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County OES Head Delayed Mountain Blizzard Response Strategy Session 10 Days

By Mark Gutglueck

The lackluster response of the multiple state and governmental agencies to the challenges of the February and March blizzard conditions in San Bernardino County's mountain communities was in large measure a reflection of the lack of timely reaction and dearth of emergency management training, experience, and education by the county deputy executive officer



Daniel Muñoz

overseeing the San Bernardino County Office of Emergency Services and his failure to coordinate

with the county's chief executive officer in getting equipment, supplies and manpower in place, sources familiar with the county's managerial echelon and its emergency protocol have told the *Sentinel*.

What came about over the last week-and-a-half of February and into the second week of March had its roots in County Executive Officer Leonard Hernandez's penchant for promoting into

the county's top managerial posts individuals loyal to him rather than those whose demonstrated competence would otherwise have qualified them for department leadership positions, according to several middle- and high-ranking county employees.

In the instant case of what is now referred to as the Blizzard of '23, Assistant County Executive Officer Daniel Muñoz's understanding

and functional familiarity with the county's so-called FAST Plan, meant to provide a blueprint of the emergency response to a whole host of anticipated weather disasters that could beset the county, was at best sketchy, according to those who have worked with him in the county's two primary emergency response divisions. As a consequence of that, it appears, Muñoz for ten days failed **See P 2**

Hiding Tortoise Presence Data Tripped Up Wonder Valley Inn Proponents

What appeared to be clear sailing toward the routine approval of a proposal to establish a resort hotel in the desert community of Wonder Valley ran into a ruinous typhoon when public input revealed the extent to which the project proponents had attempted to conceal from county land use officials conditions relating to the property on which the development was to take place.

After a four-hour 37-minute and 45-second public hearing, the San Bernardino County Planning Commission March 23 rejected the San Bernardino County Land Use Services staff's recommendation and denied a proposal by Jason Landver and Alan Greenburg to construct the Wonder Inn on what would roughly total 12 acres within a 21.22-acre parcel and an adjoining 3.18 parcel located at 78201 Amboy Road, not too distant from the southwest corner of Amboy Road and Gammel Road.

Going into the meeting, Landver and Greenburg had the momentum of a county land use services department staff recommendation that the planning commission endorse the project to the San Bernardino County Board of Supervisors, which as the county's ultimate elected decision-making body, alone has the authority to adopt the mitigated negative declaration and mitigation monitoring and reporting program for the project, adopt the findings for the approval of the project and approve changing the RL-5 zoning, allowing for rural **See P 5**

District Won't Let Kids Into Ontario Ranch School Parents Pay \$4,433.11 Per Year For

Several score parents in the southernmost area of Ontario were given an object lesson in how unfairly they and their children can be treated by the combination of local government, the development community and the school district they have entrusted to educate their children using a state law that allows the financial burden for building schools to fall

on them without any assurance their children will be allowed to attend them.

Historically in California, developers were required to defray the cost of the infrastructure built to accompany their projects, such as streets, curbs, sidewalks, water lines, sewers, sewer lines, schools and parks. Oftentimes those builders were required to con-

struct the improvements outright; in others, they would contribute money to a municipal fund that paid for the needed accessory equipment and foundations to service the homes being built and the people living in them.

In 1945, the California Legislature enacted the Community Redevelopment Act with the stated intent of assisting

local governments eliminate blight through development, reconstruction, and rehabilitation of residential, commercial, industrial, and retail properties. This allowed cities to form redevelopment districts in which the property tax collected therein – referred to as tax increment – would come under the exclusive control of the redevelopment agency. The

redevelopment agency would borrow against that future tax increment revenue, generally in the form of issuing municipal bonds which would be sold to investors. The proceeds from those bond sales would then be used by the redevelopment agency, which was a subentity of the city, to rid the redevelopment district of its blight, thereby **See P 6**

County Earmarks \$72.7 Million For Homeless Programs

The San Bernardino County Board of Supervisors this week committed the county to a concerted effort to reduce homelessness throughout the 20,105-square mile jurisdiction they oversee, saying they will utilize \$72.7 million in federal, state and county resources to support what has been dubbed the 2022 Homeless Strategic Action Plan.

Referencing that plan, which was approved by the slightly differently constituted board last June, Fourth District Supervisor Curt Hagman said, "As a board, we are leveraging all of the resources at our disposal and thinking outside the box by linking housing and other services to give people who are struggling a foundation of stability."

Hagman said it was hoped the approach would enable "people to break through the challenges they are facing and get back on their feet and off the streets. Addressing the root causes of homelessness is the most effective means of reducing the numbers of people experiencing homelessness and providing a path forward for the individu- **See P 3**

Simmons At 50 Has Had Enough Of Being Chino's Police Chief

Chino Police Chief Wes Simmons, who recently eclipsed his 50th birthday, will retire after a 28-year career in law enforcement on August 10, slightly more than four years after he was sworn in to head the department.

Simmons' departure comes nearly a decade before many had hoped he would leave as chief

and roughly 12 years before he could be forced to retire on account of age. He has not publicly disclosed the reason he is leaving now, though those close to him have suggested that the increasingly violent nature of police work and the aggressive foreclosure of the rights of the common citizens he is sworn to protect have **See P 3**

County Will Take Up Numeric Limitations On Short-Term Rentals In November

County officials will not institute any further regulations or limits on short-term rentals at least until November.

Short term rental units have been proliferating in the county's unincorporated mountain and desert communities over the last five to ten years, prompting efforts to impose and enforce regulations on the owners of and the guests

at those concerns. The transformation of what were formerly standard residences into temporary bed and breakfast inns, sometimes called "Air BNBs" [for air mattress bed and breakfasts] along with people living in typical homes located in traditional vacations spots in the mountains or near the Colorado River or at the periphery of Joshua Tree National

Park have become a magnet, for a short time, for temporary neighbors they did not know and who in some cases had no regard for others they would not be likely to ever see again.

On occasion, those guests would prove to be poor neighbors, creating disturbances, inviting dozens, scores or even hundreds of others to parties on the leased or

rented premises, creating parking and traffic problems. On occasions, such parties proved out to be raves, with highly intoxicated participants. Excessive noise was an issue in some cases. Bonfires were a staple of such gatherings. In some isolated cases, those lodging at rental properties or their guests grew aggressive or confrontational with nearby resi-

dents. The county took up the issue directly and generally in 2019 putting regulations in place and imposing a hefty fining regime on violators. Similarly, Big Bear Lake, Twentynine Palms and Yucca Valley instituted regulations, although those regulations were not always adequate as far as the neighboring landowners **See P 3**

San Bernardino County Has Had Checkered Success With Its Office Of Emergency Services Managers *from front page*

to trigger a set of prearranged procedures in response to what were deteriorating weather conditions and then a fully manifested weather system. In response to a series of fires and a few near disasters, San Bernardino County in 1992 undertook to expand its own office of emergency services, a division of county government intended to engage in contingency preparation for any of a host of catastrophic conditions that could beset the county, including fires and weather related events such as flooding, extreme heat and cold, interminable rain, snowstorms, blizzards, avalanches, drought, derailments, airplane accidents and terrorist attacks among other dire developments.

Previously, in 1982, owing to the entanglement of longtime Sheriff Frank Bland in scandals involving pilfering from the department's undercover operations fund and association with the region's prostitution industry, the county had sought to redress a situation in which the sheriff was being remunerated at a salary level below that of the undersheriff, assistant sheriff, deputy chiefs, captains and lieutenants with seniority in his department by designating whoever was serving as sheriff as the county chief safety officer, which made him his department's top earner. By 2001, the sheriff had been subjected to several pay boosts, such that maintaining the figurehead fiction of his title as the county chief safety officer was no longer necessary and the position and pay for being chief county safety officer was dispensed with.

Instead, the county revamped its authority lines with the creation of the office of emergency services, transferring what had previously

been the sheriff's duty to oversee countywide emergency response to an individual specifically charged with overseeing the county's emergency services office. Under the ordinance establishing the office of emergency services, it is an independent standalone entity that does not fall under the authority of any one department, though for a time initially after its creation it maintained a direct operational connection with the sheriff's department and then later was affiliated with the fire department for budgetary purposes such that the fire department had nominal control of its functions.

In the first several years of its existence, the San Bernardino County Office of Emergency Services made relatively decent progress in establishing the basis, both physical and conceptual, for its operations.

An earnest effort at devising a comprehensive emergency management program was initiated, beginning with a cataloging of all of the recognized hazards the county and its residents face. A set of procedures and protocols for all of the emergencies that could be conceived of were written and compiled in binders.

Simultaneously, an effort was made to tap into federal and state funding, which brought with it a need to comply with those governmental entities' mandated programs, which of themselves formed the basis of much of the office's activities and preparations.

Central to the office's function was the adoption of the California Standardized Emergency Management System, known by its acronym SEMS; development of the National Incident Command System, known by its acronym NIMS; the county's formulation of its own incident command system, consisting of further procedural specifications; along with the physical establishment of an emergency opera-

tions center, with all of its attendant communications, dispatch and informational processing mechanisms and apparatus. Inventories were made of existing equipment, supplies and resources for use in emergency response that were available through all of the county's departments. Where obvious gaps were noted, acquisitions were made, as with the purchase of 30 mass care and shelter trailers containing the makings of emergency shelters, which were dispersed to various locations around the 20,105-square mile county so those shelters could be established at short notice as urgency might dictate. Many other projects, all with federal grant funds, were developed and implemented.

