

Cook's 3rd District Residency Clears Way For Smith To Claim 1st District Berth

By Mark Gutglueck

Sacramento's loss is San Bernardino County's gain, according to word emanating from the Fifth Floor of the County Administrative Complex.

Sometime next month, after Thurston Smith leaves the California Assembly as a result of his being defeated on November 8 in his contest for reelection, he will very likely check in as San Bernardino County's newly appointed

First District supervisor, displacing Paul Cook, the former assemblyman and congressman who abandoned those two higher offices when he ran successfully for supervisor in 2020.

According to well-placed individuals within the county's governmental structure, the current First District Supervisor, Paul Cook, does not meet the residency requirement to hold his elective post. His departure as su-

pervisor is imminent, the *Sentinel* was told.

The Republican establishment, or that wing of it that surrounds the county's center of power, is insistent that the gap to be created with Cook's departure be filled with Smith, a deviation from the previous expectation that Cook would be succeeded by his hand-picked successor, his chief of staff, Tim Itnyre.

Cook, who had joined the Marine Corps in 1966

after he had obtained a bachelor's degree in education at Southern Connecticut University in anticipation of becoming a teacher, served in Vietnam, was highly decorated and achieved the rank of colonel before he retired in 1992. Relatively late in his career, he was stationed at the Twentynine Palms Marine Corps Base, during which time he began a transition back to the civilian existence he had

abandoned at the age of 23. He settled with his wife in Yucca Valley, where he was a parishioner at St. Mary of the Valley Church.

He gradually immersed himself into social and educational life there. Upon retiring from the Marines, from 1993 to 1994 he found employment as the director of the Yucca Valley Chamber of Commerce and he began attending California **See P 2**

Woman Killed On Redlands Arrow Rail Track Not Long After Civil Engineer Sought Crossing Safety Features

Less than a month after service on Redlands Metrolink Arrow rail system was initiated, a pedestrian transiting the tracks near California Street was struck and killed by the train.

The death occurred despite public requests before the service began for signalization and safety features for pedestrians to be incorporated into the project design.

The Arrow Rail route, which was originally slated to cost \$360 million, began construction in 2019, requiring the replacement of existing track between San Bernardino and Redlands. Reports are that the project cost zoomed to more than \$410 million.

The project entailed the completion of four new stations, including one at Tippecanoe Avenue near the Loma Linda/San Bernardino boundary, New York Street, Downtown Redlands and at the western entrance to Redlands University. The Arrow Rail route operates 21 trips per day between the long extant Downtown San Bernardino Rail Center and Redlands University. There is also a single express train daily between Downtown Redlands and L.A. Union Station, with a departure from Redlands at 5:58 a.m., and a return to Redlands from Union Station departing at 5:26 p.m.

Prior to the service starting on October 24, there was concern that the track as it is laid out, running near **See P 3**

Stampeding Victorville Into District Voting Did Not Safeguard Minority Representation

It now appears certain that the effort by a Northern California attorney last year to strong-arm Victorville into conducting by-district elections to ensure minority voter representation on the city council backfired, with Robert Harriman achieving electoral victory over Lizet Angulo in District 4 as a result of the first by-district election in city's 60-year history.

The manner in which the election was held this year appears to have allowed white males – who are not considered to be a protected minority under the California Voting Rights Act, which was used to force the change-over to by-district elections – to make an inroad on a previous electoral situation in which they had been entirely shut out. Indeed, the at-large

voting system that Victorville had used in every election from its 1962 inception up until this year had two years ago produced a city council that was entirely composed of women and had seated a single white member complemented by three Latinas and a Black woman. As at least a partial consequence of the attorney's tinkering with the electoral process in Victorville, the city will

have upon the swearing in of its newest member in December two white council representatives as opposed to just one and women will have lost their monopoly on the decision-making panel.

The standings in the District 4 race at present have reversed since the initial reporting of results on election night. Angulo was ahead by what seemed, if not a

comfortable margin, a large enough lead that her election seemed likely. Ten days after the election, that has now changed. While the exact cause of the outcome in the November 8 balloting in District 4 cannot be precisely accounted for, the ground rules by which the only voters eligible to vote for Angulo were the ones living in an area best described as **See P 4**

Measure D Passage This Year, Like Measure K In 2020, To Be Decided In Court Rather Than By Vote

On November 8, San Bernardino County's voters passed Measure D by close to a three-to-two margin.

Measure D was designed by the board of supervisors to undo Measure K, which was passed by more than two-thirds of the county's voters in 2020. Measure K set the supervisors' individual salaries and benefits at

\$60,000 per year and restricted them to a single four-year term in office. The political reform-minded Red Brennan Group had sponsored Measure K. The justification for reducing the supervisors pay and curtailing them to a single term in office, the Red Brennan Group maintained, was that the roughly \$260,000 in total com-

pensation the supervisors are provided puts them in an earnings bracket that leaves them out of touch with the county's voters, who average \$67,903 in total annual income per year. Moreover, the Red Brennan Group asserted, providing the supervisors with a quarter of a million dollars per year makes them desperate to hang onto their **See P 6**

12 Of 16 Local Measures Find Approval With SB County Voters

Twelve of 16 local measures presented to San Bernardino County's voters passed on November 8.

In Rialto, Measure A, put forth by the Rialto Unified School District to authorize the issuance of \$340 million in bonds to update safety systems, renovate classrooms and make other facility upgrades at all campuses **See P 4**

in the district, passed the 55 percent approval threshold with 7,443 votes or 69.59 percent in favor and 3,408 or 31.41 percent opposed. To debt service those bonds, homeowners will be required to pay on a yearly basis 6 cents per \$100 of the assessed value of their homes for the next 27 years.

November 8 Election Makes For Four New Solons On Needles Seven-Member Council

Out on San Bernardino County's East Coast, in a clean sweep of historic proportion, Needles voters in one fell swoop made a majority changeover in four of their seven municipal leaders as a result of this month's election. On November 8, according to the latest release by the San Bernardino County Registrar of Voters, Janet Jernigan polled 408 votes in the race for mayor,

giving her 55.66 percent of the 733 total votes cast, putting her well ahead of her competitors, James M. Jones, with 278 votes or 37.93 percent, and Sandra Queen Noble, who had 47 votes for 6.41 percent. Jernigan will replace Jeff Williams, a longtime member of the city council and mayor. Also elected this year, though confirmed may be the more proper term

given that all three were unopposed, were Jamie McCorkle, JoAnne Pogue and Henry Longbrake. Needles voters were free to vote for up to three candidates. As of the vote tallying so far completed, there were 733 voters participating in the Needles mayoral election, an indication that at least 2,199 votes could have been cast in the city council election. In fact, there were

only 1,090 votes cast in the council election that have been so far counted. Thus, it can be said, some of the city's voters withheld their votes from certain council candidates. McCorkle received the most votes, 485 or 44.5 percent of the total council vote. Pogue garnered 340 votes for 31.19 percent. Longbrake had 265 votes or 24.31 percent. McCorkle, Pogue and

Longbrake will replace incumbent council members Edward Paget, Wade Evans and Zachary Longacre. Paget, like Williams, has been a long-serving council and mayoral stalwart in Needles. Despite being San Bernardino County's smallest city population-wise with 4,949 residents, the 31.28-square mile city on west bank of the **See P 6**

Promoting His Field Rep To Be His Congressional Chief Of Staff, Cook Used His Apple Valley Home To Claim Residence There & Disavow He Lived In His Own Million Dollar Home In The Third District's Yucca Valley So He Could Run For First District Supervisor *from front page*

State University San Bernardino, working on his Master of Public Administration degree, which he obtained in 1996. He then continued his studies at CSUSB, obtaining a master's degree in political science in 2000. Starting in 1998 he worked as a professor at Copper Mountain College and after the September 2001 terrorist attacks he parlayed his status as a retired Marine Corps colonel and his degrees into a professorship beginning in 2002 at the University of California Riverside, where he taught courses on political violence and terrorism.

