assessor's office, which had ultimately put him into the position *Continued on Page 5*

Upland To Seek Voter Approval Of A Sales Tax Over-ride from front page

be approved with as little as 50 percent plus a single vote.

While it should be easier to get a simple majority of residents to approve the measure than to get two-thirds of Upland's citizens to support it, the lack of specificity about the purpose of the tax will leave those advocating on its behalf vulnerable to the assertion that the city will ultimately route some of the money to pay for municipal employee pensions rather than services for the city's residents.

In the early 2000s, city management agreed to expand and enhance salaries, benefits and the retirement plans of city employees on the basis of a projected surplus in the California Public Employee Pension System that would sustain itself in perpetuity. With the economic downturn of 2007, however, that surplus vanished. For nearly a dozen years, the City of Upland needed to divert money out of its operating budget and away from services such as police patrols and street maintenance to pay unanticipated reimbursement money into the pension plan for city employees. All the while, the pension debt, referred to in municipal parlance as an "unfunded pension liability" has continued to grow.

As of last year, the city's unfunded pension liability had grown to \$130 million. Staying even with that debt – which entails

paying retired employees who no longer work for the city – eats up at present roughly 20 percent of the city's revenues. By 2032, unless the city's income increases drastically, it is estimated that nearly 40 percent of the city's budget will be devoted to covering the city's pension debt.

By not specifying what the proceeds of the added one-cent sales tax will be used for, city officials will be at liberty to use the money to cover a portion of that pension debt. Many people employed in the private sector resent the hefty pensions public employees receive, and they do not support increasing taxes to ensure that those generous pensions continue.

According to a staff report from Upland City Manager Michael Blay generated to cover the basics and specifics relating to the council's pending vote to approve putting the measure on the ballot, "For over three decades the City of Upland has taken many actions aimed at maintaining the general fund and the services for residents that it provides. While Upland residents enjoy the local quality of life our community provides, the city's bedroom community status keeps it at a financial deficit compared with other neighboring cities [which] have more robust commercial development."

According to Blay, the State of California's reallocation of property tax revenue to the Educational Relief Augmentation Fund in the 1990s deprived Upland of \$16 million. Blay also maintained that the statewide dissolving of

redevelopment agencies cost Upland "millions of dollars in annual redevelopment funding." By this, Blay implied that perhaps some infrastructure renewal or maintenance in the city suffered as a result, although he did not state this had a direct impact on the city's general fund.

"Current challenges to the city budget include recent increased service costs due to impacts of COVID and inflationary pressures," Blay wrote. "Those challenges combine with employee staffing and compensation issues, causing higher turnover of employees and the lost benefit of the institutional knowledge and training dollars that were invested in them. Beginning in the 1990s, the city council has proactively 'kept its financial house in order' by reducing spending to levels consistent with revenue projections. Many city services have been outsourced, major cuts have been made, and employee concessions have been repeatedly requested. While that methodology has allowed the city to maintain its current finances, it has not allowed Upland to make sufficient investments in the areas our residents have expressed a strong desire: Maintaining local streets and alleys and repairing potholes, providing quick responses to 9-1-1 emergencies, and addressing homelessness."

According to Blay, "Additional sales tax revenue would have a substantial positive impact on the city's ability to reduce crime; improve 9-1-1 response, enhance programs

to reduce drug and gang activity; maintain streets and alleys; keep public areas safe and clean, and attract and retain local businesses and jobs."

According to Blay, "A one cent transactions and use tax is estimated to produce approximately \$16 million annually."

The city council's run-up to putting the tax on the ballot was done quietly and in a relatively obscure forum without any fanfare or advance publicity.

At the July 25, 2022 city council meeting, during a discussion of the recommendations of the city manager's advisory panel, the mayor and council directed staff to bring forth a resolution placing a measure on the November 8, 2022 election ballot to levy a one-cent transactions and use tax, otherwise referred to as sales tax, within the city.

Three of the council's five members – Second District Councilwoman Janice Elliott, Third District Councilman Carlos Garcia and Fourth District Councilman Rudy Zuniga – are due to run for reelection in November. As such, supporting a tax measure could have an impact on their prospects for being retained in office, particularly if the sentiment of the city's residents runs strongly against the tax.

The one member of the council up for reelection who seemed willing to damn the torpedoes that might be fired at her by the city's anti-tax crusaders was Janice Elliott. She said, "I have seen the council's and staff's effort to cut costs and I feel that if we continue to cut costs

we will continue to erode the quality of city-provided services. Additionally, inflation has increased city costs and our recently adopted budget relies on a one-time revenue source, so it's imperative that we raise revenues in order to cover our costs, particularly in the future. I propose that we vote to place a one percent tax increase on the November ballot to allow our resident voters an opportunity to choose to improve the future quality of our city services. Because our unfunded pension liability will be considerably reduced in 20 years, I propose that we set a twenty-year expiration date, called a sunset provision, on this increase."

Ultimately, the entire council declined to put a sunset clause on the tax, such that if the voters approve it in November it will remain in place in perpetuity.

Garcia, while he voted to put the tax measure on the ballot, shied away from actually endorsing it. Speaking to the city's residents directly, Garcia said, "I want folks to really listen to this: We are not pushing you guys for this additional sales tax. It's going to be left in the voters' hands. I want to make sure that's clear because there's been chatter out there about 'Oh, the council's going to push this one-percent on us.' This comes down to the voters making that choice."

Zuniga said "Could we use more policing? Absolutely, but sadly, the city doesn't have that kind of revenue. So, hopefully things will change if you guys make a decision and we can have more

policing, our roads in better condition and other things."

The *Sentinel* this week wrote to all members of the council.

Referencing inflation standing at a 40-year high and interest rates being raised along with major corporations having initiated or announcing substantial contractions in their work forces and some economic prognosticators predicting a coming recession, the *Sentinel* asked if they considered the request that the city's residents layer another tax on themselves at present to be well timed. The *Sentinel* also inquired as to whether each was willing to declare his or her support of the tax and offer a recommendation that the city's voters vote in support of the measure.

Elliot alone responded. "As a resident of Upland since 2001, I have seen the deterioration of our streets and the downtown area of Upland," she said. "I have been concerned about the rise in crime and the decrease of police department staff. Back in 2014, before being elected to the city council, I requested that the city council place on the ballot a measure providing for a 1 percent sales tax increase and, as a resident, I would still like to see this measure pass."