As forward-looking, energetic and dynamic as the office of emergency services programs were, they have been plagued by a succession of missteps the county's leadership engaged in when choosing an individual to oversee the office.

Denise Benson, who had previously been employed by the county as a staff analyst in the land use services division, then as a manager in Land Use Services and a staff analyst in the County Administrative Office as well as in the office of former Third District Supervisor Barbara Cram Riordan before moving into a position in the fire department's administration, was appointed to serve as the first head of the Office of Emergency Services. At that point, the office was organizationally part of the fire department, and Benson was given the title of division manager, such that she had division chief horns on her uniform.

Benson did what was deemed by most of those in the know to have done a good job of hiring people who were competent and who had the correct skills to serve as emergency services officers. On the downside, however, she had a tendency to micromanage and was

parsimonious in giving praise or credit to her staff, which over time led to excessive turnover of staff both professional and clerical. While she earned high marks for guiding the foundation and start-up of the office which was well ordered on paper, the less than sterling performance of the office starting in 1999 during actual disasters damaged her. After a series of problems, including very high turnover of professional staff, allegations of employment rights violations of Title 7, Sections 1983 and 1984 of the US Code, allegations of fiscal mismanagement and poor communications with the fire department administration, she was suspended from duty with pay while she was under investigation, and forbidden to talk with anyone at the office of emergency services.

Benson was replaced on an interim basis by the office's assistant manager and Benson's second-in-command, Cindy Serrano.

The assistant fire chief told Serrano to run the office of emergency services as if she was the de facto manager. Serrano, however, was hesitant to make any decisions on her own, and deferred them to when Benson would return. Benson never came back, however, and because of Serrano's indecisiveness, she was never seriously considered as a replacement for Benson, who "retired."

Ultimately, in August of 2012, Michael Antonucci, the former Upland Fire Chief, was hired as the office of emergency services manager. Given his extensive experience in fire department and related emergency operations, Antonucci did yeoman's service in his role as the overseer of the county's emergency response to catastrophic or near-catastrophic events, at least for a time.

Meanwhile, Muñoz, who early in his time as a county employee in the 1990s worked in the department of human services, colloquially referred to as the welfare

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office, first as an eligibility worker and then later as an analyst, had been shuffled into what was then the county department of human services' emergency management division, where he was given what his contemporaries in the county described as a "do nothing" assignment or job. While he did write some emergency plans for the human services department, he was not part of the San Bernardino County Office of Emergency Services or a member of the emergency operations center response staff.

Muñoz would subsequently transfer from the department of human services to the office of emergency services, where after a short time as an emergency service officer he was promoted into one of the two supervising emergency service officer positions.

Remarkably, however, because his initial orientation to emergency services had taken place in the far less formalistic setting of the department of human services, Muñoz had only a vague and limited familiarity with the California Standardized Emergency Management System, the development of the National Incident Command System, the incident command system the county had established for itself, and that system's checklists, procedures and protocols. Toward the end of Antonucci's time with the county, Muñoz, at the behest of Leonard Hernandez, who was then the county's chief oper-

ating officer, was promoted into the assistant manager of the Office of Emergency Services post.

Throughout much of its existence, issues of bureaucratic imperfection have dogged the San Bernardino County Office of Emergency Services.

When the fire department had nominal control of the office of emergency services and its budget, to fill funding gaps in the fire department's sphere of operations, transferences of funding that was supposed to be earmarked for emergency operations, including federal and state grant money for local police and fire departments, was utilized for county fire department functions rather than those explicitly intended for emergency operations. After such occurrences, sometimes well after them, office of emergency services staff, conscious that a state or federal audit might catch the misappropriation or in order to meet routine fiscal obligations, would sound a protest and the money would be begrudgingly put back into the office's operating budget.

Serrano, like Benson, found herself tripped up with regard to subordinate employees' complaints of civil rights/employment abuses. She was reprimanded and told to take a remedial class. When she dragged her feet on completing the class, she was given the option of early retirement in lieu of firing.

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County To Delay Action On Short-Term Rentals By Three Months *from front page*

were concerned.

Those regulations involved, more or less, behavioral issues involving guests.

Another matter raised by short term

rentals is the degree to which properties which might otherwise be providing permanent housing to the county's population are being monopolized by week-enders, that is, vacationers, who typically stay two days a week, generally, at a home, sometimes a week, and only rarely two weeks or as much as a month.

This has contributed to the housing shortage manifesting in local cities and all of Southern California.

In May 2022, Twentynine Palms set an 8.525 percent cap on how many of the city's housing units can be utilized as vacation rentals, which practically means that no more than 500 of its 5,797

dwelling units can be occupied by short-term renters.

Through the county's adoption of its current housing element in September 2022, the board of supervisors sought to address housing needs and the development of affordable housing. An issue identified was the degree to which short-term rentals impinge

on the availability of housing throughout the county. The board requested that the county's department of land use services study the issue, and carry out an assessment of short-term rentals by today, March 31. Thereafter, the board wanted land use services to collect information on how short-term rentals are

affecting long-term housing, to be completed by June 30. Ultimately, the board asked that a presentation of findings be made by August 15, at which point, presumably, the board was to institute a policy, perhaps containing a percentage or numerical limitation on short-term

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County Devoting \$72.7 M To Homeless Programs *from front page*

als and the community at large." The Homeless Initiatives Spending Plan approved by the board on Tuesday includes \$15 million from the county's general fund to be used as grants to fund community-based homeless housing projects.

The \$72.7 million in available federal, state and county money will be ventured toward six initiatives. Those include \$29.7 million for the Pacific Village Phase II

expansion in Highland, increasing the number of individuals connected with housing and supportive services by 698 to approximately 726 annually.

Another \$2.5 million will go to the Kern Street Adult Residential Facility expansion in San Bernardino, where a conversion of an existing adult residential facility to a 30-bed facility that provides rooms, meals, supervision, distribution of medicine, and personal care assistance to individuals with chronic behavioral health issues and who are unable to

live by themselves.

The county is earmarking \$4.4 million to perpetuate the State funded Project Roomkey program that was put in place at the height of the COVID-19 pandemic, which paid for temporary housing for the homeless at numerous hotels and motels. The state is discontinuing that funding today, March 31, and the \$4.4 million is intended to provide for the continued temporary housing support of 80 to 90 beds and the necessary components of housing, food, laundry services and security for an addi-

tional year as individuals transition from temporary to permanent housing.

The county is providing \$3.4 million to the Social Work Action Group, known by its acronym SWAG, which performs street outreach, engagement, housing navigation and case management services to individuals and families who are homeless in concert with the Sheriff's Homeless Outreach and Proactive Enforcement (HOPE) team, the San Bernardino County Department of Behavioral Health, the San Ber-

nardino County Department of Aging and Adult Services and community-based providers. In partnership with SWAG, the County has engaged with 165 homeless individuals since December 2021, with 63 (38%) of those individuals being sheltered. The \$3.4 million will extend these efforts for another two years. The County Housing Development Grant initiative will have staff explore the development of a \$20 million county grant program that can be offered to third parties (primarily partner cities) to support homeless

housing projects, with a focus on the construction of new units that provide additional housing beds.

The U.S. Department of Housing and Urban Development (HUD) HOME-ARP Program allocated the county \$12.7 million to assist with addressing the region's housing needs and provision of homeless services. As a requirement of the agreement, the county must by today, March 31, provide an allocation plan detailing for which categories the county intends to use HOME-ARP funding.

-Mark Gutglueck

Tension Existed Between Simmons' Beliefs As A Christian & Role As A Police Chief Overseeing Assertive Officers Challenging & Limiting Citizens' Rights *from front page*

taken a toll on his frame of mind and psychological wellbeing.

At the same time, the generosity of California's taxpayers in funding the lucrative pensions of public employees is serving as an incentive for Simmons to get out of what is for him a stressful assignment.

After earning a Bachelor of Arts degree in criminal justice from Cal State Fullerton in 1995, Simmons at the age of 22 was hired right off by the Chino Police Department as an officer in 1995. He promoted to the rank of corporal in 1998, became a sergeant in 2006, became a lieutenant in 2009, and captain in 2014. His department assignments involved him in the areas of criminal investigations despite his never actually holding the rank of detective, risk management, budgeting, public safety agency coordination,

emergency management and crisis response. He was a founding member of the Chino Police SWAT (special weapons and tactics) team.

From 1999 to 2001, while working as a police officer, he attended the University of Phoenix extension in Ontario, achieving his master's degree in organizational management.

In preparation for his promotion to captain in 2014, he attended and graduated from FBI National Academy Class 255. While in Virginia to attend the FBI training school in Quantico, Simmons took advantage of his presence in the Old Dominion, obtaining his graduate certificate in criminal justice education from the University of Virginia.

In 2019, with the retirement of Police Chief Karen Comstock, who has now moved on to become a member of the city council, then-City Manager Matt Bal-

lantyne chose to elevate Simmons to police chief, and he officially took that post on August 1 of that year.

An element of Simmons' personality is his religiosity. He is a board member at Crossroads Christian Church in Corona, where he lives, from January 2020 to January 2017. He was a board member for Crossroads Christian Schools from January 2007 to January 2012.

Police work, by its very nature, requires a degree of aggressiveness that is in conflict with the Christian principles of tolerance and peace. Chino and the Chino Police Department have not been immune to the violent, indeed lethal, application of force, including incidents in which that use of force has been subject to question.