Simultaneously, Cook had grown to become one of Yucca Valley's leading citizens and he acceded to a position on the Yucca Valley Town Council. In 2004, he had a palatial 3,527-square foot home built on a 1.15-acre lot on Country Club Drive overlooking the 12-hole Hawk's Landing Golf Course at the northwestern end of Yucca Valley. While he was on the city council, his colleagues conferred upon him the honorific of mayor.

In 2006, Cook moved up the political evolutionary chain to become a member of the California Assembly, representing the 65th District, consisting of the cities of Banning, Beaumont, Big Bear Lake, Calimesa, Cherry Valley, Hemet, Moreno Valley, Perris, San Jacinto, Sun City, Twentynine Palms, Yucaipa, Yucca Valley and other smaller communities and unincorporated areas in Riverside County, San Bernardino County, Inyo County and Mono County.

In 2012, the timing for Cook, who was about to be termed out of the Assembly, proved perfect, as that year Jerry Lewis retired after 34 years as congressman. Cook leapt into the breach and was elected to become a member of California's congressional delegation,

representing the Golden State's 8th Congressional District. His most prominent roles in Congress were as a member of the House Natural Resources and Armed Services committees.

After more than seven years in that capacity, the 76-year-old Cook in 2019 felt himself slowing down. Concerned that his mental facilities were waning and wearying of the cross-continental travel that he had to endure on a regular basis, Cook announced late that summer he would leave Congress at the end of his term. Instead, he said, he intended to run for San Bernardino County supervisor, representing not the Third District where he lived, which was represented by a former member of his congressional staff, Dawn Rowe, but another portion of the Mojave Desert in San Bernardino County, the First District, where, conveniently, the incumbent supervisor there, Robert Lovinggood, was retiring.

Cook's change in status from a federal legislator to one of the overseers of county government would require what was called by his supporters and advisors an "artificial" change of residence from his actual home in Yucca Valley in the Third District so he could qualify for his 2020 run for First District supervisor. As it turned out, Tim Itnyre, the then-38-year-old son of Cook's close friends, Robert and Cathy Itnyre, was willing to accommodate Cook at his home at 23395 Taos Road in Apple Valley, so that Cook could establish a residence in the First District to run for supervisor there. At that point, officially at least, Paul Cook's voter registration changed, as he listed himself with the San Bernardino County Registrar of Voters' Office as residing at Itnyre's Taos Road address.

Cook was not the only one who had jumped

at the opportunity to run for First District supervisor in the aftermath of Lovinggood's retirement decision. Adelanto Councilwoman Steevonna Evans, Victorville Councilwoman Rita Ramirez-Dean and Marcelino Garza likewise tossed their hats into the ring.

Members of the public and journalists who questioned how it was that Cook as a longtime Yucca Valley resident was able to vie for the supervisor's post in the First District were given assurances by the San Bernardino County Registrar of Voters' Office that Cook had made a change of residence into the First District and had met all of the re-registration criteria.

Cook collected or otherwise deposited, in the final four months of 2019, \$333,567 into his political war chest for the campaign for supervisor, including making transferences out of his congressional campaign account. He simultaneously spent \$37,300.97 toward the upcoming campaign up until December 31, 2019. He then collected another \$108,510.73 in contributions for his supervisorial campaign during the first six months of 2020 and spent \$372,461.28 on the campaign prior to the March 3, 2020 election.

The \$409,762.25 Cook spent on his 2020 electioneering effort was more than 137 times the combined \$2,988.44 spent by Evans, Ramirez-Dean and Garza in their campaigns. That overkill bought Cook an overwhelming victory, as he trounced all three with 31,230 votes or 64.66 percent, well ahead of second place finisher Ramirez-Dean, who polled 9,979 votes or 21.57 percent, Garza's 3,557 votes or 8.17 percent and Evans' 2,599 or 5.6 percent in the election, held in conjunction with California's March 2020 Primary. Since Cook had garnered a majority of the vote, he avoided a runoff against the second-place finisher, Ramirez-Dean.

After his victory in the supervisorial contest, Cook remained in place as the 8th Congressional District congressman. In

September 2020, some six months following Cook's election as supervisor and with his departure from Congress approaching, his chief of staff, John Sobel, tendered his resignation. Cook thereupon appointed Tim Itnyre to replace Sobel as his chief of staff.

The 116th United States Congress to which Cook had been elected in November 2018 convened on January 3, 2019 and ended on January 3, 2021. Cook, because he could not hold two elective offices at once, resigned from Congress on December 7, 2020, just prior to his being sworn in as First District San Bernardino County supervisor.

The following day, the board approved the hiring of Itnyre as Cook's First District chief of staff at a total cost to the county of \$217,828 annually, based on his salary of \$131,934 and yearly benefit package of \$85,894.

While there were yet some lingering questions as to where it was that Cook was actually living, the official narrative was that he was living in Apple Valley. If anyone pressed the issue, it was asserted that he was in residence at Itnyre's home. The authority and status of both Cook and Itnyre stood off any further questioning or untoward suggestions.

While Cook and Itnyre made a show of indicating publicly if the subject ever came up that Cook was in compliance with the residency requirements for holding a position on the board of supervisors by residing at Itnyre's residence in Apple Valley, that is no longer the case. Moreover, it seems, Colonel Cook never resided, in actuality, at 23395 Taos Road in Apple Valley.

Based on information provided to the *Sentinel* and which has been verified and augmented with further research, it appears that the entirety of Supervisor Cook's office, including Itnyre as his chief of staff and his assistant chief of staff, Dakota Higgins; along with Third District Supervisor Dawn Rowe; her former Chief of Staff, Matt Knox; Fourth District Supervisor and Board Chair-

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man Curt Hagman; and County Chief Executive Officer Leonard Hernandez, among others, have had abiding knowledge of Cook's actual residency status.

Over the past 23 months, the circle of those who are aware that Cook has not been and is not in compliance with the residency requirements for the elective post he holds has grown. Cook's office staff has control over Cook's schedule, calendar and itinerary. Members of his staff chauffeured the supervisor about from time to time, including from 54989 Country Club Drive in Yucca Valley to the County Administrative Complex in San Bernardino on meeting dates and then back again. The entirety of his staff knows their boss is living outside the district he represents as do several of the staffers for Rowe and Hagman.

Hernandez and his staff likewise had access to Cook's schedule, calendar and itinerary. At least half of the county's administrative staff, all of whom are directly answerable to Hernandez and work primarily on the Fifth Floor of the San Bernardino County Administrative Headquarters at 385 N. Arrowhead Avenue in San Bernardino are fully cognizant of Cook's actual living circumstance, one county employee stated. Nevertheless, the *Sentinel* was told, there was only a marginal prospect that the circumstance would come to light, since Hernandez, who rules the county with an iron fist, and Hagman, who is the dominant political personage in the county,

deemed it to be in their personal interest to keep Cook in place.

It was widely anticipated that Cook would opt against seeking reelection in 2024 and that he would likely designate his heir apparent, Itnyre, as the candidate to beat in that year's First District race by providing him not only with his endorsement but the full assistance of the money remaining in his political war chest. For that reason and others, the entire political and administrative establishment was willing to abide the situation, according to an individual whose function brings him in constant contact with the San Bernardino County Administrative Building's Fifth Floor.

That changed on November 8 when 33rd District Assemblyman Thurston Smith, who had been placed by virtue of the decennial reapportionment that came with the 2020 Census into the newly drafted 34th Assembly District. The redistricting of the California Legislature's jurisdictions had placed Smith's fellow Republican, 36th District Assemblyman Tom Lackey, into the 34th District as well. Despite Smith besting Lackey in this year's June primary election, which put them into a runoff on November 8 against one another, in that contest for the seat in the 34th District, which includes portions of San Bernardino, Los Angeles and Kern counties, Smith lost.

In both his 2000 race for the Assembly in the 33rd District and in this year's competition in which he fought

Continued on Page 5

Three Fourths Of Local SB County Measures Passed On November 8 *from front page*

Measure D, voted on countywide, passed with 148,855 voter endorsements to 103,180 no votes, 59.06 percent to 40.94 percent. Measure D erases the reduction in the combined yearly salary and benefits of the individual members of the board of supervisors to \$60,000 and further does away with limiting the supervisors to a single term, provisions that were added to the county charter by the passage of Measure K in 2020. Under Measure D, the supervisors will instead receive total annual compensation of \$271,817.79. Measure D's passage also allows those supervisors already in office to serve three more four-year terms and all future supervisors to serve three terms in office.