Yesterday, August 4, the *Sentinel* was invited to a Zoom meeting that was to feature Blay presenting information about the tax proposal and fielding questions with regard to it. Just prior to the meeting beginning, the *Sentinel* was uninvited to the electronic conference.

-Mark Gutglueck

Politicians Financially Backed By Burum Lined Up To Support His Call To Have San Bernardino County Make An Exit From California *from page 2*

Burum's call for San Bernardino County to leave California and the board of supervisors' endorsement of that concept, Leon said, "I think it is a great idea." Expanding on the topic, Leon said. "Look at what is going on in Sacramento with the state government. The state's values are not our values, and I don't know why we have to tolerate them. We are not San Francisco. We are not Los Angeles. The Inland Empire and particularly San Bernardino County is a conservative community. You can see that by the way the people vote here. When I go into Los Angeles, I hear other elected officials say, 'Oh, you're from way out there in San Bernardino County? What's going on out there?' We are not the inner city. In Ontario, we are a city, but this is not an inner city environment and we just have different values than the politicians who are in control in Sacramento, and they all misunderstand who we are."

Confronted with references to the Constitutional, legal, political and practical roadblocks to secession, Leon did not give up on supporting Burum's suggestion.

"You never know until you try," said Leon. "If we make the effort, I think that anything could happen. I have had personal experiences where I tried against the odds, sometimes successfully, sometimes not. I was in the military and after so much time, I thought that the best MOS [military occupational specialty] for me was a chaplain. Remember, this was after I was already enlisted and had been in for while, through basic training and beyond that. I went to my lieutenant and told him what I wanted to do. He said, 'Okay, but you will need to talk to the captain, and he'll never sign this.' I went to the captain, and he said, 'I'll sign this, but you will never get past the major.' The major signed my transfer request, but

he told me, 'Forget it, the colonel will never go for this.' The colonel signed it, but he told me the general would shoot me down. When I got to the general, he told me, 'Being a chaplain is the best possible assignment for you.' I was told it was impossible every step of the way until I succeeded. I have been through situations where everyone says, 'That's impossible,' but the impossible happened. So, I believe this can happen. This is not the first time that something like this has gone to the state legislature and governor."

Leon's reference was to overtures in 2013 and in 2014 by Siskiyou County, Modoc County, Tehama County and Del Norte County in Northern California to interest Lake and Klamath counties in Oregon to form the State of Jefferson. The boards of supervisors for Modoc County and Siskiyou County passed identical resolutions calling for secession, citing the "increasing tendency by the State of California to exercise legislative and fiscal malfeasance" and "assaults upon Second Amendment rights." That move failed when, despite a secession vote passing in Tehama County, voters in Siskiyou County and Del Norte County thought better of the new state concept and rejected secession ballot measures.

Leon, who was formerly a Republican and has since re-registered as unaffiliated with any party, demonized the Democrats who are in control of the state.

"The legislature [which is composed of a supermajority of Democrats in both the upper house State Senate and lower house Assembly] are unconcerned with us down here, handing us the leftovers or what they do not want. They are always reaching to try to control local government when they cannot even manage themselves. They [the Democrats] have control of everything – the gov-

ernorship, the lieutenant governorship, the attorney general's office, state schools, the offices of the insurance commission, the controller's office, the treasury. We have to stand up and say, 'Pay attention to us.' The worst that can happen is this fails to get their attention, but really my goal is not to get their attention but get away from California and its government, which has taken its wrath out on our communities. The state has taken away our redevelopment agencies but left the ability to do redevelopment in communities like Los Angeles. These are people who do not have the wherewithal to manage. The state has an \$8 billion budget surplus now but we are not getting any of that. I, for one, as the mayor of Ontario, am fed up. We tell the governor over and over what he is doing wrong, and every once in a while he wises up and changes, but not enough. Sometimes he doesn't wise up. I think we have to put the rush on up there, get their attention. They are not concerned about us. We are the ones concerned about us. We should get them out of the way. I'd just rather we do it ourselves. At the very least, this attempt at secession, I hope, would work to take a lot of pressure off of us that the state levies on us."

Opposing Leon in this year's race for mayor is Ontario City Councilman Ruben Valencia.

Valencia, while sensitized to the perception that Sacramento has given San Bernardino County short shrift in terms of passing through to it an amount not equal to all of the tax money collected within it, indicated he thought the concept of the county making an exodus from California somewhat presumptuous.

"The person who brought this up even stated, if the quote I heard was accurate, that it is a proposal he came up with that would never pass," Valencia said. "Is this actually something that we are wasting time and wasting taxpayer money on? Could it happen? I am not sure. I have not seen anything that would

make me think it is a viable request."

Valencia hastened to add, "I do think we deserve to be treated fairly by Sacramento. If it is shown that San Bernardino County is not getting its share, we should do what we can do, working within the system we have, to address all of that. I am a big proponent of advocating on behalf of our city and our county and our region in Sacramento and Washington, D.C. I just think that if we are serving as politicians within our political system, as we have it, we should be realistic, realistic in what we try to accomplish and in the way we use the taxpayer money we have."

It was the radicalized and quixotic nature of what Burum suggested that brought to it so much attention. This inevitably led to the observation that Burum, a Republican whose largesse historically has been largely if not absolutely exclusively provided to officeholders and elected office hopefuls who identify as Republicans, is in the same throes of frustration that have seized the GOP throughout California in recent years, resulting in small-, medium- and large-scale public efforts to make inroads on the Democratic stranglehold over politics in the state that have gone absolutely nowhere, such as the feverish effort to recall Governor Gavin Newsom in 2021 that was solidly turned back by a margin of 61.9 percent to 38.1 percent among California's voters overall. Given the overwhelming 46 percent-to-25 percent Democratic-to-Republican voter registration advantage in California, the Newsom recall effort never stood a chance of succeeding. Yet Republicans, locked in what Burum's attorney Stephen Larson in a slightly different context referred to as an echo chamber, heard only their own rhetoric and repetitions of it to convince themselves that they could remove Newsom from office, staking a tremendous element of their political capital and political future on doing just that. Ultimately, as was preordained from

the outset, Newsom overcame the effort, in the course of which and as a result of which he was strengthened rather than weakened, indeed to the point where in some Democratic circles his name is bandied about as a potential Democratic candidate for president in the 2024 election.