Just prior to Simmons' one-year anniversary as police chief, a man, Garry Hardy Jr., who was attempting to provide homicide investigators with the Chino Police Department evidence relating to a mur-

der, was shot and killed on July 30, 2020 by the officer sent to rendezvous with him less than two blocks from the department's headquarters.

The deceased had taken possession of a knife he believed had been used in a fatal stabbing/slashing. He made a 9-1-1 call to the department at 3:43 p.m., requesting to speak to a police officer. Concerned about bringing a weapon into the police department headquarters, he requested that officers meet with him at the intersection of Walnut Avenue and 10th Street, which is less than an eighth of a mile from the police department headquarters.

When Officer Matthew Hall arrived at the preset location, Hardy was there. When he emerged from his vehicle and approached Hall, the officer perceived the subject to be approaching him with a weapon, drew his service firearm and shot Hardy, fatally.

According to the department, Hardy was carrying the knife in his hand, openly on display and was asking, or tell-

ing, Hall to shoot him.

According to information provided by investigators after the fact, Hardy had a history of drug use, including that of methamphetamine, and his girlfriend stated he carried the knife he was shot with for protection. Those investigators made no mention of any claims by Hardy's girlfriend relating to the knife having been used in a murder.

Based upon the information provided by investigators, Hall, a 34-year-old, seven-year veteran officer, reasonably believed that he was in imminent danger of being killed or greatly injured and that the immediate use of deadly force was necessary to defend against the danger Hardy represented, the San Bernardino County District Attorney's Office concluded. The district attorney's office stated that that Hall shooting four shots, three of which hit Hardy, was no more force than was reasonably necessary to defend against that danger.

In recent years, the

ubiquity of video devices, cell phone video cameras, dash cams, internal car or cab cameras, security cameras, porch cameras and even eyeglass cameras have captured footage of police/citizen interactions throughout the country, including in Chino. Some of those have caught Chino's police officers engaging in action many believe to be out of keeping with the mission of protecting the public and, in some cases, has endangered the public and trounced upon citizen rights. A video from about four months ago in which a Chino police officer is seen and heard threatening a driver and his passengers with both arrest and the use of deadly force when one of the passengers refused to produce his identification has gone viral around the world in recent weeks.

Simmons has repeatedly found himself in the position of having to be supportive of actions by his officers which do not bear up well under

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Muñoz Waited More Than A Week To Schedule Conference Call With Department Heads Over Storm Response

from page 2

Zack Mullennix, a volunteer communications specialist with the emergency communications service, had transitioned into one of the emergency services officer posts, from which it appeared his prospects of promotion might have put him on track to eventually become the emergency services manager. Indeed, he was given a promotion to supervising emergency services officer. When the county closed down the High Desert Emergency Operations Center, some equipment went missing, which was used as a reason for terminating Mullennix.

Some seven years into Antonucci's tenure as office of emergency services manager, Muñoz's ambition had him chomping at the bit. He had his sights set on becoming the manager of the office of emergency services. Two factors favored him in his aspiration.

He was a close personal friend of Leonard Hernandez, who had been promoted to the position of county chief operating officer in 2017 and in 2020 was elevated to the county's top staff position, county chief executive officer.

Antonucci had a vulnerability that only those close to him could recognize. He was living in constant pain, the after-effect of a back injury he had suffered earlier in his career. While he could summon up enough intensity to function as the county's head of emergency services, dealing with the rigors of that job, a bad back and an underhanded effort by his chief subordinate to dislodge him from his post would present for him an intractable span of control challenge.

Beginning in 2019, Muñoz and Hernandez began to engineer a coup d'etat, one aimed at moving Antonucci out

and bringing Muñoz in.

Ultimately, Hernandez succeeded in elevating Muñoz to the position of deputy executive officer, a position in which he is, on the county's organizational chart, directly answerable to the chief of administration, Pamela Williams. Muñoz's two areas of authority are ICEMA, the Inland Counties Emergency Medical Agency, and the San Bernardino County Office of Emergency Services.

Muñoz's promotion, and the bureaucratic maneuvering that led to it, took a number of people aback. Not the least of those was Antonucci, who filed a lawsuit over what he said was his wrongful termination as the manager of the office of emergency services.

Others, including those who worked in the office of emergency services, were perplexed at what they considered Hernandez's risky move to install Muñoz in a position many did not consider Muñoz qualified for nor capable of handling.

In particular, it was noted, despite Muñoz having served more than a decade-and-a-half in the office of emergency services, he had not completed certain basic courses and training relating to the provision of such service.

Muñoz's elevation, however, matches in certain regards other such promotions that have taken place in the years while Hernandez has been in the capacity of chief operating officer and now chief executive officer. Hernandez puts a higher premium, the *Sentinel* has been told by multiple sources, on loyalty than on competence.

In the case of shunting Antonucci aside and replacing him with Muñoz, part of calculation on the part of both Hernandez and Muñoz was that filling the gap in the assistant manager post created with Muñoz's promotion to manager by a truly knowledgeable emergency management professional would ensure that the office would be able to function under

any challenge that was likely to come its way. Initially, the *Sentinel* is told, Hernandez and Muñoz sought to plug that gap with a probation department employee with management experience. After the probation manager was in place for eight months, he returned to the probation department.

Fortuitously, at least for a time, Hernandez and Muñoz were able to hire as Muñoz's second-in-command, Michael Ramirez, a supervising emergency services officer and a capable and knowledgeable personage with a practical mastery of the California Standardized Emergency Management System, the National Incident Command System and the county's own incident command system. Ramirez was given the title of acting assistant office of emergency services manager.

At the same time, however, it appears that Hernandez and Muñoz ignored entirely other gaps within the office's staffing. Instead of having a full complement of eight emergency service officers, there were only four. What is more, of those four, two devote the primary percentage, if not all, of their function to emergency preparation and emergency operations in the cities of Fontana and Upland, which contract with the county for the provision of their emergency service officers. Thus, the county had for the entirety of its land mass – an area equal to the square mileage of New Jersey, Connecticut, Delaware and Rhode Island combined – essentially two emergency services officers. This is exacerbated by the consideration that the two supervising emergency services officers – whose positions on the office organizational chart are supposed to be in between the assistant manager position and the eight officer positions – are unfilled and have been unfilled for some time.

As it would turn out, their gamble with the safety of the county's

residents, would play Hernandez and Muñoz wrong.

Just a fortnight before the onset of the blizzard, Ramirez, dismayed with the way in which the office was being neglected and the ethos by which loyalty was being rewarded over competence, resigned as the county's assistant emergency services manager for other employment. At that point, the only thing standing between disaster and the people of the mountain communities of San Bernardino County was Daniel Muñoz.

Things did not fare well.

Despite his position as the head of the San Bernardino County Office of Emergency Services and the Inland Counties Emergency Medical Agency, Muñoz had no knowledge of what the county's pre-disaster protocol and procedure was.

In this day and age, the National Weather Service generally is able to make accurate predictions of weather systems roughly seven days in advance.

The county's comprehensive emergency management program for weather related issues is contained within what is referred to as the Flood Areas Safety Task Force Plan, which, despite its name, covers all order of emergency weather contingencies, not just flooding. There is a checklist contained within the Flood Areas Safety Task Force Plan, referred to in governmental parlance by the acronym FAST, relating to the procedure to prepare for an extreme weather event.

Upon learning that a major weather-related event is in the offing, the county office of emergency services director/county assistant chief executive officer, in this case Muñoz, being armed with information from the National Weather Service, is to convene a conference call with the county chief executive officer, sheriff, fire chief, county public works director, Caltrans regional representa-

tive, California Office of Emergency Services representative, local CHP commander, relevant city managers and utility company representatives to size up the anticipated circumstance and begin formulating a planned action of response and then, 24 hours later, reconvene to make a tentative outline of the response, whereupon the county chief executive officer applies for authorization from the board of supervisors to begin acquiring equipment, supplies, manpower etc. to initiate the response. An emergency meeting of the board of supervisors is then supposed to be convened, probably within 24 hours, to give the county chief executive officer that spending authorization.

The National Weather Service gave an indication on February 15 that a major weather front was going to converge on Southern California beginning as early as February 21.

The first of the succession of events that entailed this year's mountain blizzard started on February 22. The board of supervisors did not conduct an emergency meeting relating to the blizzard until March 1. It appears that either Muñoz, who under the county's emergency management protocol should have initiated a conference call on February 16, temporized in holding the by-phone conference until February 28. The media were not alerted to the emergency meeting pertaining to the blizzard that took place on March 1 at 2:45 p.m. until after 1:30 p.m. on March 1.

At that meeting, the board of supervisors confirmed Hernandez's proclamation of a local emergency, expediting the provision of county resources, services and expenditures to render assistance as needed and ensure the health and welfare of the residents of the impacted areas during the emergency. That included endeavoring to give the public and first responders access to necessary infrastructure

such as grocery stores, gas stations, utilities and public infrastructure.

The board of supervisors proclaimed the conditions in the mountains, which it marked as having commenced on February 22, 2023, constituted an emergency pursuant to Public Contract Code section 22050, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, and essential public services, which would not permit the delay resulting from a formal competitive solicitation of bids to procure construction services for projects necessary to prevent or address the effects of the storm. In accordance with that finding, the board approved a resolution authorizing the county purchasing agent, subject to Hernandez's approval, to issue purchase orders and/or contracts in a total amount not to exceed \$20 million for any emergency construction and modifications related to the effects of the storm, and find that the issuance of those purchase orders and/or contracts was necessary to respond to the emergency.