Measure EE, voted

upon countywide, authorized San Bernardino County officials to import State of California officials to provide them with what the sponsor said is the county's "fair share" of state and federal funds while simultaneously threatening to have San Bernardino County secede from the state if Sacramento is not forthcoming with that money. It passed, with 128,892 votes or 50.63 percent in favor and 125,696 or 49.37 percent in opposition. Measure F, which was to lock in the agricultural zoning in San Timoteo Canyon and limit the height of buildings in Redlands, failed, with 5,815 voters or 38.52 percent of the voters in the City of Redlands approving it and 9,281 voters or 61.48 percent rejecting it. Measure F called for limiting buildings in the city to three stories or 43 feet in height, with a four story and 68-foot-in-height exception for those in the Alabama Street, Califor-

nia Street and New York Street Transit Villages and within a quarter of a mile from the rail station at the University Transit Village.

In Barstow, Measure H failed, with 939 voters or 41.4 percent favoring and 1,329 voters or 58.6 percent opposing dispensing with having a directly elected mayor in favor of having the city council make the choice of who should be the city's political figurehead.

Measure II, which asked Montclair voters if they wanted to allow marijuana to be commercially available within the city, was ahead by a razor-thin margin, with 1,580 votes or 50.21 percent in favor while 1,567 voters or 49.79 percent just said, "No."

Measure J, a referendum put to Redlands voters asking if the city should impose a tax of ten-and-one-half-cents per square foot of floor space within distribution centers in the city, had 8,136 votes or 52.97

percent of approval and 7,223 votes or 47.03 percent of rejection.

Measure K was passed by the voters in the Town of Yucca Valley with 3,053 votes or 72.21 percent in favor of raising the town's transient occupancy tax, otherwise known as a hotel tax or bed tax, from its current 7 percent to 12 percent. The measure was opposed by 1,175 votes or 27.79 percent.

Upland's voters rejected Measure L, the Upland City Council's appeal for an additional 1 cent per dollar sales tax on purchases within the City of Gracious Living, with 6,185 voters or 44.8 percent willing to take on that burden and 7,621 or 55.2 percent saying, "No, thank you."

Measure M, Grand Terrace's 10 percent transient occupancy or hotel tax initiative, found support among 1,132 voters or 51.22 percent, with 1,078 or 48.78 percent against it.

In Needles, where there is already a tran-

sient occupancy tax in place, Measure N called for making it applicable to not only hotels and motels but also to short-term rentals. It passed with 475 votes or 66.16 percent in favor and 243 or 33.84 percent against.

Measure O called for limiting the number of vacation rental licenses within the City of Big Bear Lake to a maximum of 1,500 and holding the line on the number of vacation contracts to 30 per year per property, excluding home-sharing arrangements, while limiting duplexes, triplexes and quadruplexes to one vacation rental per property. It was defeated 587 votes in favor to 809 opposed, 42.05 percent to 54.95 percent.

A second voter initiative this year in Big Bear Lake was Measure P, which sought an increase in the transitory occupancy tax from 8 percent to 9 percent in 2024 and a further increase from 9 percent to 10 percent in 2025. 751

voters or 55.59 percent went along with it, while 600 or 44.41 percent voted against it.

Ontario's voters approved Measure Q, which will add one percent to the sales tax collected in that city, with 9,542 or 55.26 percent voting for it and 7,725 or 44.74 percent against it.

Measure R asked the voters of Montclair to set a 7 percent tax on commercial marijuana or cannabis transactions in that city if city officials make a determination that those currently banned products can be sold within the city. It passed, with 2,194 voters or 69.78 percent saying yes and 950 or 30.22 percent against the tax.

In Colton, Measure S, which proposed levying a one percent transaction tax, a euphemism for sales tax, on customers of businesses throughout the city, was given approval, with 3,130 votes or 67.46 percent in support and 1,510 or 32.54 percent opposed.

-Mark Gutglueck

Skimping On Redlands Rail System's Safety Measures Leaves Pedestrians At Risk *ts from front page*

and across streets without safety measures and devices and minus clearly demarked crossings and features to protect passengers in the main as well as, to a lesser extent, bicyclists and motorists, would lead to injuries and death.

That appears to be what happened on Wednesday afternoon, November 16, when a woman walking along the tracks east of California Street stepped into the path of an approaching train.

According to the Redlands Police Department, the train's engineer applied the braking system and emergency stoppage augmentations but was unable to prevent the Arrow's engine from slamming into the woman, who was declared dead at the scene by arriving paramedics roughly 15 minutes

later. She has not been identified by name, but was said to be a 42-year-old transient. Officials said it was unknown whether she was cognizant of the train, which was approaching from the east.

Steven Rogers, a licensed civil engineer residing in Redlands, in the months and weeks before the initiation of Arrow Rail service on October 24, asked and then pleaded with both the San Bernardino County Transportation Agency and the City of Redlands to incorporate pedestrian safety features into the project.

Rogers indicated that hazards for those who needed to cross the line existed along the entire nine miles of the newly established commuter route but emphasized in particular the problems that would exist at major street crossings. On September 6, he addressed the Redlands City Council on the subject. The following day, he attended the board meeting of the San Bernardino County Transportation

Authority, known by its acronym, SBCTA, and formerly known as the San Bernardino Association of Governments, which utilized the acronym SANBAG. The San Bernardino County Transportation Authority's board consists of 29 members, a city council member or mayor from each of the county's 22 cities and two incorporated towns along with all five members of the San Bernardino County Board of Supervisors.

On September 7, Rogers addressed the SBCTA board about the lack of signalization and safety features for pedestrians that were in the project design, while asking for alterations to lessen the hazards. He focused that day in particular on the pedestrian issues at the spot where there was likely to be the largest number of passengers disembarking from the train.

"We are very concerned about the access from the University Station to the neighborhood because the way it's set up now, you get off the

train and you walk toward University [Street] on both sides of the station and it comes right to the street and there's no way to get across University," Rogers said. "So, my recommendation, and what I thought should have been put into this design originally, is we need a traffic signal at Park [Avenue] and University [Street]. Right now, SBCTA's built a median across there but I think this needs to be modified and we need to have a signal put in there in order for it to accommodate people to be able to get across the street. I really think that this is a huge health and safety issue and welfare for the community. I would encourage Ray [Wolfe, the executive director of the San Bernardino County Transportation Authority] to look at it. I've been talking to staff, and I don't know what more to say, but I'd hate to see somebody killed out there. The first person that's killed out there may be some kid that's ridden from San

Bernardino over to Redlands because they want to go to the Redlands skate park. They have no way to get across the street. So, please, do the right thing."

That did not prompt any revamping of the plans for the project and no construction of crossings with signals were visibly evident as the line was entering into the final stages of completion. Rogers again spoke before the SBCTA Board on October 5.

"These issues that I am bringing up are not that expensive to fix, but it is going to cost some money," Rogers said. "I'm really concerned about the safety of the Arrow Line. It's not just the University Station area; it's the entire thing, I believe, because this is all one project. I don't know that SBCTA has built any other trains before. I can't wait for Metrolink to get involved and SCRRRA [the Southern California Regional Rail Authority]. They need to be involved. They need to take this project out of

SANBAG and SBCTA's hands because I'm really concerned about the safety for the public of this project with the response I've been getting to all the concerns I've raised, legitimate concerns."

Rogers maintains that there are devices which include sensors to detect oncoming trains and the presence of pedestrians, which can be used to trigger gates or signals to prevent or ward off pedestrians and keep them from getting in front of an oncoming train.

"Apparently, we don't rate out on the east side of the county," Rogers said. "You have to live on the west side of the county to be taken care of."

In places such as Ontario and Rancho Cucamonga, Rogers said, "all kind of new technology in the world is used. We're going to have an opening on the 24th [October 24]. Passengers are going to start using this line without addressing any of these safety issues that I've raised."