San Bernardino County remains as one of the last Republican bastions in the Golden State. Virtually every statewide office from governor to insurance commissioner is held by a Democrat and the Democrats have supermajorities in both the Assembly and State Senate. Both U.S. Senators from California are Democrats and in the California Congressional Delegation Democrats outnumber Republicans 42 to 11. Conversely, in San Bernardino County, Republican officeholders have a decided edge over their Democratic counterparts. In 15 of the county's 22 city councils and on both of the county's incorporated town councils Republicans outnumber Democrats. On the county board of supervisors, four of five members are Republicans.

Of the county's seven members of the Assembly, three are Republicans, three are Democrats and one is a former Republican who now identifies as an independent. In the California Senate, the four seats in the state's upper legislative house representing San Bernardino County are evenly divided between two Republicans and two Democrats.

Of the county's five congressional representatives, two are Republicans and three are Democrats. Nevertheless, the county's congressional districts extend to areas outside of the county and in one of those districts in which a Democrat holds the seat, in that portion of the district lying within San Bernardino County, she was outpolled by her Republican opponent. In this way, Burum's expressed desire to separate San Bernardino County from California is an outgrowth of the continuing domination of the levers of political power.

Nevertheless, the logic that he and others have applied in formulating that strategy is subject to question, even as many of the county's Republicans find themselves unable to hear anything other than the deafening sounds repeated within the Republican-dominated echo chamber. Different political realities exist in Sacramento and in San Bernardino. The likelihood that the secession strategy will fail, and simultaneously antagonize what Burum and many others already perceive as a set of hostile tyrants in Sacramento, appears high.

Moreover, Burum's personal antipathy toward the Democrats and the current controlling machinery of government in Sacramento seems misplaced in at least two crucial aspects as pertains to his own business and career interests. California's Democratic-controlled government, including the Jerry Brown administration that preceded Newsom's tenure in office as well as that of the Newsom administration, has been exceptionally accommodating of the development industry over the past four or five years as it has intensified efforts at solving what it has declared to be a housing crisis. Those solutions, in particular Senate Bill 330, which was passed by the Democratic state legislature in 2019, signed into law by Brown and enthusiastically enforced by Newsom, as well as a strict enforcement of mandates imposed on the state's cities by the California Department of Housing under the auspices of what is known as the Regional Housing Needs Assessment, represent a tremendous advantage to developers.

Senate Bill 330, also known as "The Housing Crisis Act of 2019" prohibited local governments from downzoning, adopting new development standards or changing land-use designations in residential and mixed-use areas if the change results in less-intensive uses or reductions in density. It further allows developers to request ap-

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Dutton, Knowing He Was Dying, Nevertheless Ran For Reelection & Won, Ultimately Putting The County In The Position Of Having To Hold The Election For Assessor Again *from page 3*

of the right-hand man to Assessor Dennis Draeger, who was retiring from the post that year.

Once in office and armed with the power of incumbency, Dutton, fortified by his family's wealth, his fundraising ability and connections to San Bernardino County's political and governmental establishment, was virtually unassailable in the post, such that in 2018, there emerged against him no opponent for the assessor's position, which carried with

it the duties of acting as county recorder and county clerk, which together then provided a total annual compensation of \$339,754.49, including a salary of \$233,021.71, pay add-ons or perquisites of \$17,000.10 and benefits of \$89,732.68.

Shortly after Dutton's reelection, a rumor pervaded the county that in 2022, Second District County Supervisor Janice Rutherford, who would at that point be termed out from that post, would seek the assessor's

position while Dutton would seek to assume her place as supervisor. That scenario did not play out, however, and in February of this year, Dutton filed for reelection as assessor. Because of the upper hand he held politically, no one, including Rutherford or former Fifth District Supervisor Josie Gonzales, who had been termed out in 2020 and who had shortly thereafter opened up an electioneering committee for a run as assessor, moved to challenge him.

According to one of Dutton's acquaintances who spoke to the *Sentinel* with an assurance of anonymity, Dutton some three years ago recog-

nized he had cancer. Last year, the condition turned critical, with the cancer having metastasized into his bones. His physical health accordingly deteriorated, with fire department paramedics having been summoned to his home on three separate occasions in December when he grew so weakened that he collapsed.

Despite these physical challenges which compromised his focus and ability on occasion to report to his office in San Bernardino, Dutton made the decision to seek reelection.

Dutton again entered the political fray, even though he recognized that there was virtually

no prospect he would live long enough to serve out the full term he was seeking through reelection. As it turned out, he was reelected without opposition on June 7 with 100 percent support of the electorate, a tally of 200,752 votes. A month and sixteen days later, on July 23, he succumbed. While he was yet at that time in the position of elected assessor, he was serving out the term to which he was elected in 2018. He was not due to be sworn into the post he was elected to in June of this year until January 2023.

The board of supervisors has the standing and authority to appoint the

replacement of a serving county elected official who is removed from office, resigns or dies in office. It does not have the authority to appoint the replacement of a county elected official who is not yet serving. Thus, the board of supervisors can select Dutton's successor for the duration lasting from the time of his death up until his swearing-in date in January. It does not, however, have the authority to make such an appointment of the individual to hold the assessor's post from January 2023 until January 2027. Because Dutton died prior to actually be-

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England Grove Was Approved For Development But Legal Settlement Rerieved It From Being Bulldozed *from front page*

sold by the Hunter Family to James and Annie Attwood in 1922. The Attwoods in turn passed it along to their daughter Mary Attwood Heeney and her husband Thomas J. Heeney, who continued to operate it as a citrus-producing grove.

The grove, its appurtenances, the estate and its structures have remained intact, though dilapidating, until the present, even as the lion's share of Redlands' once ubiquitous citrus groves, beginning in the 1950s and then over the next six decades, were steadily eradicated and replaced primarily with residential and commercial development.

In Redlands, more than in most other areas of the Inland Empire, an effort to preserve the vestiges of the city's agricultural history has taken root, such that the city has ten sometimes overlapping historic zones.

More than a decade ago, Thomas Heeney's grandson Christopher Brumett along with his wife Jacquelyn signaled their willingness to sell the 8.8-acre England Estate, including its grove property. The City of Redlands, with its available grove-preservation bond money, and the Redlands Conservancy, showed

interest. The Redlands Conservancy offered \$3 million for the property. The Brumetts turned that offer down, saying they wanted roughly twice that amount. Another offer, this one for \$4 million, was tendered by preservationists. Again, the Brumetts balked at that offer.