Last week, the *Sentinel* addressed several questions to Muñoz by email.

The *Sentinel* asked Muñoz on what date he convened the first conference call involving Leonard Hernandez, Sheriff Shannon Dicus, County Fire Chief Dan Munsey, County Public Works Director Brendon Biggs, California Department of Transportation Division 8 Director John Bulinski, local California Highway Patrol Commander Napoleon Salais, Big Bear Lake City Manager Erik Sund and representatives with the California Office of Emergency Services and utility companies and what date he convened the second, or follow-up, conference call involving the same individuals.

The *Sentinel* asked why the special meeting of the board of supervisors at which Hernandez

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Landver & Greenberg Sold County Staff On Their Resort Hotel Project, But Over-sold It To The Planning Commission, Including The Normally Development Friendly Chairman Weldy *from front page*

residential living consisting of a single residential home on five acres, which applied to 21.22 acres of the property to CS, zoning, that is commercial service use, and approve the conditional use permit for the project to proceed. Landver and Greenberg had sought a conditional use permit, policy land use amendment and zone change to construct a 106-room hotel, to include an all-night restaurant, spa/wellness center, conference hall and event center, a 6,000-square foot swimming pool, hot tubs, outdoor showers, a 180,000-gallon water tank and a 205-space parking lot on 24.4 acres lie within 223 acres Landver and Greenberg have acquired entailing the site and the land surrounding it. While 3.18 of those acres are currently zoned for commercial service use that is consistent with a hotel or a resort, the remaining 21.22 acres on the site bore the Residential Living 5-acre minimum lot size zoning.

Representing Landver and Greenberg was a team of consultants, led by the politically well-connected David Mlynarski, a former planning issue staff member with the cities of Fontana and Palmdale and a member of the American Planning Association, the Baldy View Chapter of the Building Industry Association, of which he is currently an executive committee member, the Inland Empire Economic Recovery Corporation, of which he is also the chief financial officer, and the National Association of Home Builders. Landver and Greenberg had turned to Mlynarski, who has a track record of positively influencing the politicians in favor of the developmental proposals of his clients and overcoming or sidestepping resistance to the development initiatives of his clients.

A series of no fewer than three faux pas, misrepresentations and extraordinary acknowledgments by Mlynarski and another member of the development team, Julie Gilbert, as well as by Landver himself ultimately consigned the project to rejection by the planning commission, which does not, however, have ultimate say in the fate of the proposal, as the commission was only set to make a recommendation with regard to the project and the requested preemptive declarations to proceed that the proponents were seeking.

Mlynarski told the commission that the project being considered would preserve much of the area's rural character. "Of the 24.4 acres, which is the expanded commercial zone, the actual footprint that's being placed on the ground is about 12 acres," Mlynarski said. "So, about half of the commercial zone is going to remain open space, desertscape, natural."

Thursday's proceedings began with Senior Planner Azhar Khan, the land use services department staff member who was assigned to the project giving an enthusiastic preview and endorsement of the project and its amenities, its pool, event center, the restaurant, the office, storage space. Service room and employee facilities he referred to as the "back of the house," the fitness center, spa, event space, swimming pool and outdoor showers, sunken garden, geodesic domes and astronomy pergola. There would be no hot air ballooning or all-terrain vehicle activity at the site, Khan said, countering assertions made by project opponents. Khan said that staff recommended that the planning commission recommend that the board of supervisors adopt the mitigated negative declaration and mitigation monitoring

and reporting program for the project, adopt the findings for the approval of the project and approve changing the RL-5 zoning, allowing for rural residential living consisting of a single residential home on five acres, which applied to 21.22 acres of the property to CS, zoning, that is commercial service use, and approve the conditional use permit for the project to proceed.

Landver explained away previous indications that he and Greenberg intended to build not only the resort hotel but to develop the surrounding 198.6 acres residentially, consistent with the RL-5 zoning.

He said, "There's a modular builder that's currently bidding on the project. They have a blog on their website. At one time we did talk about homes with them because in the very beginning we thought about it, but since then we scrapped the idea of building homes and just focused only on the hotel project." He said, "This hotel will bring significant TOT [transitory occupancy tax or bed/hotel tax] and other sales tax and revenue, upwards of more than a million dollars per year."

Landver promoted the proposed project as an upscale place that would add more to the region than another Motel 6.

Landver, who prides himself on his public relations and marketing skill, ultimately tripped himself and Greenberg up by aggressively seeking to assert their right to develop the property as they see fit.

"It may seem like the whole town is against us but we have received letters from hundreds of families in the Wonder Valley, Joshua Tree and Southern California as a whole," Landver said. Many of these people are scared to speak out in public because they're afraid that the naysayers will hate them for years to come and they don't want to fight with their neighbors. Behind closed doors, many local residents have sent us letters and have told us

in person that they support the project, and they truly feel the project will enrich the region. One resident that lives right down the street on Amboy Road said it best in a letter he sent int. He said, 'We live in a capitalist society. If it's not built now, then it will go somewhere else. We will lose out. It's the American dream to be able to open up a business. Just know there are many of us who want it to move forward, more of us than don't want it to go forward.'

Landver cast himself and Greenberg, first generation Americans of parents who, he said, fled persecution in the Soviet Union, as victims of local residents who were resistant to him and Greenberg living out the American dream.

"It seems that a lot of people are against progress and growth at all costs," he said. "We started looking for a hotel site for over two years. We found a beautiful but neglected property. It's called the pink post office. We were excited because the site is allowed to be developed as a hotel by rights since it is commercially zoned already."

A bit later in the hearing, Planning Commission Chairman Jonathan Weldy, who is a general contractor, land developer himself as the president of the Meridian Land Development Company and an unabashed advocate of the building industry, took issue with Landver's assertion that he and Greenberg could develop the property "by rights."

"You said two things that I want to ask about," said Weldy, who then quoted Landver as saying. "We are allowed to develop by right.' I'm a little bit confused about that piece of it. And the second part of it is you said, 'We're not Motel 6.' I don't want to take on Motel 6. On the other hand, a land use designation doesn't go with an owner. Which means you could sell to Motel 6. When we begin to look at this and we listen to the story of what it is that

you are doing, it's appealing. But the other piece of this is once we make that zoning designation, that zoning designation goes with the land. And its next owner may not be as virtuous or visionary as you in the fullness of time. So, it's appealing, but I want to make sure you understand that we are required to separate that. What we are looking at is the appropriateness of the land use designation and whether or not that changes there with your vision but also as a facility without your vision."

Weldy continued, "So, to Dave's [Mlynarski's] comment that we have a twelve-acre footprint on a 24-acre site and there's open space around it, that designation we're talking about would be the entire 24 acres, which means subsequent design or build or change or evolution or expansion would not be prohibited. So, could you address that comment about the development of a hotel is allowed by right?"

Landver responded, "The site [i.e., the 3.18-acres around which the remaining 21.22 acres is situated and upon which an existing structure, known as "the pink building" to locals stands] is commercially zoned and if we wanted to have less than 20 rooms, for example, and there was less than 10,000 square feet, we would be able to bypass this process. You're allowed to have a hotel at this site. The only question is, we wanted to do something, a little bit larger, go to a larger footprint to work here."

At that point, Heidi Duron, who has now advanced to the position of county planner and in her more than two decades with the county has established herself as being more than accommodating of development, disputed Landver's assertion that he and Greenberg had an unencumbered right to proceed with the project as they envision it.

"It is commercially zoned," Duron said, "and it is permitted. It is not allowed by right. It

would still require a discretionary review."

At best, Weldy said, indicating even that was doubtful, the duo might be able to construct a modest motel.

"You'd need a conditional use permit as opposed to a zoning change, which are in my opinion, galactically different. The way that sounded was 'We can do this anyway.' And you can do this maybe, but on a de minimis scale.

Landver, Mlynarski and Gilbert engaged in yet another serious misstep by making an assertion that the property was unencumbered by the presence of the endangered desert tortoise, while simultaneously appearing to have hidden documentation stating the shelled reptiles indeed traverse of actually live upon the land.

Mlynarski, perhaps banking on sympathy he hoped to generate in Weldy, whose involvement in development projects in the desert have been likewise complicated by considerations pertaining to the desert tortoise, somewhat ill-advisedly launched a backhanded attack on Ed LaRue, the biologist that documented the presence of the tortoise on the property to be developed. Gilbert then doubled down in a ham-handed effort to discredit LaRue, succeeding only in convincing the majority of onlookers, including members of the planning commission and perhaps even Weldy, that the development had played fast and loose with the data relating to the tortoise. After trying and failing to establish that the presence of tortoises on the property was not an issue that the proponents would need to contend with or the commission should consider in its deliberations over the project, both Mlynarski and Gilbert, somewhat belatedly in the proceedings, seemed to come to appreciate the damage that they had inflicted on their own credibility and sought to convince the commission that Landver and

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Politicians & Developers Promised Ontario Ranch Homebuyers Enhancements To Their Neighborhoods For The Mello Roos Fees They Would Pay, Then Looked The Other Way When The School District Reneged On Providing Them *from front page*

encouraging the development of the property. The development of the property, in turn, would increase the property's value, increasing the property tax/tax increment it yielded, allowing the bond holders to be debt serviced.