-Mark Gutglueck

Despite Historic Diversity On Victorville Council, Lawyer Pressed For District Voting There from front page

encompassing the areas surrounding the Victor Valley Mall. District 4 at its north end straddles the I-15 Freeway and southern end lies west of the I-15 Freeway, across from the western Hesperia City Limits. It is generally east of District 2 at its north end and north of District 2, which extends east below it at its south end. It is both west of District 1 at its north end and south of District 1, which extends west above its northern limits. It is east of District 5 on its northwest side, and it touches District 3 at its northernmost tip on its central east side. Also, at its north end it is immediately adjacent to the unincorporated doughnut hole at what might be described as the city's midsection. It is the only district in the city that is contiguous to all four of the city's other districts.

Victorville has a total population of 131,417, of which 72,922 or 55.49 percent are identified as Latino. The Black population in Victorville is pegged at 22,282 or 16.96 percent. Asians account for 5,178 or 3.94 percent. Angulo was shoehorned into District 4, which boasts a Hispanic population of 15,412 or 57.4 percent of the district's total 26,871 population. District 4 further has a Black population of 3,372 or 12.5 percent and an Asian population of 964 or 3.6 percent. The configuration of the district fated Angulo into a match-up against Harriman, a contest that was the outcome of meddling in city politics by Scott Rafferty, an attorney practicing law in Walnut Creek, some 401 miles away.

Rafferty is among a crop of California lawyers who have made a substantial amount of money by exploiting provisions of the California Voting Rights Act.

The California Voting Rights Act of 2001 was framed with the intent of preventing the political disenfranchisement of minorities in the Golden State. It encourages the

use of by-district rather than at-large voting in local races for elected office.

The California Legislature in passing the act worked from the assumption that historically the state's minority population had been underrepresented in elected offices at virtually all levels within California and that minority votes were being diluted in "at-large elections," that is, in elections whereby representatives elected to represent the whole membership of a governmental body can live anywhere within that jurisdiction's borders. The theory was that by creating voting wards within such jurisdictions — cities, incorporated towns, school districts, water districts, fire districts, community services districts, etc. — the minority vote would not be diluted in those areas or districts or wards where the minority voters were concentrated, and this would lead to the election of minority candidates to office.

As part of the strategy to overcome this "at-large election minority voter dilution," the California Voting Rights Act made it easy to force local governments to dispense with at-large elections in favor of by-district voting. The California Voting Rights Act categorizes a host of ethnicities and races — including African Americans, Latinos, Native Americans, Asians and Pacific Islanders among others — as "protected minorities." By alleging that certain categories of the population are either not participating in the democratic process or are not adequately represented by politicians who share their ethnicity or race, a lawyer can use the California Voting Rights Act to collect legal fees for his or her advocacy of such protected minorities.

By alleging that racially polarized voting had taken place in a city's, town's, district's or any governmental agency's election of its leadership, an individual voter or group of voters, or more often an attorney representing an individual voter or group of voters, can demand the political leadership in those jurisdictions shift to by-dis-

trict or by-ward elections. If the political leadership does not comply with that demand, a legal action can be commenced to make a showing that the alleged polarized voting indeed is or was a reality. Upon such a demonstration, the California Voter Rights Act requires that the court order the transition to by-district voting.

The California Voting Rights Act confers upon the plaintiffs in such cases an overwhelming advantage in that though the plaintiff[s] stand[s] to gain or recover all money he, she or they expend in paying for his, her or their attorney's efforts, the cities or towns sued under the voting rights act are not eligible to recover their fees if they prevail in the litigation by succeeding in demonstrating that racially polarized or ethnically polarized voting has not occurred in their jurisdictions. Thus, the plaintiff[s] and the lawyer[s] representing them in these legal actions brought under the California Voting Rights Act run no risk. On the other side of the plaintiff/defendant divide, the cities or towns challenged in this way have to defray their own legal expenses if they chose to put on a defense at trial. Thus, even if a city prevails, it sustains unrecoverable legal costs, and if it loses, it stands to suffer costs of hundreds of thousands of dollars and perhaps beyond a million dollars in legal fees to be paid to the prevailing party.

From 2004 to 2009, the City of Modesto waged a legal battle in an effort to vindicate itself with regard to the charge that it was using racially polarized voting to keep Latinos out of office. It prevailed on multiple legal points, with a Superior Court judge ruling that elements of the California Voters Rights Act were unconstitutional in that they showed preference to minorities and the requirement for the city to pay attorney's fees was an unconstitutional gift of money before elements of the ruling were struck down on appeal to the 5th District Court of Appeals. The matter was then appealed to the California Supreme Court on the claim that the act in sever-

al aspects allowed reverse racism and constituted unconstitutional affirmative action. The state Supreme Court declined to hear the case, returning it to the trial court, where the case ended in a settlement under which the city put the question of whether the city should utilize district voting to the city's voters on a ballot measure. Despite suffering no clear legal loss and posing a case that the act in some respects constituted institutional and unconstitutional reverse racism, the city yet was required to pay out \$3 million in fees for the plaintiffs' lawyers.

The City of Palmdale's resistance to a request lodged in 2012 that it move to by-district voting resulted in a lawsuit which was adjudicated in the plaintiff's favor after three years, resulting in the city having to cover the plaintiff's \$4.7 million legal bill.

In 2018, the City of Santa Clara lost a similar suit and appealed that ruling, ultimately losing at the appellate level, whereupon it had to pay more than \$3 million in the opposition's legal costs, not including its own attorney's fees.

Between 2014 and 2022, Lancaster-based attorney R. Rex Parris, Los Angeles-based lawyer Milton Grimes, Malibu-based barrister Kevin Shenkman and Los Angeles-based solicitor Matthew Barragan, who has since gone to work for the U.S. Attorney's Office, collectively generated for themselves over \$7 million in legal fees by exploiting a provision in the California Voting Rights Act that entitles a lawyer seeking to promote so-called protected minority voter empowerment to bill the cities they engage with in that effort.

In 2013, Parris, Shenkman and Grimes opportunistically surveyed the San Bernardino County landscape and selected what they considered to be the county's most vulnerable jurisdiction among a handful of cities perceived to have foreclosed minority rights because of the relative scarcity of elected Hispanic officeholders locally despite the region's substantial Latino population.

Thus, Parris, Shenkman and Grimes in 2014 settled upon the City of Highland, where despite more than 39 percent of the residents of that city being Latino, no Hispanics at that time were serving on the city council. Highland thus became the first San Bernardino County city served with a demand that it alter the way it elects its council members. Highland responded by placing an initiative, Measure T, on the ballot asking the city's voters whether they wanted to switch to by-district elections. When the city's voters in November 2014 rejected Measure T, with 2,862 votes or 43.01 percent in favor and 3,793, or 56.99 percent opposed, Parris, Shenkman and Grimes proceeded with the lawsuit on behalf of Lisa Garrett, a resident of Highland who claimed to be politically disenfranchised because she was Hispanic.

Upon the matter going to trial, despite making a finding that the socioeconomic-based rationale presented by the plaintiff's attorneys to support the need for ward elections was irrelevant and that Garrett's assertion district voting was the only way to cure the alleged violation of the Voting Rights Act was false, San Bernardino Superior Court Judge David Cohn mandated that Highland adopt a ward system. For their efforts, Parris, Shenkman and Grimes experienced a substantial payday.

Thereafter, Parris, Shenkman, Grimes and Matthew Barragan, who was then the staff attorney representing the Mexican American Legal Defense Fund known by the acronym MALDEF, threatened lawsuits under the California Voter Rights Act against the cities of Barstow, Big Bear Lake, Chino, Chino Hills, Hesperia, Rancho Cucamonga, Redlands, Twentynine Palms, Upland and Yucaipa, as well as the towns of Apple Valley and Yucca Valley. Later, such demands would be made against the cities of Fontana and Ontario.

A provision of the California Voting Rights Act was that a city hit with a demand that it move to

by-ward or by-district voting could seek a "safe harbor" from the ruinous storm of potential litigation and get out from under the accusation that as a community its members had engaged in racially polarized or ethnically polarized voting by simply agreeing to make the voting system transition to wards or districts and paying the attorney making such a challenge a fee of \$30,000 to \$45,000.