Thereafter, Jeff Burum and Matt Jordan of Diversified Pacific approached the Brumetts with an offer of \$2.35 million for the 8.8 acres, which the Brumetts, in June 2019, accepted. Burum, Jordan and Diversified Pacific applied with the city to convert six of the England Grove Estate's 8.8 acres into 32,000-to 2,600 square foot homes on what were mostly 6,200-square-foot lots. The approved number of residences was reduced, ultimately, from 32 to 28.

The city began to consider the project proposal in earnest in 2020, allowing Redlands Palm Investment, LLC, a division of Diversified Pacific, to prepare a mitigated negative declaration for the project rather than insisting upon a much more exhaustive environmental impact report on the proposal to give the project its environmental certification. On October 1, October 15, and December 17 of 2020, and then on March 4, 2021 the Redlands Historic and Scenic Preservation Commission reviewed and discussed the initial study the city had completed as part of the proposed mitigated negative declaration.

Ultimately, the historic and scenic preservation commission adopted a resolution at its March 4, 2021 meeting documenting its findings that the proposed mitigated negative declaration and cultural resources report did not adequately identify and address the potential impacts to cultural and historic resources, while recommending that a full environmental impact report be prepared for the project to comprehensively identify and analyze any potentially significant impacts.

The Redlands Planning Commission took up consideration of the project at its May 11, 2021 and June 8, 2021 meetings.

Considering Dissolution Of The 29 Palms Water District Rattled The Community *from front page*

manance of the independent agencies.

The city sought to withdraw the request. Despite that, LAFCO staff, having already significantly progressed toward a finding and a conclusion, resolved to complete its service review and enter a determination as to whether consolidating the services would be beneficial. According to available information, LAFCO staff believes that both the cemetery and water district are efficiently run, but there would be benefits in terms of

The city council considered the project at its July 20, 2021 and September 6, 2021 meetings but failed to come to a definitive conclusion with regard to it, balking at adopting the mitigated negative declaration as a number of Redlands residents formed a group tentatively calling itself Save The Grove, which retained attorney John McClendon to represent it. McClendon cited what he said were multiple shortcomings in the fashion in which the environmental certification for the project was being conducted. In addition, McClendon pointed out, Measure U, an initiative approved by Redlands voters in 1997

economies of scale and elimination of certain redundancies such as in the administrative and personnel realms that would be realized by a city takeover or in certain cases, allowing the city to function as the lead agency on certain projects. These changes could net a savings of \$200,000 or more annually in 2022 dollars, according to LAFCO.

A member of the LAFCO board is former Twentynine Palms Councilman Jim Bagley. His status as a resident of Twentynine Palms with his ear to the ground allowed him to report to the rest of the LAFCO board and staff that a number of the members of the Twentynine Palms Water District, which includes

to enact several principles of managed development within the city and which prohibited any "land undeveloped as of March 1, 1997 and designated in whole or in part as 'urban reserve' or 'urban reserve (agricultural)' in the Redlands General Plan in effect as of June 1, 1987, and/or any land parcel that was in active agricultural production on November 3, 1986 regardless of zoning" from being "re-designated or rezoned to permit residential density greater than the estate residential classification." He said the city could not approve the project as Burum and Jordan were proposing. Despite that, on December 7, 2021,

Randy Leazer, Bob Coghill, Michael Arthur, Carol Giannini and Suzi Horn, were taken aback by the seeming intent to do away with the district and preclude their authority. Bagley conveyed this to the LAFCO staff, which was already well into the process of doing its evaluation.

Members of the city council, sensitive to the impression that they were gunning to terminate the district and the board, following a consideration of the tentative results of the survey, called for dropping the matter. City officials spelled out to LAFCO that they were no longer interested in seeing the water district dissolved and transformed into a city department.

the project was given go-ahead by the city council.

McClendon, on behalf of the collection of city residents which had by that point officially adopted the identifying moniker Save The Redlands Orange Groves, filed a petition for a writ of mandate, with the city as the respondent and Redlands Palm Investment, LLC as the real party in interest, challenging the project approval.

In April of this year, MLC Holdings, a division of Scottsdale-based Meritage Homes, agreed to purchase the six-acre England grove from Diversified Pacific/Palm Investment, LLC and forego

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Nevertheless, the LAFCO board is yet to consider at its September 21 meeting the way in which the provision of water service to the residents of 58.76 square mile city as well as the additional 30 square miles within the city's sphere of influence that make up the water district's roughly 89 square mile service area might be improved under the city's management.

The report to be presented next month summarizes the city's options with regard to the water district and the cemetery district, which could be made a facet of the city's municipal operations through a protocol of reregistering the district with the state as a city department.

Board Adapted Burum's Secession Proposal As A Means Of Coaxing More Revenue From Sacramento *from page 4*

proval of housing developments that exceed density and design controls of the underlying zoning if the existing zoning is in conflict with the city's general plan or a specific plan relating to the development of the property in question. Senate Bill 330 expedites the permitting process for all housing development and limits the minutiae that a city can dwell upon in reviewing the project. SB 330 gives developers leeway to sue cities or other jurisdictions that deny their residential project proposals. Since SB 330 went into effect, cities have not fared well in the face of such lawsuits and they have not succeeded, so far, in oversetting SB 330 by challenging it.

Under the rule of the Democratic legislature, the Brown Administration and now Newsom, the California Department of Housing has pushed for local jurisdictions to adhere to the developmental mandates inherent in the Regional Housing Needs Assessment which require that all jurisdictions, including cities and unincorporated county areas in California, include in their general plan and zoning code an accommodation of the number of dwelling units specified in the assessment, meaning each city must allow the construction of at least the number of homes the state says is its share of the burden to meet housing demand statewide. Based upon the numbers formulated by the Southern California Association of Governments for the state as part of the Regional Housing Needs Assessment, San Bernardino County must accommodate the construction of 138,110 new homes between the end of 2021 and the end of 2028, including 35,667 intended for very-low income homebuyers; 21,903 for low-income homebuyers; 24,140 for moderate-income homebuyers and 56,400 for above moderate-income homebuyers. In his enunciation of resentment toward state mandates dictated from

on-high in Sacramento, Burum brushed past the consideration that the most intensive existing resistance to state mandates in San Bernardino County are those which work in favor of the profession he is involved in.