Over time, however, many cities, ruled by city councils with members who were being politically sponsored by the development community, began to take advantage of the looseness in the law relating to redevelopment agency formations and taxing authority and would create redevelopment agencies to redevelop land that was not necessarily blighted. Instead of the proceeds from the bond sales being used to eliminate blight, they would be diverted to pay for the infrastructure to support development projects. In this way, the developers were able to pursue construction projects without having to pay for the off-site and public improvements that they were traditionally required to construct or otherwise finance. This shifted the burden of paying for the cost of residential and other types of development from the developers to the homeowners and purchasers of the buildings those developers constructed, greatly increasing the profits they realized by plying their trade. They would then devote a portion of their increased profits to intensifying their monetary support of local elected officials, who, rather corruptly, went along with the bastardization of the redevelopment process to the detriment of the average homebuyer.

Ultimately, in 2011, because of these abuses of redevelopment law, the California legislature ended redevelopment agency authorizations throughout the state.

Along the way and

even before the demise of redevelopment in California, politicians in the Golden State who were being bankrolled by developers, found other ways to cut those engaged in home, commercial and industrial construction a break on how much it would cost them to do business through creative infrastructure financing arrangement that ultimately end up costing the end users of the properties those developers build and then sell at a substantial profit.

Assemblyman Mike Roos, a tool of the construction industry whose district was in Los Angeles, recognized that the free ride his developer patrons were getting could not last forever. He sponsored two pieces of legislation which first, essentially legalized utilizing special assessments imposed on the future owners of selected properties to create a revenue stream to finance infrastructure improvements benefiting the developers of that property and second allowed governmental collectives, headed by politicians funded largely by the development industry to impose those assessments in ways that essentially bypassed those ultimately called upon to pay those assessments.

The Mello-Roos law allowed land speculators, landowners or developers who had control of yet-to-be-developed property to choose to have imposed on their property tax assessments. Local government would then borrow against that future assessment revenue to construct all order of infrastructure related to the property. The assessments are then passed along to the ultimate purchasers of the property, and remain in place for a considerable period of time, sometimes for 25 years but can be extended to 40 years and in certain cases can remain in place for 99 years. The

Marks-Roos law grants joint powers authorities – a combination of more than one governmental entity such as a city, a county, a school district, a water district, a fire district, a hospital district, etc – to form an assessment district without a vote of those upon whom the assessment is imposed.

The once-vaunted Chino Agricultural Preserve, stretching from what was then Ontario at its north end through eastern Chino and across a large swath of unincorporated San Bernardino all the way down to the Riverside County line, was formerly the most intensive milk-producing area in the world. Within its 17,000 acre confines were just under 400 dairies and 400,000 cows which grazed on land which was protected from the encroachment of development under the auspices of California's Williamson Act — a 1965 law that was intended to preserve California farmland and to serve as a hedge against urban sprawl. The law granted substantial tax breaks to property owners agreeing to restrict their land to agricultural uses for at least 10 years.

By the mid-1980s, growing numbers of dairy farmers in the preserve wanted out, as the local milk industry was itself being subjected to the same pressures that had been brought to bear on dairyman who had been forced to pull up the stakes of their Los Angeles County operations two decades before.

In 1986, the county took the first step toward deconstructing the Williamson Act's applicability in the Chino Valley. By 1997, half of the dairies that had been operating in the preserve at its peak had left. The jousting between Ontario and Chino over annexation of the preserve, which had begun in the 1970s, intensified.

In 1999, while there were still 140 dairies operating in Chino Valley, the City of Ontario annexed nearly 8,200 acres of the 15,200 remaining acres in the preserve.

Chino laid claim to the other 7,000.

The property annexed to Ontario was initially known as the "New Model Colony." Later, the development was designated to take place on 8,069-acre in a massive community planned development called Ontario Ranch, to consist of 1,000 acres of public open space, parks and schools that are connected via pathways and trails, together with 47,000 homes to be developed Lewis Homes, Lennar, Brookfield, Ryland Homes, Pulte, Stratham Communities, TRI Point Homes, KB Homes, Woodside Homes, Landsea Homes and Taylor Morrison which are to accommodate roughly and 162,000 residents. Ontario Ranch is to entail 16 million square feet of retail, office, medical and residential space and eight new schools to be built and operated not by the Ontario-Montclair School District but the Mountain View School District.

With virtually all five of the members of the Ontario City Council in the pockets of the development industry, they voted to create a Mello-Roos community facilities district to cover Ontario Ranch and spare Lewis Homes, Lennar, Brookfield, Ryland Homes, Pulte, Stratham Communities, TRI Point Homes, KB Homes, Woodside Homes, Landsea Homes and Taylor Morrison the upfront cost of paying for the infrastructure needed for

Ontario Ranch to be developed.

Lennar in its advertising for its Park Lane, Grand Park, Landmark, Beacon, Monument and West Haven subdivisions and Lewis Homes and Stratham Communities in their advertising for their Park Place subdivision, all of which lie within Ontario Ranch, within Ontario Ranch, offered potential homebuyers the assurance that buying homes in those areas, under the aegis of the Mello-Roos fee structures that would be layered into their property tax, they would be guaranteed neighborhood schools which their children could attend.

For many of the homebuyers that have now taken up residence in Park Lane, Grand Park, Landmark, Beacon, Monument, West Haven and Park Place, that was a key selling point.

The Park Place and Park Lane neighborhoods both lie within walking distance of Park View School. Earlier this month, parents of children already attending or who have an expectation of attending Park View next year were informed of registration scheduled to begin at 9 a.m. on the Ides of March. Given that Park View caters to ten grade levels from pre-kindergarten to 8th grade and has a normal student capacity of 850, it was anticipated that because of the school's ability to accommodate three classrooms of 27 to 28 students at each grade level on average, all children of that school age

living in the Park Place and Park Lane neighborhoods would seamlessly register on March 15, and that the remaining 210 to 280 places for students at the school would go to students living slightly or somewhat more distant from the school who were yet within its attendance boundaries.

On March 14, 25 hours before the registration for student places at Park View School was to begin, parents of students began lining up at the homeowners association office where the registration was scheduled to take place. All of those who were initially lining up and a substantial number of those lining up subsequently were not Park Place or Park Lane residents.

By the time Park Lane and Park Place residents understood what was happening, the line had grown to the point where many were concerned that if they did not themselves get in line, their children would miss out on being able to attend Park View School in the 2023-24 school year entirely. Some of those joined the line. Others, despairing that their children would be able to get into Park View School next year resolved to seek to register their child or children elsewhere.

At least two residents of Park Place approached school district officials, asking if the line that was forming, one in which parents who lived well beyond Park Place or Park Lane and in some

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Muñoz Mum On Reason For Storm Response Delay *from page 4*

was given the not-to-exceed \$20 million spending authorization had not been held much earlier than March 1, seven days after the onset of the storm in the mountains.

The *Sentinel* asked Muñoz why the initial conference call and its follow-up were not convened until after the onset of the blizzard

and why they could not have been conducted as early as February 16 or 17, immediately after or shortly after word of the impending storm was available from the National Weather Service.

The *Sentinel* asked Muñoz if the departure of Michael Ramirez as assistant emergency services manager hurt the county's readiness level and ability to deal with the blizzard challenge.

The *Sentinel* asked Muñoz if the shortage of emergency services officers inhibited the office of emergency services'

function during the recent blizzard.

Muñoz did not respond to the *Sentinel's* inquires.

Word has now reached the *Sentinel* that one of the county's emergency services officers has resigned and that now only three of the county's eight emergency services officer positions are filled with both of the emergency services supervising officer positions unfilled along with a vacancy in the assistant emergency services manager post.

Multiple Assertions Made By The Wonder Inn's Proponents Were Contradicted By Residents Who Marshaled Photographs & Documents To Back Their Claims *from page 5*

Greenberg would incorporate design elements in the project intended to allow the tortoises on the property to both survive and transit the site.

The 3.18 acres has on it a structure, referred to by locals as "the big pink building," which Landver's and Greenberg's team referred to as a postal building, but which in actuality had originally been created as an electrical switching station for the homestead structures in the area. Landver and Greenberg intend the existing building to be retained as the lobby of the hotel and restaurant in the project they are proposing.

Both Landver, who characterized the existing pink building as a postal facility, and Mlynarski, whose representation of the proponents made no mention of any contamination issues at the site, were inexplicably caught flat-footed by information that surfaced during the course of the meeting which indicated that the building was utilized for a far different purpose than they had acknowledged and that potentially hazardous chemicals and substances were likely or indeed had been used at the facility and could have contaminated the site. Given the availability of the information pertaining to the previous history of the building in question, the pointed reference to it during the meeting brought into question the thoroughness of Mlynarski's research into the property and, by extension, the validity of his other conclusions relating to its suitability for the development proposed.

Despite Landver's assertion at the meeting and in previous public statements that support for the project runs as high or higher that opposition to it, all 47 of those local residents who addressed the planning commission by means

of video/audio hook-up from the county facility in Joshua Tree went on record as opposed to the project. No one made any statement in favor of the proposal.

David Rubinstein said that the sheriff and fire department response times to Wonder Valley are already 15 minutes or more after the 2017 closure of fire station and that people forego ambulance service and instead drive their neighbors to the hospital during medical emergencies.

"Emergency services in Wonder Valley are already inadequate to the needs of the population," Rubinstein said. "The Wonder Inn proposal estimates an additional 220 guests and staff every day. That is a more than 20 percent increase in the population overnight. That's 20 percent more people falling in pools and getting bitten by rattlesnakes, that's 20 percent more people getting dangerously dehydrated because they're not used to the desert climate, and that's 20 percent more people having heart attacks, strokes and accidentally catching things on fire. They will have to use already overtaxed public services. The health and property of our community, of my friends and family are being put at risk for a project that I believe offers little or no benefit to the residents of Wonder Valley."