In a number of San Bernardino County's municipalities, city officials and residents where racially polarized voting had been alleged expressed umbrage at that suggestion and denied the assertions that there was a systemic or institutionalized racial or ethnic bias built into their political establishments. Nevertheless, the prospect of having to wage a legal battle that, if won, would cost the city its own legal costs, and if lost, could run into the millions of dollars, persuaded city council after city council to simply fold and accept a transition to district voting without a fight.

Those lawyers seeking a quick \$30,000 to \$45,000 payday or a larger payout by actually filing suit against cities to force them into district-based elections avoided some San Bernardino County cities, particularly those which had a clearly demonstrable history of electing minority — generally, Hispanic — civic leaders. Among those were San Bernardino and Colton, which had long histories of electing Latino and Black council members and had already switched to district voting, as well as Rialto, Needles, Grand Terrace, Montclair and Victorville, where their city councils had proven to be highly diverse.

Victorville had organically elected protected minority members to its council while using an at-large elective process for more than a generation. In the thirty years between 1991 and 2021, Victorville's voters had elected a total of 20 council members, eight of whom — Felix Diaz, Rudy Cabriales, Angela Valles, Gloria Garcia,

Continued on Page 5

Cook's Residency Fraud Gives Smith's Political Patrons Grounds To Send Him Into Premature Retirement In Favor Of Their Handpicked Alternative *from page 2*

to remain in California's lower legislative house, a contingent of business interests, entities with governmental contracts and Republican Party donors from San Bernardino County heavily backed Smith, who had proven himself to be faithfully responsive to the local establishment and even more highly amenable to the policy directives of his political patrons in his past stints in the publicly-elected capacities he filled as a Hesperia councilman and Hesperia mayor from 2006 to 2014, along with being a board member on the Mojave Water Agency from 2016 to 2020 and in his single term in the Assembly.

Smith draws his patrons from the same ranks as donors who have consistently backed Republican candidates throughout San Bernardino County. The number of registered Democratic voters in San Bernardino County eclipsed the number of voters who identify as Republicans in 2009. The registration gap between the two competing parties has widened in favor of the Democrats to the point that, at present, of the current 1,142,138 people registered to vote in the county, Democrats at 471,531 or 41.3 percent significantly outnumber Republicans, at 333,860 29.2 percent. At the same time, 242,947 San Bernardino County voters or 21.3 percent state they have no party preference and 8.2 percent of the county's voters affiliate with the American Independent, Green, Libertarian, Peace and Freedom and other more obscure political parties. Despite what would seem to be a resultant solid Democratic Party political advantage in San Bernardino County, Republicans have repeatedly demonstrated themselves to be far more capable than their Democratic rivals at hitching all of the horses to the same side of their campaign wagons and pulling in the same direction, outthrusting the Democrats when it comes to raising money and then

applying it in promoting GOP candidates and causes with radio and television spots, newspaper ads, billboards, handbills, mailers, polling and phone banks. Consequently, though California is a thoroughly Democratic state, San Bernardino County remains one of the last remaining Republican bastions within it.

The Inland Empire Business Alliance, Business Leaders for Ethical Government, Jeff Burum, Prem Reddy, Frank Bigelow, James Previti, Simon Bouzagliou, Randall Friend, Bruno Mancinelli, Jesse Armendarez, John Ohanian, Dino DeFazio, Randall Lesovsky, IMH Land Development Inc. President Ian Harvey, Wyn Holmes, Gerald Beard, San Bernardino County Republican Central Committee Chairman Phil Cotthran Sr, Martha Cuevas, Joe Pattison, Chris Leggio, Julie Dammeier, Dieter Dammeier, Manuel Serrano, Cheryl Ricker, Eagle Real Estate, Raman Poola, Sukhdev Dhillon, Jim Walton, Kali Chaudhuri, Michael Rademaker, Dave Steeno, Robert Lovingood, Dwight Manley, Traci Hoops, Stacey Tarango, Frecia Germany, Richard Reeb, Larry Cusack, David Greiner, William Verret, Richard Rorex, Carl Coleman, Robert Basen, Barron Wilson, Kelly Bergstrom, Fred Nassif, Edward Roski Sr, Rebecca Otwell, Travis Parke, Tom Smith, Ryan Hutchinson, Mark Guirguis, Mandave Sandhu, Chris Hitt, Kimberly Cox, Jeanne Kennedy, Patricia Tate, David Mlynarski, Craig Hallmeyer, Chirag Mehta, Martin Kiefer, Vijay Arora, Darryl Evey, Eric Hansen, Donald Bartz, Paul Courtney, Ram Kamath, Terry Caldwell, Art Bishop, Chuck Bell, Gabor Besze, Eric Dunn, Chad Hitt, Brad Letner, Jim Cox, John Holliday, Robert Tarango, Ed Scott, Percy Bakker and Ted Alejandro all invested in Smith's political career and his effort to remain in the Assem-

bly. Several, particularly those who made substantial donations to his Assembly campaign, are intent on preventing the money they spent from being entirely squandered and they believe they can recoup the value of what they put into their effort to purchase a position of influence over the governmental structure which regulates their various industries and functions by having Smith assume the authority at the county that Cook captured two years ago. While the roster of those who backed Smith in his campaign against Lackey is in large measure indistinguishable from the list of donors who over the years have bankrolled Cook in his electioneering efforts and Cook is very likely to return the favor in any circumstance where the projects or contracts being pursued by those donors come before the board of supervisors for approval, he will become an octogenarian in March. As such, Cook represents at best a fleeting presence in the decision-making role he now fills. Smith potentially offers those who are willing to put up sufficient money to secure influence at the Hall of San Bernardino County Administration a reliable vote on the board of supervisors for another decade.

The circumstance with regard to Cook officially claiming a residential status that is at odds with actuality so that he can represent the people of a district wherein he does not himself actually live has involved Hernandez as the county's highest ranking staff member, a number of employees within the county's administrative office, both supervisors Hagman and Rowe and some of their employees and virtually everyone on Cook's staff in the perpetration of activity that under a straightforward and reasonable interpretation constitutes a criminal conspiracy. Those who are among the rarified breed of the most aggressive and informed patrons of the county's politicians see this as an opportunity to pressure Cook into resigning while simultaneously ensuring that the

board of supervisors will replace him with their ideal in terms of the options that exist for someone to occupy the First District board position who will ensure their interests are looked after.

The *Sentinel* this week addressed a handful of questions growing out of the circumstance to Cook, Itnyre, Hernandez, Hagman, Rowe and David Wert, the county's public information officer.

Those questions included whether the county is now acknowledging that Supervisor Cook is no longer living at 23395 Taos Road in Apple Valley, how long he has not been in residence at 23395 Taos Road in Apple Valley and if Cook ever actually lived at 23395 Taos Road in Apple Valley.

The *Sentinel* in an email requested from Hernandez and Wert what steps the Registrar of Voters' Office took to verify Cook's residency to determine his eligibility to run for First District supervisor. Based upon Cook's long recognized residency in Yucca Valley, his previous status as both a councilman and mayor in that town and that he had used the 54989 Country Club Drive address in Yucca

Valley address in running for the California Assembly and the House of Representatives and was yet using that address when he resolved to run for the board of supervisors, the *Sentinel* inquired as to what the Registrar of Voters did to verify the affidavit Cook filed in asserting residency in the First District and if the registrar merely accept the affidavit at face value without any verification. The *Sentinel* through an email sought from the county an explanation of how the registrar of voters resolved the discrepancy between Cook's previous registrations, not only as a voter but as a candidate, that placed him in Yucca Valley, outside the confines of the First District, and his assertion of residency in 2019 in Apple Valley.

Wert did not respond to those inquiries. Neither did the county respond to the *Sentinel's* email request that it provide a copy of Cook's affidavit of residency when he re-registered to vote in Apple Valley.

The *Sentinel* by email inquired of Tim Itnyre about Cook's claim of residency at his home in Apple Valley and whether he was prepared to acknowledge that Cook was not actually living there.

Itnyre did not respond.