For that and other reasons, many questioned what it was that Burum was seeking to accomplish by floating the secession proposal or what his true motivation is.

Burum's appearance at the July 26 meeting created something of a spectacle, as not only Warren accompanied him to the podium but the mayor of Upland, Bill Velto, another of the local politicians whose campaign coffers have been thickened by Burum's contributions as well as those from the network of donors over whom Burum has sway.

Velto, whose experience in office consisted of his time as a councilman from his appointment to that role in January 2019 until he moved into the mayor's post the month after his election in 2020, said he had to struggle to get acclimated to the challenges of governing a municipality beholden to the state government, which in certain respects dictates policy while controlling in no small measure a city's purse strings.

"One of the learning curves is watching the mandates come out from Sacramento and then trying to impose them on residents and listening to the levels of frustration without reacting in a negative matter," Velto said. "One of the largest obstacles I've had to overcome is to listen about lack of water, regional housing needs assessments and having nothing from the state. Now we're hearing we're going to have to have all electric cars by 2035. I'm curious where they're going to get the money for the roadways when the gas tax starts dropping. So, where are all these funds going to come from? How do they expect cities like Upland and many other cities in our county to achieve those mandates when we don't have the funds? It's

incredible. Our staffing is sometimes 20 percent, 30 percent below what it should be, based strictly on mandates. So, I would encourage us to follow Jeff Burum's and Acquafredda's recommendations. I think we need to come together and address these issues and push the state, start recognizing the size of this county and what this county's resources are and take advantage of that opportunity in the near future." A number of his constituents in Upland and an even larger number of county residents who observed the meeting were baffled by why Velto would go out of his way to attend the board of supervisors meeting to lend his support for a concept which is far more likely to antagonize multiple members of the state legislature and state executive administration than to advance the cause of county secession or the likelihood of achieving it, ultimately redounding to the detriment of Upland.

Velto's motivation, however, became clear this week when it was learned that the Upland City Council this coming Monday, August 8, will vote to place a one-cent sales tax override measure before Upland's voters on the November 8 ballot corresponding with this year's gubernatorial general election.

For Velto, the success of his mayoralty is staked upon what accomplishments he can achieve during a time filled with multiple challenges, not the least of which are tight city finances based in large measure on mounting pension debt obligations brought on by decades of what now appear to have been overly generous salaries and benefits provided to city employees. To plug that funding gap, Velto and his council colleagues are hoping they can level the city's listing financial ship through the sales tax measure, which, if passed, could bring in \$16 million to the city on an annual basis, according to city staff.

While Velto is not up for re-election until 2024, he does have an interest in seeing the sales tax measure approved. Sev-

eral of those who watched Velto's appearance before the board of supervisors stated, upon learning of the city's sponsoring of the measure, they now perceived Velto's support of the secession proposal to be, like Warren's and Leon's calculated support of the concept in expectation of Burum's continued bankrolling of their reelection campaigns, a ploy to secure funding from Burum and his network to assist in the campaign to get the sales tax approved.

In the end, the board modified Burum's suggested wording for the measure somewhat. Whereas he made no bones about the primary intent being to deprive the State of California of some 2.2 residents and 20,105 square miles of land with his approach, the board changed "Do you support having the San Bernardino County Board of Supervisors and all federal and state elected officials representing citizens within San Bernardino County to seek the approval of Congress and the State Legislature to form a state separate from California?" to "Do the people of San Bernardino County want

San Bernardino County elected representatives to study and advocate for all options to obtain the county's fair share of State funding up to and including secession from the State of California?"

For Fifth District Supervisor Joe Baca, Jr., the lone Democrat on the board whose opponent in the 2020 Fifth District supervisorial race, Jesse Armendarez, was heavily backed by Burum and his associates, the rewording remained a bit on the strong side. He made clear he was not intent on disengaging from the State of California.

The proposal, he said had put "a spotlight on San Bernardino County. I am not in favor of secession. I just don't believe we have the resources or wherewithal, the staff or the ability to create our own state. I really don't. We'd have our own governor, bring in our own constitution, there's ...our education system. That would be a concern, having to do all these services that we receive funding from the state of California. I don't think it's realistic. Going into Arizona or Nevada, which are neighboring states, does that

mean more or less for our residents? I don't know. That has to be part of the study. Does that mean we lose funding?"

Instead of looking to bail out of California, Baca said the county government instead should press its representatives in the state legislature to look after the county's concerns.

"I'm not for unfunded mandates," Baca said. "What do we have to do to make sure we are getting our fair share? Clearly, the major metropolitan counties - L.A., Frisco, those - they receive a lot more money than we do. We do have to take a look on anything we can do to enhance our services for our residents. I think that's the bottom line here. I'm not for seceding from the state. I'm just not. I'm proud to be from California. I love California. I love San Bernardino County. I'm open for the study. I'm open to take a look, you know, these are the options, the plus and minuses. I think we have to do a financial analysis, with, without, Arizona, Nevada, what do those numbers look like to our departments."



Supervisors Rushed To Protect Their Pay Level & Indulge A Primary Donor On His Secession Proposal With Ballot Measures But Were More Lethargic When It Came To Ensuring The Most Cost Effective Election For Assessor *from page 5*

ing sworn in and beginning that term in office, the county is obliged to hold an election to arrive at who it is to serve in the assessor, county clerk and recorder's capacities for the four years beginning in January.

Had the county board of supervisors acted with alacrity in the immediate aftermath of Dutton's death on July 23, it conceivably could have advertised and recruited candidates for the post and then could have placed those candidates on the November ballot, obviating the necessity and expense - likely to run to \$3 million or beyond - of holding a special election to replace Dutton.

Curiously, the board of supervisors did not do so. Remarkably, within

the same timeframe, the board actively involved itself in placing two measures on the November ballot. One of those was considered by the board on July 26, three days after Dutton's death. It called for placing a measure on the November ballot that will, if passed, undo the impact of Measure K, passed by two-thirds of the county's voters in October 2020, which reduced the supervisors' compensation to \$60,000 annually each. This week, on August 3, the supervisors held a specially-called meeting to accommodate a request, made at the July 26 meeting by one of their primary political campaign donors, Jeff Burum, that they place on the November ballot a question posed to the

voters as to whether they will support San Bernardino County seceding from the State of California.