Darcy Phillips said, "The hydrology and water studies completed by the developers are insufficient to assess the effect of the proposed project on the surrounding area when many residents rely on wells as their sole source of drinking water. The lack of investigation of the potential increased groundwater use on wells in the surrounding area in the initial study/negative declaration is a major oversight. A drop in groundwater levels due to the Wonder Inn's increased water could

have devastating effects on the surrounding community. Redrilling wells is extremely costly and unaffordable for many residents, leaving them potentially without consistent access to drinking water."

Pat Flanagan, the director of the Morongo Basin Conservation Association, said no tortoises or tortoise burrows or tortoise were observed in the study performed by the consultants hired by the project proponents, which she said clashed with a survey performed in April 2020 by Ed LaRue of Circle Mountain Biological Consultants. Flanagan said that Alan Greenberg had contacted LaRue before she had. LaRue had discovered positive tortoise evidence on the 40 acres surrounding the pink building consisting of a subadult desert tortoise carcass of an adult tortoise, seven fresh scats of adult tortoises, two older adult scats, 15 fresh subadult scats and two older subadult scats and a burrow. The information contained in that survey was being withheld from the commission, Flanagan said.

LaRue questioned the validity of the 2021 survey performed at the behest of Landver and Greenberg, which found no tortoises. She said the protocol for that survey was not described.

"According to the California Environmental Quality Act, there is substantial evidence this project may have significant effects on the environment and for its protection an environmental impact report must be prepared," Flanagan said.

Richard Gray, a 25-year mental health professional, said the project would involve "encroachment." Those who lived in a place like Wonder Valley do so for the tranquility of the area and the project would represent, he indicated, a threat to the mental health of those who live there. "These residents are in constant fear of nonresidents interrupting the peace and quality of life they have struggled to

achieve and maintain," said Gray. "The unavoidable intrusion of the occasional thoughtless or even belligerent neighbor is one thing, but the sense that nonresidents see the complex desert as a blank slate under which they can project their own half-thought-out dreams of financial success at whatever cost to the community is terrifying to the rightful inhabitants."

Alfred Loop, citing tests of water in the area that showed unhealthy levels of arsenic, hexavalent chromium and fluoride, said, "Please do not rezone this area as commercial. It should remain rural."

Larry LeVour said that a letter submitted by the proponents of the project cited a letter from "a horticulturalist that justifies groundwater extraction. Shouldn't this come from a hydrologist or geologist? The letter does not even reference the correct groundwater basin. The letter references the Joshua Tree Basin and the Mesquite Lake Basin. The Wonder Inn will get its water from the Dale Valley Groundwater Basin. The letter references a 2017 report written for the Twentynine Palms Water District, which does not pull from the Dale Valley Groundwater Basin."

Melinda Fletcher told the commission, "Your approval of the project Wonder Inn will forever change the density of our neighborhood. The increased volume of traffic on the two-lane sandy shoulder road will greatly increase the possibility of severe accidents."

Eric Hamburg who represents a grassroots effort against the project said, "We responded to the initial study with facts in our 187-page document. We have reviewed the staff report. That, to say the least, gives short shrift to our factual concerns." Hamburg said transportation issues relating to the project were inadequately dealt with in the initial study for the mitigated negative declaration.

"The developers have not made a compelling

case that the proposal would be consistent with and reinforce Wonder Valley's physical and historical character and identity," Hamburg said. "We want what people who have chosen to live in and visit Wonder Valley have always wanted: space, healthy air, quiet, tranquility and to enjoy the dark skies. Do not open the door to even further inevitable and ruinous development there. Because all of our factual objections, at a minimum a full environmental impact report should be ordered."

Hailey Levine said the desert tortoise is "critically endangered. Tortoises will be impacted if this development is approved to proceed."

Russ Cohen said he and the Stop Wonder Inn group had submitted comments with regard to the initial study for the mitigated negative declaration. "In the written comments that I submitted as well as those in the Stop Wonder Inn group package facts were stated by myself and my colleagues in relation to the California Environmental Quality Act questions and requirements and the county policy plan and land use elements, guidelines and requirements. Item by item the facts were presented and proven in our comments to the initial study. There are at least nine land use elements that do not meet the requirements or intent of each of these elements and do not have and have not been adequately rebutted in the staff report. The applicants and staff report do not fully consider our comments as required by the California Environmental Quality Act. Many of these land use elements are requirements that have not been met and could never be met."

Cohen said, "So, I ask: why the applicants have been allowed to proceed with this proposed project when they do comply with many of the land use elements or its simple requirements? But aside from all of the California Environmental Quality Act and county policy

plan requirements and elements that have not been met, I still cannot get my head around the fact that this huge proposed Wonder Inn even got this far. In the entirety of Wonder Valley, there is no potable water, no wastewater treatment, a dangerous two-lane highway and dirt roads and no public services whatsoever. How could any planning department approve a project where the land itself cannot support it? This is basic planning 101."

Gina Cohen presented photographs of tortoises taken on or near her homestead cabin in Wonder Valley.

Remo Packer said, "My biggest concern is once you get this foot in the door to allow a commercial entity of this scope, what is going to happen next? How many other people will you allow to have this happen to?"

Elizabeth Wheeler said, "We don't need a convention center out here in Wonder Valley, which is what this is going to be. Wonder Valley does not feed into this kind of design. I would totally encourage the environmental impact report study to be conducted, a deep dive into what this will look like in the future."

Adrian Field said, "The initial study document presented by the developer really does contain many inconsistencies, missing data, vague suppositions and that is, I am sorry to say, a fact. The truth is that the potentially serious environmental failings of the plan presented in the environmental checklist are glossed over or buried in spurious red herrings."

Field contrasted the familiarity of the community with the land and the lack of familiarity of the developers with the project area.

"Against all odds, we have submitted our findings, and our findings are that there is significant and factual cause for concern with this project," Field said. "To be clear, the area we are

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Ontario Council Members Took Millions Of Dollars From Developers, Then Created Mello Roos Districts To Transfer The Infrastructure Costs Of Their Projects To The Buyers Of The Homes They Built

from front page

cases did not live within the attendance boundaries of Park View School or within the boundaries of the Mountain View School District, was going to be honored by the school district. District officials told those parents the line would not be honored. Residents of the Park Place and Park Lane neighborhoods told district officials that they were concerned, nonetheless, that the situation would not resolve itself and they were likely to be faced with not being able to get their children registered at Park View School for the upcoming year.

Phone calls were made to the Ontario Police Department about the prospect that those in line would be camping in the park overnight. Police officials said that if a complaint about such activity were to be made, it would be up to the discretion of the individual officers responding to the call.

District officials and homeowner association staff told those assembled in the line that they would not be allowed to remain on homeowner association property, after which the line migrated off of the homeowner association property, with only a limited amount of jostling and discontent among those present as a few who were close to the front of the line found themselves moved slightly further back in the line.

Though camping in city parks is prohibited by ordinance in Ontario, no arrests were made of those camping in the park. The line remained intact throughout the night and into the morning of March 15.

Contrary to the assurances given that the line would not be honored by the district, at 8 a.m. on the morning of March 15, one hour before the processing of applications was scheduled to begin,

Mountain View School District Superintendent Dr. Douglass Moss and other district staff members began handing out numbers to those in the line, beginning at the front.

Consequently, an unknown number of children who live in the Park Place and Park Lane neighborhoods will not be attending Park View School in 2023-24. At least some of the parents from the neighborhood persisted in seeking to have their children registered at the school and had their children placed on a waiting list, such that if the parents of some of the students who were successfully registered at Park View withdraw their children, those with the lowest numbers on the waiting list will potentially be admitted.

A Park Place resident, the father of a child who will attend kindergarten at Park View School in the coming year, told the *Sentinel* his child almost missed the cut, capturing the 47th position of 50 places allotted for kindergartners next year.

“The short version is the Ontario public school, Park View, allowed, for lack of better words, people to engage in illegal activities to assure them a place at the head of the line for this year’s school enrollment. This illegal activity allowed parents from all over and even other districts to camp out in the city park and park illegally, which helped them leapfrog kids who actually live within walking distance from this, their actual assigned school. This is forcing parents to now drive to neighboring sister schools which were likely the assigned schools for the children of the people who were in line and who gamed the system. Their children should be going to those sister schools. I have spoken with more and more parents in Park

Place who are very angry about this. Every day that goes by I find out about another family that was affected by this. The number of us who want to do something about it keeps growing.”

Indeed, a burgeoning number of new Ontario residents are acquainting themselves with the political scene, getting a profile on the politicians they see responsible for the way they believe they were exploited by the Mello-Roos process, conned by the development companies that promised purchasing a home in their subdivision would provide them with a neighborhood school for their children, cheated by the California state government that allows Mello-Roos assessment-financed districts to exist, taken advantage of by the Ontario city politicians who took substantial amounts of money from the development companies in the form of contributions to their electioneering funds and then voted to create the assessment districts without ensuring that those who are paying for the infrastructure will be allowed to use it and ill-served by the school board who allowed Dr. Moss and district personnel to conduct a registration process that did not logically reserve space in each school for the students who live closest to that particular school.

As those residents, many of them new to the area become better informed about the political lay of the land, they find their anger concentrated mainly upon the members of the Ontario City Council, which signed off on the creation of the Mello-Roos district, the fees for which they are subject.