County Chief Executive Officer Leonard Hernandez did not respond to the *Sentinel's* email inquiry about his knowledge with regard to where Cook is now residing, how long he had known about Cook not living in the First District and if he had known, from the outset of Cook's tenure as First District supervisor, that Cook was not living in the First District. The *Sentinel* also asked Hernandez if an effort to secure Cook's resignation from the First District supervisorial post was under way or if the county was going to initiate such an effort as well as how long it would take to effectuate Supervisor Cook's removal. Hernandez was asked what dialogue he had engaged in with Cook about the supervisor's residency or if he was privy to such a discussion with Board Chairman Hagman or Supervisor Rowe. The *Sentinel* further asked Hernandez if he had discussed Cook's residency with Itnyre or Matt Knox, who had been a staff member for Cook while he was a congressman and who later joined Rowe's office as her chief of staff.

Hernandez declined to *Continued on Page 6*

From 400 Miles Away, Attorney Unfamiliar With Victorville Dictated Its Electoral Policy *from page 4*

Eric Negrete, Blanca Gomez, Rita Ramirez and Elizabeth Becerra – were Latino or Latina and two of whom – Jim Busby and Leslie Irving – were African American.

Despite that, in 2021, Scott Rafferty, alleging that Victorville had been plagued with racially/ethnically-polarized voting, demanded that the city transition to district elections. Despite Victorville City Attorney Andre deBortnowsky's insistence that the city had not engaged in racially/ethnically polarized voting, in the face of Rafferty's effort to force the city to embrace ward system voting, he nevertheless recommended that the city knuckle un-

der and accede to moving to ward system voting as Rafferty was proposing, since even were the city to roll the dice and prevail in resisting the changeover, it would not be able to recoup the legal costs of engaging in that defense, given the terms of the California Voting Rights Act.

Rafferty, intimating that he would tolerate no delays in the city moving to a ward/district voting system, successfully stampeded the city into making the change. City officials, wary that Rafferty might prevail in convincing the court that the city should create voting districts and carry out its city council elections in that fashion and thereby put Victorville's taxpayers on the hook for hundreds of thousands of dollars in Rafferty's legal billings, last year made it so that Victorville last week held its first by-

ward election.

Front and center in the debate over voting rights is the contention of some voting rights advocates who maintain that ward-based systems can empower minority voters by making it more likely that a minority candidate in a ward that is more heavily laden with minority voters will be elected than if that minority candidate must stand for election in a contest in which all of the voters of the jurisdiction are participating, thus diluting the minority vote.

Rafferty adhered to this theory in his action in Victorville, where he claimed he was making the demand that the city go to district-based voting to empower minority voters. Rafferty's assertion was that by electing its council at-large Victorville was diluting the votes of its Latino citizens

Continued on Page 12

This Year, The Board Of Supervisors Convinced Voters They Deserve A Quarter Of A Million Dollars In Annual Compensation; In 2020, The Voters Reduced Their Yearly Salary & Benefits To \$60,000 from front page

elected positions, such that they are easily influenced by large political donors who provide them with money to assist them in staying in office. This corrupts the county's governmental decision-making process, according to the Red Brennan Group, which put forth Measure K to reduce the supervisors to part-time legislators and prevent them from seeking reelection, and thus reduce graft and result in the board of supervisors being dedicated to the citizens of the county rather than being beholden to those endowing their electioneering funds.

The supervisors railed against Measure K and its terms, asserting that reducing their pay to that of typical blue collar workers was beneath the dignity of county government, not in keeping with the grave level of responsibility that they took on in their posts and would make them more, not less, vulnerable to graft and corruption by reducing their incomes, tempting them to take under-the-table payments to make up the difference

57.14 Percent Changeout On The Needles City Council from front page

Colorado River across from Arizona is tied with San Bernardino, the county's largest city, for having the county's most numerous city council, at seven members. At present, the City of Colton also has seven council members, but next month that number will reduce to five. It is rare for a city council to undergo a change of a majority of its members, although it does from time to time happen. In 2014 and again in 2018, Adelanto saw three of its five council members taken out of office and replaced as a consequence of those years' election cycles. Also in 2018, the Upland City Council lost three of its members with that November's election.

between what they were accustomed to receiving and the pittance the Red Brennan Group wanted them to accept.

Measure K passed by a two-thirds margin in November 2020.

In the immediate aftermath of Measure K's approval, the board of supervisors sued their own employee, Clerk of the Board of Supervisors Lynna Monell, to prevent her from implementing the provisions of Measure K. San Bernardino County Superior Court Judge Donald Alvarez ruled that Measure K was flawed but an appellate court reversed him in its tentative decision that has yet to be finalized. Meanwhile Measure K never went into effect and the board of supervisors put Measure D, which essentially rescinded Measure K, on the November 8 ballot.

Measure D called for increasing the supervisors' individual salaries to \$185,460.976 and their benefits to \$68,556.82 along with add-on pay of roughly \$17,800 for a total annual compensation of \$271,817.79. It also called

In 2020, Barstow saw three new officeholders elected to its five-member council. In both the 2018 and 2020 San Bernardino Municipal Races, there were three council member changeovers, but those did not constitute a majority on that seven-member panel. To the best of the Sentinel's institutional memory, the four-person changeout that is to take place next month with the swearing in of Jernigan, McCorkle, Pogue and Longbrake will represent the most comprehensive change in municipal governance that has yet to take place in one election cycle in the county. As a consequence of the change, there will be, to the extent there can now be said to be a ruling coalition on the Needles City Council, a change in that coalition.

-Mark Gutglueck

for allowing those supervisors already in office to serve three more four-year terms and all future supervisors to serve three terms in office as well.

As of the tallying of votes completed by November 12, 148,855 of the 252,035 votes cast regarding Measure D county-wide, or 59.06 percent, were in favor of it and 103,180 or 40.94 percent were opposed.

"This is a great day for San Bernardino County," Chairman of the Board of Supervisors Curt Haggman said of the passage of Measure D.

Measure D was saluted as providing an extra layer of protection for San Bernardino County's taxpayers by requiring that the board of supervisors from here out pass any resolution asking the county's residents to approve a new tax by a four-fifths margin. This will, those lauding Measure D's passage said, make living in San Bernardino County "more affordable" and would "protect San Bernardino County residents and give them the strongest voice in our levels of taxation." Measure D was a step forward for senior citizens, working people and taxpayers in the county, the Measure D support committee stated.

The Red Brennan Group, conversely, decried the voters' reversal of the provisions of Measure K inherent in the passage of Measure D.

Tom Murphy, the spokesman for the Red Brennan Group, attributed Measure D's success to the intense campaign for its passage that was bankrolled by the same political donors whose influence his association had hoped to stem with Measure K. Through November 3, five days before the election was held, \$829,000 had been provided to the Yes on D Committee, primarily by development and business interests and public employee unions.

"Apparently, San Bernardino County voters were unable to see through the smokescreen created by the Yes on D campaign," Murphy said. "This is no surprise given that a coalition of career politicians, developers,

and public unions invested nearly \$900,000 to support the measure."

Murphy said the proponents of Measure D had used a panoply of Madison Avenue tactics to sell the voters the Measure D bill of goods.

"Deceptively titled 'Taxpayer Protection and Government Reform,' Measure D was, in fact, an arrogant effort by county supervisors to overturn the voters' will and solidify their hold on power," Murphy said. "Rather than taxpayer protection, county voters, by approving Measure D, have ensured current supervisors are able to serve a total of 16 years in office; total compensation for county supervisors is in excess of one-quarter of a million dollars and automatically increases after each election; if voters change elected supervisors' compensation or term limits in the future, the fictitious tax protection included in Measure D is eliminated."

Murphy noted that those running the campaign in favor of Measure D used organizations such as the Inland Empire Taxpayers Association to front end for them and made false claims that statewide tax reform advocates such as the Howard Jarvis Taxpayers Association supported Measure D. He pointed out that Jon Coupal, the president of the Howard Jarvis Taxpayers Association, in October had referred to the Yes on Measure D support team's effort as "The most despicable, deceptive campaign we've seen in a long time."