The board showed no such sense of urgency in ensuring that a vote to replace Dutton was put on the November ballot.

To have done so, the board would need to pass at its August 9 meeting a confirming resolution, what is known as a "second reading," to put the matter before the voters in November. A first reading of that resolution would have needed to take place five days prior to that, meaning by yesterday, August 4, at 10 a.m. The county would have needed to give 24-hour advance emergency notice of that meeting, which was absolutely possible, as was demonstrated by the consideration that in order to comply with Burum's July 26 request, the board had met the noticing requirement to hold a special election. *Continued on Page 12*

Public Notices

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-37 at 9:00 a.m. on SEPTEMBER 14, 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.

ANTONIETTE JAUREGUI (SB 192624) 1894 S. COMMERCENTER WEST, SUITE 108 SAN BERNARDINO, CA 92408 Telephone No: (909) 890-2350 Fax No: (909) 890-0106 Published in the San Bernardino County Sentinel on July 29, August 5 and August 12, 2022.

NOTICE OF PETITION TO ADMINISTER ESTATE OF: REBECCA CATHERINE ALMANZA CASE NO. PROSB2201058 To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both of REBECCA CATHERINE ALMANZA A PETITION FOR PROBATE has been filed by BRENDA CATHERINE ALMANZA in the Superior Court of California, County of SAN BERNARDINO. THE PETITION FOR PROBATE requests that BRENDA CATHERINE ALMANZA 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

Public Notices

notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority. A hearing on the petition will be held in Dept. No. S-37 at 9:00 a.m. on AUGUST 24, 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.

ANTONIETTE JAUREGUI (SB 192624) 1894 S. COMMERCENTER WEST, SUITE 108 SAN BERNARDINO, CA 92408 Telephone No: (909) 890-2350 Fax No: (909) 890-0106 Published in the San Bernardino County Sentinel on July 29, August 5 and August 12, 2022.

NOTICE OF PETITION TO ADMINISTER ESTATE OF: MICHAEL C. MADDUX aka MICHAEL CHARLES MADDUX CASE NO. PROSB2201012 To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both of MICHAEL C. MADDUX aka MICHAEL CHARLES MADDUX A PETITION FOR PROBATE has been filed by SHAYNA STEWART in the Superior Court of California, County of SAN BERNARDINO. THE PETITION FOR PROBATE requests that SHAYNA STEWART be appointed as personal representatives to administer the estate of the decedent. THE PETITION requests the decedent's will and codicils, if any, be admitted to probate. The will and any codicils are available for examination in the file kept by the court.

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

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tion to the petition and shows good cause why the court should not grant the authority. A hearing on the petition will be held in Dept. No. S-35 at 9:00 a.m. on AUGUST 18, 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: July 14, 2022
Sabrina Felix, Deputy Clerk of the Court
Pro Se:
Shayna Stewart
3260 Little Mountain Drive #A
San Bernardino, CA 92405
Telephone No: (951) 941-9878
Published in the San Bernardino County Sentinel on July 29, August 5 & August 12, 2022.

NOTICE OF HEARING ON PETITION FOR TERMINATION OF PARENT - CHILD RELATIONSHIP
CASE NUMBER JS21265
SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

Juvenile Department
PARENT/GUARDIAN NAMES: Tiffany Araujo - Mother; Malik Russell Etheridge - Father
Petitioner Tiffany Araujo In the Matter of Minor: Delani Nicole Van Damme (10/30/2012)

This is an important notice from the court. Read it carefully.
A petition about termination of parent-child relationship has been filed with the court, and a hearing has been scheduled related to your child. Your rights may be affected by the proceedings. You have a right to appear as a party in the proceeding.

If you fail to participate in the court proceedings, the court may deem that you have waived your legal rights and admit to the allegations made in the petition. Hearings may go forward in your absence and may result in the termination of your parental rights.

Facility Assignment: Durango Juvenile Court Center 3131 W. Durango St, Phoenix, AZ 85009.

Judicial Officer: Honorable Lauren R. Guyton

Hearing Date/Time: October 13, 2022, at 9:30 a.m.

Hearing Type: Severance-Initial Hearing Location - Court Connect Remote Appearance

Court Connect Hearing: Yes

Public Notices

Video: <https://tinyurl.com/jbazmc-juc02>
Phone: (917) 781-4590,
Participant Code 312 434 5#

How can I prepare for the hearing? Any supporting documentation must be filed with the Clerk of Court at least seventy-two hours in advance of the set hearing date.

If I have questions or concerns who can I contact?

For questions concerning filing, please contact the Clerk of Court at (602) 372-5375. For questions about the hearing, contact the Juvenile Department at (602) 506-4533, Option 2 to reach the assigned Judicial Officer's staff. If you have legal questions, seek legal counsel.

Published in the San Bernardino County Sentinel July 29, August 5, August 12 & August 19, 2022.

NOTICE OF PETITION TO ADMINISTER ESTATE OF: MICHAEL C. MADDUX aka MICHAEL CHARLES MADDUX CASE NO. PROSB2201012 To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both of MICHAEL C. MADDUX aka MICHAEL CHARLES MADDUX A PETITION FOR PROBATE has been filed by SHAYNA STEWART in the Superior Court of California, County of SAN BERNARDINO. THE PETITION FOR PROBATE requests that SHAYNA STEWART 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-35 at 9:00 a.m. on AUGUST 18, 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: July 14, 2022
Sabrina Felix, Deputy Clerk of the Court
Pro Se:
Shayna Stewart
3260 Little Mountain Drive #A
San Bernardino, CA 92405
Telephone No: (951) 941-9878
Published in the San Bernardino County Sentinel on July 29, August 5 & August 12, 2022.

NOTICE OF PETITION TO ADMINISTER ESTATE OF: JAVIER RAMIREZ aka JAVIER MAGALLAN RAMIREZ CASE NO. PROSB2200901 To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both of JAVIER RAMIREZ aka JAVIER MAGALLAN RAMIREZ has been filed by VICTOR PATROCINIO RAMIREZ MONROY in the Superior Court of California, County of SAN BERNARDINO. THE PETITION FOR PROBATE requests that VICTOR PATROCINIO RAMIREZ MONROY be appointed as personal representative to administer the estate of the decedent.

Public Notices

bate Code section 1250. A Request for Special Notice form is available from the court clerk.