In Ontario Ranch, new homes range in price from \$490,000 for smaller models to the low \$700,000s, with the majority falling between \$580,000 and \$660,000. In addition to the 1.06 percent property tax all homeowners must pay, those in Ontario Ranch must bear the burden of a host of added fees or assessments for bonds that

were passed by voters or otherwise imposed along with a \$4,433.11 yearly Mello-Roos assessment. In this way, homeowners in Ontario Ranch typically have annual property tax bills in excess of \$11,000.

Since his first successful run for mayor of Ontario in 2005, Paul Leon has received \$1,965,915.26 in political donations, of which roughly 54.8 percent, or \$1,077,321.56 came from the development and construction industry or those involved in real estate speculation or the development of real estate. Those figures do not include donations made to him for his city council campaigns prior to becoming mayor or his campaign for the California Assembly.

Since becoming an Ontario City Councilman in 1994, Alan Wapner has received into his city council electioneering fund \$3,176,023.40, of which roughly 52.7 percent or \$1,673,764.33 came from the development and construction industry or those involved in real estate speculation or the development of real estate. Those figures do not include the political donations made to Wapner in his run for the California Assembly.

Since his reentry into politics with his successful 2006 run for the Ontario City Council, Jim Bowman has collected \$1,169,690.88 in political donations, of which roughly 44.4 percent or \$519,342.75 came from the development and construction industry or those involved in real estate speculation or the development of real estate. Those figures do not include the donations made to Bowman during his previous tenure on the city council in the 1980s and 1990s.

From the time of her first successful run for the city council in 2008, Debra Dorst-Porada has collected in political donations \$665,095.16, of which roughly 44.04 percent or \$292,907.91 came from the development and construction industry or those involved in

real estate speculation or the development of real estate.

Starting with his 2016 campaign for the Ontario City Council, Ruben Valencia has taken in \$513,022.08 in political donations, of which roughly 14 percent or \$71,823.09 came from the development and construction industry or those involved in real estate speculation or the development of real estate.

There is a perception that a controlling majority of the Ontario City Council is unduly influenced by the development industry and more loyal to the deep-pocketed campaign donors who have invested in the council members’ political careers than they are to their constituents. They point to the council’s failure to layer into the arrangement for the Mello-Roos fee-funded communities facility district in Ontario Ranch any assurance that those who are paying those hefty Mello-Roos fees would be provided with the benefits they are paying for. Moreover, those residents assert that the city council, after having voted to create the Mello-Roos funding arrangement that served the purpose of enriching its members’ campaign donors, shrunk from addressing with the school board the need for guaranteeing that Ontario Ranch homeowners would be provided with the use of the infrastructure they are bearing the cost of constructing.

Mayor Leon rejected the accusation that council had betrayed the homebuyers in Ontario Ranch.

“They are looking for someone to blame,” Leon said. “It is natural to want to blame someone. They point to the police or the city because the district had people camping in the park overnight. Where was school security? It is the school district that is culpable.”

The accusation that he and the balance of the city council have been paid off by the development industry and that he and his council

colleagues created the Mello-Roos fee-funded district to transfer the financial burden from his developer patrons to the residents of Ontario Ranch, Leon said, is untrue. “I don’t sell myself to the developers,” he said. “Neither does Debra [Porada].”

“No developer has ever told me I can get money by creating a Mello-Roos district,” Leon continued. “No one has ever asked that question or said I can get money for my campaign if I will give them a Mello-Roos. Mello-Roos districts are a state issue, not a city issue.”

He defended the Mello-Roos concept. “We create the revenue stream, using the Mello-Roos tool, so people who live in those neighborhoods can have the quality of life they want, the landscaping, the sidewalks, the neighborhood schools, the streets and everything else,” Leon said, without dwelling on the question of why the developers could not themselves pay for those amenities up front. “People ask me, ‘How come our neighborhood doesn’t look like Rancho Cucamonga or Eastvale?’ The answer is because the people who own houses in Rancho Cucamonga and Eastvale pay Mello-Roos fees.”

Leon said, “The Mello-Roos model has been going on for more than a generation now. It isn’t just about schools. It generates revenue to pay for landscaping, parks, sidewalks, streets and everything else.”

Leon said the Mountain View School District had failed to utilize the Mello-Roos revenue entrusted to its officials properly.

“They commingled the money and were not using it to build schools,” the mayor said. “So, Alan and I got those guys [the Mountain View School District Board] on a zoom meeting and we told them, ‘If you guys don’t put in a school, we are coming after that money and we will give it to [the] Ontario-Montclair [School

Continued on Page 20

One After Another, Wonder Valley Residents Cataloged Their Objections To The Resort *from* *page 7*

talking about is a truly valuable historical and impressive ecological resource found in very few places on the planet. I also think that close and special attention should be paid to what the community that actually lives in Wonder Valley has to say. The very least that this project requires is a serious environmental impact review before continuing on.”

Martin Ostendorf said, “To me, the loss of dark sky from this large concentrated development, ignoring the sewage requirements for the project, minimizing the safety and health aspects to well water, the quite predictable increase of dust with its negative health impacts as well as the increase in unwanted noise not only at the site but beyond are giving me great pause. Dark sky and quiet are amongst the many reasons people come, live in and visit this part of the Mojave Desert.”

Margaret Ostendorp said the project if approved would impact the air quality that she located in Wonder Valley to ensure for herself. “This project will impact human health,” she said.

Gary Tuffell said, “We currently do not have adequate public services for our community, especially fire and paramedic services, resulting in numerous houses burning to the ground due to insufficient fire response. The addition of the proposed Wonder Inn will further increase the burden upon Wonder Valley’s already stressed public services. Wonder Valley simply does not have the infrastructure nor the public services to support this development. I urge you to deny this project or at minimum require a full environmental impact report before considering this project.”

Jeffrey Barrett indicated that the expansion of the commercial zone

from 3.18 acres to 24.4 acres would overburden the existing infrastructure.

Luke Basulto displayed a photo he had taken on February 13, 2023 along creosote scrubland he said was “less than 40 feet from the road within a stone’s throw of the development site, well within sight of the pink building” which featured “a tortoise about six months old hatched last autumn that occupied an old ground squirrel burrow to make it through the winter, new to life and facing the destruction of its home.”

Chris Clark, an associate director of the National Parks Association, said, “It seems unlikely tortoises do not occur on the site.”

He said a habitat conservation plan for the tortoise was required for the property to be developed. “This, in and of itself, is enough reason for the county to bounce this back to land use services and require that a full environmental impact report is prepared,” Clark said. “It certainly is enough reason for a court to order that be done. I think we’d all prefer that it be done voluntarily on the county’s part. It is in the best interest of everyone concerned, including the proponent.”

Dena Torrenz said, “It seems highly prudent that a complete environmental impact report be completed in relation to the Wonder Inn project. The precedent set by not demanding such an approach seems highly irresponsible in regards to this project and future projects in the area.”

Aiden Koch said the project would “undermine that sense of desert that so many people come here for.”

John Talley Jones said, “The applicant stated that Wonder Valley ‘has no community plan.’ Apparently, they didn’t look. If they had opened the county policy plan and read it, they would have discovered that Wonder Valley Community Action Guide existed before the applicant purchased the

property.”

Kimberly Zzyzx said, “According to recent information from Desert Beacon, the current well on the property is dry. How can a project of this scale, with a 6,300-square foot pool, exist on a dry well without causing unsustainable depletion of the Dale Basin aquifer?”

Zzyzx further said, “Since the Wonder Valley Fire Station closure in 2017, response times have lengthened to nearly 15 minutes. Will the Wonder Inn developers be funding a reopening of the fire station and providing ambulances?”

Michael Cohen said, “The project estimates that it will only require a staff of 20. This number is not realistic for a 106-room hotel with a restaurant and full-service spa that is promoted as a five-star facility. According to www.hotelmanagement.net, hundred room hotels support 66 jobs at the hotel itself. In addition to the 106 hotel guest rooms, the Wonder Inn hotel complex also advertises a 100-seat 24-hour restaurant, full-service spa and conference rooms year-round. It seems unlikely that the Wonder Inn with its further planned developments would be able to maintain an appropriate level of service with a staff of less than 25 employees total over three shifts. It appears that this staffing number was presented to gain approval for a transient non-community water system, but in reality is significantly under the staffing requirements of a hotel.”

Lee Scott said, “Missing from the applicants’ plan is how they will provide for emergency services. Emergency services are already overburdened in this area. Also missing from the applicants’ plan is where will the employees be housed. We have a housing crisis already due to the oversaturation of vacation rentals.”

Cordelia Reynolds said, “There is not a demand for a resort of this size in Wonder Valley.” She called the project “greedy and gross.”

Catherine Collins

said, “This is a huge resort and there is nothing like this in Wonder Valley or anywhere else in the Morongo Basin for that matter. This development will not blend into the surrounding area. The height, density and number of proposed structures makes it impossible to blend in with the surrounding homes and natural landscape. These parcels should not be rezoned.”

Mark Houston told the planning commission, “The pink building was not a post office but a “staging area and office for the rural electrical cooperative that energized Wonder Valley. Putting in a power infrastructure means transformers. Back in 1960, transformers meant polychlorinated biphenyls, PCBs. There is good reason to believe they may have been stored at that site or even serviced at that site during its initial use. I think it’s not responsible to require soil testing to make nobody is exposed to that currently.”