The Red Brennan Group filed prior to the election a yet-pending legal action challenging the manner in which Measure D was presented to the voters on the ballot and in the voting materials supplied to voters by the San Bernardino County Registrar of Voters. Murphy said that the manner in which Measure D was worded on the ballot - "Shall the amendments to the San Bernardino County Charter for taxpayer protection and government reform be adopted?" - was both inadequate and deceptive. Furthermore, he said, the

ballot statement provided in the county voter information guide was misleading.

"Elections Code Section 13119 requires that 'the statement of the measure shall be a true and impartial synopsis of the purpose of the proposed measure.' We believe the ballot material was deceptive concerning the true purpose of the measure," Murphy said. "Additionally, the California Supreme Court has laid down the framework that will allow us to establish the duplicity demonstrated in Measure D constitutes a due process violation. The hearing on that case is set for December 15th."

Murphy said the Red Brennan Group has not yet given up on Measure K.

"The fate of the voter reform effort started in 2020 is now entirely in the hands of the Court of Appeal. Measure K was approved by over 66 percent of the voters. Despite that, the members of the board of supervisors chose self-interest over bold leadership and sued to have this effort overturned. Two years later, the case is awaiting a final ruling.

County's Top Politicians & Administrators Silent On Cook's Residency Violation And Reports Smith Will Replace Him from front page

respond.

The county did not confirm but did nothing to deny or dispute that a move is afoot to have Smith replace Cook in the First District supervisorial capacity upon his departure from the Assembly.

An indication that a move is afoot to bring Smith in as Cook's replacement representing the First District consists of the county having removed from the Registrar of Voters website the California Form 460 documents which list the donors to Smith's 2020 and 2022 electoral campaigns and the amounts of money those donations entailed.

The *Sentinel* inquired of both supervisors Hag-

If elected leadership can sideline a voter approved measure simply by taking it to court, creating an alternative measure, lying to voters concerning that measure and partner with special interests to fund the whole scheme, it is understandable when voters become cynical about the political system, embittered towards local government, and check out entirely from their civic responsibilities."

The delaying of the implementation of Measure K and the substitution of Measure D, Murphy said, "is certainly not the result we worked to obtain. However, it is an excellent example of how the local government system is stacked in favor of the special interests that feed off the taxpayers. The only way to defeat this cabal is for voters to get educated, get active, and challenge every single policy the ruling bureaucracy tries to enact. As human beings we are by nature self-interested. The political class is no different. Everything they concoct is going to be in their best interest and, most often, not in the interest of the voters."

-Mark Gutglueck

man and Rowe with regard to their knowledge about Cook's residency during his tenure as First District supervisor. They did not respond.

The *Sentinel* followed its written email inquiries to Wert, Hernandez and Itnyre up with multiple phone calls. Those calls were not returned by press time.

Efforts to reach Cook in person and by phone were not successful.

At 2:48 p.m. on Friday, November 18, an employee in Cook's Apple Valley office who took a call from the *Sentinel* said Cook had been in that office earlier that day but at that point the supervisor was out of the office in the company of Itnyre.

Multiple efforts, consisting of an email and phone calls, to get a statement directly from Smith relating to whether he will seek or accept the appointment as First District supervisor were unsuccessful.

Public Notices

FBN 20220009975
The following person is doing business as: IMPECCABLE CLEANING SERVICE; THE IMPECCABLE CLEANING SERVICES; THE IMPECCABLE CLEANING SERVICES. 250 N LINDEN AVE SP #249 RIALTO, CA 92376.

FBN 20220009976
The following person is doing business as: APRIL BLACKBURN, 1551 E DATE ST APT #10 SAN BERNARDINO, CA 92404.

FBN 20220009966
The following person is doing business as: S & D SERVICES, 11090 MOUNTAIN VIEW DR APT 24 RANCHO CUCAMONGA, CA 91730.

FBN 20220009840
The following person is doing business as: RIVAS LANDSCAPING, 831 E. BROCKTON AVE REDLANDS, CA 92374

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COUNTY OF SAN BERNARDINO YESENA D AMAYA RIVAS 831 E. BROCKTON AVE REDLANDS, CA 92374.

FBN 20220009900
The following person is doing business as: LA OFICINA LATINA, 1331 KENDAL DR. SUITE 4 SAN BERNARDINO, CA 92407.

FBN 20220009843
The following person is doing business as: JT TOOLS, 1787 HERRINGTON AVE SAN BERNARDINO, CA 92411.

FBN 20220009839
The following person is doing business as: M&M ENTERPRISES, 7221 CHERRYWOOD COURT HIGHLAND, CA 92346.

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man 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.

FBN 20220009847
The following person is doing business as: EXCELLENCE RE REAL-STATE, 31961 HILLTOP BLVD UNIT #1 RUNNING SPRINGS, CA 92382.

FBN 20220009848
The following person is doing business as: EXCELLENCE RE REALSTATE, 9227 HAVEN AVE SUITE 110 RANCHO CUCAMONGA, CA 91730.

FBN 202220009971
The following person is doing business as: ASADERO ENRIQUEZ, 27218 BUFFALO TRAIL CORONA, CA 92883.

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ment on file in my office San Bernardino County Clerk By:Deputy Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk.

FBN 2022000982
The following person is doing business as: ROCKY'S SPORTS BAR AND GRILL, 31567 OUTER HWY 10 #1 REDLAND, CA 92373.

FBN 20220009683
The following person is doing business as: ROCKY PLAZA MARKET & LIQUOR, 31583 OUTER HWY 10 #4 REDLANDS, CA 92373.

FBN 20220009792
The following person is doing business as: BNAILS & BEAUTY, 8557 SIERRA AVE FONTANA, CA 92335.

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ing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et seq., Business and Professions Code).

FBN 20220009867
The following person is doing business as: LAURA'S BGZ PARTY SALES & RENTALS LLC, 2548 W FAIRVIEW DR RIALTO, CA 92377.

FBN 20220009899
The following person is doing business as: BUENO AUTO TRUCKING DETAILING, 864 N. K ST. SAN BERNARDINO, CA 92411.

FBN 20220009868
The following person is doing business as: INYON SOLUTIONS, 1255 WEST COLTON AVE SUITE 510 REDLAND, CA 92374.

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The following person is doing business as: SPLASH DRIVEN, 1018 SHIBA CT UPLAND, CA 91786.

FBN 20220010071
The following person is doing business as: CHUBBYS HOT CHICKEN, 5771 DATE AVE RIALTO, CA 92377.

FBN 20220001005
The following person is doing business as: A BETTER WAY PSYCHIATRY & TMS, 3200 GUASTI RD STE 100 ONTARIO, CA 91761.

FBN 20220010145
The following person is doing business as: RIVERS AND OAKS CO, 17074 CAMBRIA AVENUE FONTANA, CA 92336.

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tious business name or names listed above on: NOV 02, 2022 By signing, I declare that all information in this statement is true and correct.

FBN 20220009783
The following person is doing business as: HAIR STATE OF MIND SALON, 17216 SLOVER AVE FONTANA, CA 92376.

FBN 20220001005
The following person is doing business as: A BETTER WAY PSYCHIATRY & TMS, 3200 GUASTI RD STE 100 ONTARIO, CA 91761.

FBN 20220009955
The following person is doing business as: JAY LIQUOR MART, 1396 BORDWELL AVE COLTON, CA 92324.

Voting System Designed To Enable Minorities To Obtain & Keep Political Power Ends Up Advancing A White Male Into Office In Victorville Where Previously Women Of Color Predominated

from page 6

and suppressing the ability of its neighborhoods with concentrations of minority voters to recruit and sponsor the candidates of minority council hopefuls and prevent them from aggregating their votes to elect minority candidates in districts represented by a single member. He maintained that having residents vote for a single candidate living within and representing a specific neighborhood or district would result in what he called “more representative” candidates for local office in Victorville with its substantial Hispanic population in future elections.

Rafferty’s assumption was that historically minority, or more specifically protected minority, candidates had been shut out of Victorville’s political process and had not taken their rightful place on the dais at Victorville City Hall. That assumption was demonstrably at a variance with the facts. He nevertheless proceeded with threatening litigation against Victorville, and succeeded on the basis of the city not wishing to risk the financial liability that cities must face in functioning under the uneven advantages given plaintiffs under the California Voting Rights Act.