Filed: July 14, 2022
Sabrina Felix, Deputy Clerk of the Court
Pro Se:

Shayna Stewart
3260 Little Mountain Drive #A

San Bernardino, CA 92405
Telephone No: (951) 941-9878
Published in the San Bernardino County Sentinel on July 29, August 5 & August 12, 2022.

NOTICE OF PETITION TO ADMINISTER ESTATE OF: JAVIER RAMIREZ aka JAVIER MAGALLAN RAMIREZ CASE NO. PROSB2200901 To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both of JAVIER RAMIREZ aka JAVIER MAGALLAN RAMIREZ has been filed by VICTOR PATROCINIO RAMIREZ MONROY in the Superior Court of California, County of SAN BERNARDINO. THE PETITION FOR PROBATE requests that VICTOR PATROCINIO RAMIREZ MONROY be appointed as personal representative to administer the estate of the decedent.

THE PETITION FOR PROBATE requests that the decedent's wills and codicils, if any, be admitted to probate. The will and any codicils are available for examination in the file kept by the court.

THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority. A hearing on the petition will be held NOVEMBER 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: JUNE 15, 2022
NICOLE CARTWRIGHT, 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

Public Notices

(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: JUNE 15, 2022 Attorney for VICTOR PATROCINIO RAMIREZ MONROY R. SAM PRICE SBN 208603 PRICE LAW FIRM, APC 300 E STATE STREET SUITE 620 REDLANDS, CA 92373 Phone (909) 328 7000 Fax (909) 475 8800 sam@pricelawfirm.com

Published in the San Bernardino County Sentinel on August 5, August 12 and August 19, 2022.

NOTICE OF PETITION TO ADMINISTER ESTATE OF: JOHN T. CHRISTENSON CASE NO. PROSB2201056 To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both of JOHN T. CHRISTENSON has been filed by SUSAN PEDERSON in the Superior Court of California, County of SAN BERNARDINO. THE PETITION FOR PROBATE requests that SUSAN PEDERSON be appointed as personal representative to administer the estate of the decedent.

THE PETITION FOR PROBATE requests that the decedent's wills and codicils, if any, be admitted to probate. The will and any codicils are available for examination in the file kept by the court.

THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority. A hearing on the petition will be held AUGUST 30, 2022 at 9:00 a.m. in Dept. No. S36 at Superior Court of California, County of San Bernardino, 247 West Third Street, San Bernardino, CA 92415, San Bernardino District.

Filed: JULY 18, 2022
Sasha Rodriguez, 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

Public Notices

(form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk. Filed: JULY 18, 2022 Attorney for Susan Pederson R. SAM PRICE SBN 208603 PRICE LAW FIRM, APC 300 E STATE STREET SUITE 620 REDLANDS, CA 92373

Phone (909) 328 7000 Fax (909) 475 8800 sam@pricelawfirm.com

Published in the San Bernardino County Sentinel on August 5, August 12 and August 19, 2022.

NOTICE OF PETITION TO ADMINISTER ESTATE OF: GEORGE SCHAUT CASE NO. PROSB2201068 To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both of GEORGE SCHAUT has been filed by CHRISTINA CARREON in the Superior Court of California, County of SAN BERNARDINO. THE PETITION FOR PROBATE requests that CHRISTINA CARREON 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 AUGUST 31, 2022 at 9:00 a.m. in Dept. No. S37 at Superior Court of California, County of San Bernardino, 247 West Third Street, San Bernardino, CA 92415, San Bernardino District.

Filed: JULY 22, 2022
SASHA RODRIGUEZ, 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: JULY 22, 2022 Attorney for Christina Carreon

Public Notices

time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et seq., Business and Professions Code). Published in the San Bernardino County Sentinel 08/05/2022, 08/12/2022, 08/19/2022, 08/26/2022 CNBB31202204MT

FBN 20220006869
The following person is doing business as: JDK SERVICES LLC. 15813 CANDLEWOOD DR VICTORVILLE, CA 92395 COUNTY OF SAN BERNARDINO JDK SERVICES 15813 CANDLEWOOD DR VICTORVILLE, CA 92395

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The business is conducted by: A LIMITED LIABILITY COMPANY. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ JOSE MARIO HERNANDEZ, MANAGING MEMBER Statement filed with the County Clerk of San Bernardino on: JULY 21, 2022 I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy

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Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et seq., Business and Professions Code). Published in the San Bernardino County Sentinel 08/05/2022, 08/12/2022, 08/19/2022, 08/26/2022 CNBB31202203MT

FBN 20220006873
The following person is doing business as: AYONIMI LLC. 760 DAWN WAY FONTANA, CA 92336

Public Notices

COUNTY OF SAN BERNARDINO AYONIMI LLC 760 DAWN WAY FONTANA, CA 92336 The business is conducted by: A LIMITED LIABILITY COMPANY. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ ADENIYI DARAMOLA, MANAGING MEMBER Statement filed with the County Clerk of San Bernardino on: JULY 21, 2022 I hereby certify that this copy is a

Public Notices

correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et seq., Business and Professions Code). Published in the San Bernardino County Sentinel 08/05/2022, 08/12/2022, 08/19/2022, 08/26/2022 CNBB31202202MT

FBN 20220006872

Public Notices

The following person is doing business as: RICK'S BARBER SHOP. 35063 YUCAIPA BLVD YUCAIPA, CA 92399 COUNTY OF SAN BERNARDINO E3C5 35063 YUCAIPA BLVD YUCAIPA, CA 92399 The business is conducted by: A CORPORATION. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ CARO L. TORRES, PRESIDENT

Public Notices

Statement filed with the County Clerk of San Bernardino on: JULY 21, 2022 I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et seq., Business and Professions Code). Published in the San Bernardino County Sentinel 08/05/2022, 08/12/2022, 08/19/2022, 08/26/2022 CNBB31202201MT

County Missed Opportunity To Avoid Expensive Special Election For Assessor, Elections Law Authority Says from page 6

cial meeting on August 3 to pass a first reading of the resolution placing the secession vote on the ballot.

The *Sentinel* today conferred with an attorney with one of California's premier public agency representation law firms who is widely considered to be among the state's leading authorities on election law. Speaking on the condition that neither he nor

his law firm would be identified, he said that the county board of supervisors can appoint a replacement of a resigned or deceased elected county official but cannot under the election code and the California Constitution make an appointment of an elected official who is not yet in the office to which he or she was elected. That circumstance triggers the need for an election to be held, he said.

He said that Dutton's death on July 23, some 20 days prior to the filing deadline for municipal candidates in San Bernardino County competing in November 8 election and more

than a month prior to the San Bernardino County Registrar of Voters' internal deadline for finalizing the ballot format, "technically" gave the county enough time, if it had acted rapidly, to get qualified candidates for assessor on the ballot and hold a race for the position in November.

"The primary obstacle would have been establishing the candidate list in what might have been a shortened filing period," he said. "There are exemptions in the code that allow that to occur, but county counsel, which has a conflict because it is representing the board members who failed to act in a timely manner, will

probably not confirm that. The timing was such that they could have achieved a much more cost-effective election. At this date [August 5], they are outside that window, I'm afraid. There is no dispute they can appoint to replace your county assessor between now and the end of his current term. If they appoint someone for the yet-to-commence term, the county would be subject to a legal challenge. If such a challenge were made, the county would lose."

Of note is that the county is abuzz with reports that the four individuals the board of supervisors is contemplating appointing to re-

place Dutton are current or former members of the Fontana City Council. Established is that former Supervisor Gonzales, who was a member of the Fontana City Council prior to gaining a berth on the board of supervisors, had declared her intention of running for assessor in 2021 by creating a fundraising account for that purpose. Outside of her circle, it is unknown why she ultimately did not run for assessor. There have been reports going back for more than three years that Rutherford was interested in seeking the assessor's post. It is reported that current Fontana Mayor Acquanetta Warren is interested in

filling the position, which at this time provides a total annual compensation of \$391,230.76. Word about the county, as well, is that Jesse Armendarez, who was formerly a member of the Fontana City Council, a candidate for Fifth District Supervisor in 2020 and currently a candidate in this year's race to succeed Rutherford as Second District supervisor, will be elevated, based on his past pattern of providing campaign donations to a substantial spectrum of local elected officeholders, to the assessor's post if his current candidacy for supervisor is not successful.

-Mark Gutglueck

Redlands Residents Bear Witness To Irrigation Being Withheld From The Historic England Grove from page 5

the development of the property, allowing the orange trees and their gravity fed irrigation system, one of two such facilities remaining in California, to be preserved. MLC, which had previously sought to develop 317 homes on 58.6 acres of planted oranges and fields north of Domestic Avenue, had been thwarted in that effort by litigation. In a deal worked out between the preservationist parties within the city, MLC and City Hall, MLC was to be permitted to proceed with its so-called Bergamot project on the 58.6 acres of Orange Groves near Domestic Avenue in exchange for agreeing to preserve the England Estate and its grove.

According to Anna Allissi, who lives on Walnut Avenue in Redlands, "A simple drive-by will illustrate the dry, declining

citrus in such poor condition some have died or will not be able to recover. The residents of our neighborhood fought long and hard and expensively to save the grove. Diversified Pacific, the developer, relented [in its] assault on our neighborhood and the grove was saved. Or so we thought."

Allissi said she and others were "mistaken... to think the grove would be better cared for by the City of Redlands. The city has done a worse job of maintaining the grove than the developer. The gravity fed water system which has worked for a century no longer worked upon Diversified Pacific's release of the land, an odd coincidence. Jacinto Farming was purported to be in charge of the grove care and arrived with a burst to connect city water on a temporary basis. Once again our hopes as a neighborhood were raised that the grove would be saved, then dashed when Jacinto Farming's care of the grove was also worse than when under the developer's charge."

In an email to the Redlands City Council dated August 4, Allissi asked, "Isn't the city responsible for the repair of the water line? When will this be repaired? When will it function? Who is responsible and who can residents contact?"

Allissi closed her email by stating, "If I understand properly, letting the grove die upon settlement was not a part of the lawsuit."

Carl Baker, the City of Redlands' official spokesman, maintains the city is not responsible for the upkeep of the grove and should not be blamed for its neglect.

"The property is privately owned," Baker said. "The city has provided water to the property. You would need to contact the property owner for information on the irrigation cycle."

Former Redlands Mayor Bill Cunningham disputed Baker's assertion. Cunningham was an orange grower for 40 years, is the president and manager of West Redlands Water Company and is

an indefatigable advocate of the preservation of Redlands' existing citrus groves.

"The whole crisis lies at the feet of one individual, your utilizes director, who has made the unilateral decision to not honor Redlands Water Company's legally binding agreement with the city that was entered into in 1996," Cunningham on August 4 told the Redlands City Council in a letter.

In general, efforts to ensure adequate water to allow citrus groves to survive have been well established and were formerly respected in Redlands, Cunningham said.

"Such agreements date back to the 1960s with South Mountain and Redlands Heights water companies and have been honored by the city all through the years," Cunningham said. "In response to a city council request in 1996, the city staff conducted a definitive study of these agreements and came to the conclusion that such agreements were of positive benefit to the city both in terms of water but

also economically."

In the present circumstance, Cunningham said, "All it will take to save the England Grove is for the city to honor the agreement. As it stands, any other attempt to do anything else, with the time it would take, will see the grove dead."

Baker's rhetorical effort to divert the blame elsewhere is not credible, Cunningham said. "The grove's death would leave the city the sole agency responsible for the death of an historic grove by deliberately and knowingly denying it water," he wrote.

The only issue that is not clear, Cunningham said, is whether the neglect of the England Grove is one that came about because of city staff's incompetence or because of deliberate intent.

"It is my understanding the attempts to irrigate the grove have been made by placing a meter on a fire hydrant located in a usable location, which then feeds the grove by gravity, as has been done since 1887," Cunningham said.

"A water meter placed in that approximate location would solve the problem forever."

The way in which the current plan to water the trees is being pursued is, Cunningham said, "insane. Any proposal to run a new line from the Redlands Water Company distribution box to the low end of the grove, as proposed by the utilities director, would require a pump and a sprinkler system. Such an arrangement would take time, would require electricity and unnecessary costs. Who would pay for running power to the site and pay the monthly Edison bills is unanswered. All that [is being done] to avoid honoring a contractual agreement between the company and the city, a contract the city voluntarily made. It should be noted that the city owns 83 percent of Redlands Water Company, and the citizens of Redlands will bear 83 percent of these unnecessary costs. Such an act borders on idiocy, if not lunacy."

-Mark Gutglueck