In many of the cities in Northern California where Rafferty has plied his trade and used the California Voting Rights Act to force the adoption of by-district elections, he had been criticized for claiming, without marshaling any proof or probative evidence, that in cities where there has been a dearth of minority officeholders, voters, and in particular white voters, have pointedly voted against minority candidates because those candidates were not white. Residents in those communities have disputed Rafferty’s characterization of their cities or towns as racist based on officeholders there having not been members of protected minorities. They

contend that Rafferty has defined “equal rights” as providing one group preference over another. They have said that Rafferty has falsely claimed that their communities have collectively sought to ensure that only white males were elected, and he has used that as a justification for drafting electoral maps in cities that are designed to perpetuate reverse racism by promoting a system designed to ensure that candidates of a specific ethnicity are given an electoral advantage.

Rafferty has been further criticized by those observing his work who say he does not adequately familiarize himself with the communities into which he invites himself, and that he often makes assertions of fact that are simply not born out by the history or data relating to voting patterns in those communities.

A substantial element of the population out and out rejects the accusation that polarized voting or racism is institutionalized into their communities. They point out that in a majority of the cities targeted for forced acceptance of ward/district voting systems, members of protected minority groups have achieved elected office.

Beyond the issue of extending representation to a single given element of the population, there are arguments presented against ward or district systems based upon the contention that political wards lend themselves to a corruption and bastardization of the political process. The imposition of ward systems, those of this mindset contend, carries with it the potential for creating a set of fiefdoms within a city wherein if not absolute, then near-absolute, power is installed in a single individual within each of those geographical divisions, rendering each such elected official – either a council person or alder person – a political boss in effect separately attended by a retinue of

henchmen fiercely loyal to that officeholder, who is able to dole out perks and favors at will and is empowered to act with utter ruthlessness and efficiency, unchecked by the majority of voters within the city as a whole who must live with the impacts of such depredations. Such historical and ongoing examples of this consist of the political realities in cities such as Chicago and Philadelphia, and indeed, closer to home, in the City of San Bernardino, where the voters in this year’s primary election made a rejection of that city’s now-lame duck political boss, Mayor John Valdivia, who established himself initially as the lord of the Third Ward in that city before moving up into the mayor’s position in 2018, from which perch he initially assembled a ruling coalition of ward-elected councilors, only to see that coalition fall apart when actions he took in his capacity as the city’s political boss were engulfed in scandal. Valdivia was rejected by the city’s voters in the June 7 primary election, finishing in third place, which led to San Bernardino’s voters last week electing a new mayor, Helen Tran.

Despite the assumption of many that ward voting systems are a more democratic alternative in the selection of political leaders and the relative advantage those seeking a transition to ward/district systems are given under the California Voting Rights Act notwithstanding, there is yet considerable debate over the issue of the relative merits of the competing ward vs. at-large voting systems, including whether ward and district systems actually facilitate a fairer representation of the minority population.

Nevertheless, some political theorists point out that in certain cases, particularly those in which racial or ethnic heterogeneity is evenly spread throughout the community, an election system changeover from at-large elections to ward elections is more likely to result in fewer minorities being elected.

This week’s tallying of the November 8 vote in Victorville’s District

4 showing Harriman outgunning Angulo represented a resounding disavowal of both the principle and theory upon which Rafferty and other attorneys making use of the California Voting Rights Act – Shenkman, Parris, Grimes and Barragan among them – operate.

Prior to the Rafferty-induced change in Victorville’s voting system, the last five people elected in Victorville were women, three of whom were Latinas and one of whom was African American. With the change that Rafferty wrought, two white candidates were elected/re-elected, one of whom is male.

Going into the election, Angulo tracked well as a candidate. An active Democrat, she is the president of Ladies Taking Key Opportunities, a nonprofit that distributes clothing to the less fortunate, including women veterans who are under economic duress, memory loss centers, women’s shelters, and the homeless. She is anything but a political neophyte, having been elected to the Bassett Unified School District Board of Trustees in Los Angeles County, where she served from 1997 to 2001.

She ran and came up short in her bid for a Victorville Council seat in 2018, finishing fifth among a field of 11 candidates competing for two positions, and in 2020 ran more strongly when she again competed for a position on the council, coming in seventh in a field of 22 candidates for three open council slots.

Harriman was no slouch either, as he is a 42-year resident of Victorville, a member of the Victorville Planning Commission and Community Services Advisory. A local businessman who owns and operates High Desert Concrete, his perhaps strongest suit is his many years of involvement in youth sports in Victorville, including serving as the president of Victorville Little League.

In essence, Angulo and Harriman were competing for an open position on the council that had been vacant since Rita Ramirez-Dean was removed last year from

the at-large council post she was elected to in 2018 because three of her colleagues maintained she was not residing in Victorville following her hospitalization for the amputation of her lower leg. With the first report of results at 8:30 p.m. on election night, Tuesday evening, November 8, with only mail ballots having been received at that point, Angulo jumped off to what appeared to be a decided lead, 845 to 731. At 2 a.m. the morning November 9, Angulo widened her lead when three votes for her came in from the polls and two registered for Harriman. At 4 a.m., 92 voters from the polls came in for Angulo, which were more than matched by 142 that were notched by Harriman. At 6 a.m., Angulo claimed another 17 votes and Harriman brought in 13. 1,045 votes to 930. At 4 p.m., Harriman made a huge leap forward, logging 127 more votes while Angulo received 70. The vote count at that point stood at 1,057 or 50.36 percent for Angulo and 1,036 for Harriman. Over the next two days, Harriman made incremental inroads on Angulo’s lead, such that as of November 11 at 4 p.m., Angulo held a six-vote lead, 1,223 votes or 50 percent to 1,217 votes or 49.75 percent. There were six unresolved write-in votes in the race. The following day, November 12, at 2 p.m., Angulo had registered another 21 votes for 1,244 voter endorsements, which was good for 50.04 percent. In the same timeframe, Harriman garnered another 25 votes for 1,242 votes or 49.96 percent, as the issues with the write-in votes had been resolved.

On Monday, November 14 at 4 p.m., the tallying of the next batch of incoming votes showed that while 112 further votes had been notched in Angulo’s favor, 127 came in for Harriman. Thus, Harriman had pulled into the lead by 13 votes, with 1,369 votes or 50.24 percent to Angulo’s 49.76% or 1,356.

The *Sentinel* by phone caught up with Rafferty late this afternoon, asking whether he now believed his efforts to promote minority political repre-

sentation in Victorville was misplaced, given that before he had begun his efforts, the city council was composed entirely of women and four-fifths composed of protected minorities. Rafferty rejected any such suggestion.

“The voters in that neighborhood [i.e., Victorville District 4] were not well represented,” he insisted. “The at-large voting didn’t reflect the city’s population.”

When it was pointed out that the one change effectuated in this year’s election was to elect a white man to the council where four-fifths racial/ethnic minority members had heretofore predominated and the council was entirely on the distaff side, Rafferty resisted the implication that the results of the Angulo/Harriman contest tended toward disproving his theory that a by-district system rather than the historic at-large method of polling will better promote the election of protected minority candidates.

“It’s a longtime reform,” he said. “It’s not about the success of any given candidate. It’s about the voters. It is not a strategy intended to benefit any individual candidate.”

As to this particular election in District 4 putting a white man into office where previously women had been exclusively chosen by the voters with 80 percent of those being minorities, Rafferty said, “It doesn’t benefit just minorities. It was designed to benefit any underrepresented voters.”

Rafferty indicated he had targeted Victorville in large measure because of the vote of the council last year to remove Ramirez-Dean from office, which he said deprived the council thereafter of the participation of one of its Hispanic members. He characterized that action, which was opposed by Ramirez-Dean along with her council colleague Blanca Gomez and was supported by Councilwoman Leslie Irving, an African American, Councilwoman Liz Becerra, a Latina, and Debra Jones, a Caucasian, as racist.

-Mark Gutglueck