Houston said another use for the site was a mining cooperative that used a cyanide recovery process to release gold out of ore. “This filtration process was done on site, there at the pink building,” Houston said. “You need to ask yourself, ‘Was that stuff handled responsibly? What did they do with the residue afterwards?’ In the interest of public safety, this isn’t something that should be left to ambiguity. The best course of action would be to deny the project, but if the project has to go through without an environmental impact report.”

Caroline Partamian voiced concern about the commission relying upon conclusions relating to the ecological impact of the project made by environmental consultants and biologists hired by the proponent.

Steve Bardwell said, “A focused environmental impact report is needed for the Wonder Inn.”

Sarah Kennington said, “The proposed Wonder Inn would have a significant and negative impact on the environment. It would dam-

age the quality of life, perhaps life itself for the resident tortoises, other wildlife and humans, all the while providing no amenities and little or no economic benefit to the local community. I urge you to deny this project or minimally to require an environmental impact report.”

Melissa Spur, noting the proponents own 11 parcels totaling 223 acres, said, “It is unclear what is planned for the additional almost 220 acres. Why were they not included in the project application? The lack of full disclosure inspires concerns about piecemealing, which is prohibited by the California Environmental Quality Act. This project should be rejected until the applicant provides full disclosure of all elements in their applications.”

In what was for many literally unbelievable, Mlynarski acknowledged that neither the proponents nor their development team knew the actual history of the pink building. Multiple sources, including the *Sentinel*, had previously alluded to the building as having housed the Homestead Valley Rural Electrical Cooperative transforming station.

“We’ve learned some things today,” Mlynarski claimed. “Gosh, I didn’t know it was used for industrial uses at one point in time and as an electrical substation putting in backbone systems throughout Wonder Valley and so forth. It did seem like a practical place of sorts because the property was disturbed.”

More problematic than the history of the pink building was the pall that had spread over the hearing when Flanagan, Levine, Gina Cohen, Basulto, Clark and Kennington raised the specter of Landver and Greenberg and their team hiding evidence relating to the presence of desert tortoises on their property from the land use services department and the planning commission.

Julie Gilbert acknowledged that “Mr. LaRue is a very respected desert tortoise biologist, does

fantastic work.” Nevertheless, she seemed to suggest that he had been hired in 2020 by someone with developmental designs on the property and that his findings were supposed to remain confidential, since, apparently, his findings were contrary to the interest of the party that had hired him and he was, she implied, obliged to keep his mouth shut.

“This was,” Gilbert said, “extreme, the fact that it [revelation of LaRue’s findings] came during public comment from the opposition. Even though he didn’t sign a nondisclosure agreement, there’s just something called professional ethics. So, I certainly as a consultant will never be using Circle Mountain and I’ll certainly be letting my colleagues know that their information can be up for grabs. So, very upset about that whole thing came out. We were very surprised that the report came out. Nobody had it in the files.”

Mlynarski too expressed dampened outrage that LaRue had been commissioned to do a confidential study by someone he knew was interested in developing the property in question and then disclosed the results of that survey which harmed the prospect of the land being developed.

“That desert tortoise survey that was done about four years ago by the gentleman out of Wrightwood [LaRue] was done in conjunction with an architectural group that was looking at some preliminary designs for when the project was actually very small. They had only acquired 40 acres at that time. So, what they did is this consulting group went ahead and got a tortoise study done by a gentleman up in Wrightwood and that tortoise study was never presented, was never brought forward. In fact, none of us even had knowledge of the study until Pat Flanagan contacted the gentleman who did the study. We tried to obtain a copy of that study, but

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FBN 2023000196 The following person is doing business as: LARSEN'S JUNK REMOVAL. 34480 COUNTY LINE RD SPC #6 YUCAIPA, CA 92399... FBN 2023000194 The following person is doing business as: ACACIA HOPE FARM. 35149 ACACIA AVE YUCAIPA, CA 92399...

FBN 20230002001 The following person is doing business as: PREMIER TRACTOR WORKS. 1832 KINGSBURY DR YUCAIPA, CA 92399... FBN 20230002015 The following person is doing business as: BEST LAWN-CARE. 1280 FAIRVIEW AVE COLTON, CA 92324...

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COUNTY OF SAN BERNARDINO SUSANA GARCIA 7474 HENBANE STREET RANCHO CUCAMONGA, CA 91739. The business is conducted by: AN INDIVIDUAL. The registrant commenced to transact business under the fictitious business name or names listed above on: FEB 27, 2023

FBN 20230001840 The following person is doing business as: T&R UNIQUE CLEANING SERVICES. PO BOX 893 FONTANA, CA 92334... FBN 20230001840 The following person is doing business as: T&R UNIQUE CLEANING SERVICES. PO BOX 893 FONTANA, CA 92334...

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information on this statement becomes Public Record upon filing. s/ LATOYA N BYRD, GENERAL PARTNER Statement filed with the County Clerk of San Bernardino on: FEBRUARY 24, 2023

FBN 20230001984 The following person is doing business as: ELECTRONIC REALES SERVICE. 7800 JACK RABBIT LN HIGHLAND, CA 92346; MAILING ADDRESS P.O. BOX 4112 SAN DIMAS, CA 91773...

FBN 20230002028 The following person is doing business as: ROCKN-ROLLA RECORDS. 1307 N 3RD AVE UPLAND, CA 91786... FBN 20230002028 The following person is doing business as: ROCKN-ROLLA RECORDS. 1307 N 3RD AVE UPLAND, CA 91786...

FBN 20230002015 The following person is doing business as: BEST LAWN-CARE. 1280 FAIRVIEW AVE COLTON, CA 92324... FBN 20230002015 The following person is doing business as: BEST LAWN-CARE. 1280 FAIRVIEW AVE COLTON, CA 92324...

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FBN 20230002039 The following person is doing business as: EXPRESS GRINDERS & MORE. 1455 W HIGHLAND AVE. SUITE 110 SAN BERNARDINO, CA 92411... FBN 20230002012 The following person is doing business as: FLAMINGO GIFT SHOP. 1050 KENDALL DR SUITE I SAN BERNARDINO, CA 92407...

FBN 20230002015 The following person is doing business as: BEST LAWN-CARE. 1280 FAIRVIEW AVE COLTON, CA 92324... FBN 20230002015 The following person is doing business as: BEST LAWN-CARE. 1280 FAIRVIEW AVE COLTON, CA 92324...

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COUNTY OF SAN BERNARDINO DARWIN A MAGNO 28308 SUMMER TRAIL PL HIGHLAND, CA 92346. The business is conducted by: AN INDIVIDUAL. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A

FBN 20230002074 The following person is doing business as: STEAMERS FINE CLEANERS AND LAUNDRY. 33562 YUCAIPA BLVD #8 YUCAIPA, CA 92399... FBN 20230002012 The following person is doing business as: FLAMINGO GIFT SHOP. 1050 KENDALL DR SUITE I SAN BERNARDINO, CA 92407...

FBN 20230002106 The following person is doing business as: SOTELLO WHOLESALE. 16689 FOOTHILL BLVD STE 201 FONTANA, CA 92335... FBN 20230002015 The following person is doing business as: BEST LAWN-CARE. 1280 FAIRVIEW AVE COLTON, CA 92324...

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FBN 20230002123 The following person is doing business as: FLOW CONSTRUCTION. 1385 CANYON RD SAN BERNARDINO, CA 92404... FBN 20230002021 The following person is doing business as: BOMBAY-BABA.CO. 88283 DALE VISTA RD TWENTY NINE PALMS, CA 92277...

FBN 20230002018 The following person is doing business as: SC ONESTOP RESOURCE INC. 505 S WILLOW AVE RIALTO, CA 92376... FBN 20230002015 The following person is doing business as: BEST LAWN-CARE. 1280 FAIRVIEW AVE COLTON, CA 92324...

FBN 20230002015 The following person is doing business as: BEST LAWN-CARE. 1280 FAIRVIEW AVE COLTON, CA 92324... FBN 20230002015 The following person is doing business as: BEST LAWN-CARE. 1280 FAIRVIEW AVE COLTON, CA 92324...

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Business and Professions Code). Published in the San Bernardino County Sentinel 03/17/2023, 03/24/2023, 03/31/2023, 04/07/2023 CN-BB12202313MT

FBN 20230001936 The following person is doing business as: CONCARMAINTENANCE. 721 E 9TH ST SPC #90 SAN BERNARDINO, CA 92410... FBN 20230002021 The following person is doing business as: BOMBAY-BABA.CO. 88283 DALE VISTA RD TWENTY NINE PALMS, CA 92277...

FBN 20230002015 The following person is doing business as: BEST LAWN-CARE. 1280 FAIRVIEW AVE COLTON, CA 92324... FBN 20230002015 The following person is doing business as: BEST LAWN-CARE. 1280 FAIRVIEW AVE COLTON, CA 92324...

FBN 20230002015 The following person is doing business as: BEST LAWN-CARE. 1280 FAIRVIEW AVE COLTON, CA 92324... FBN 20230002015 The following person is doing business as: BEST LAWN-CARE. 1280 FAIRVIEW AVE COLTON, CA 92324...

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FBN 20230002820 The following person is doing business as: VENADOS BARBERSHOP. 11184 W 2ND STREET UNIT #211 SAN BERNARDINO, CA 92410 COUNTY OF SAN BERNARDINO... 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.

FBN 20230002176 The following person is doing business as: IV DRIP SHOPPE. 12403 CENTRAL AVE STE 779 CHINO, CA 91710; MAILING ADDRESS 311 W CIVIC CENTER DR STE B SANTA ANA, CA 92701; COUNTY OF SAN BERNARDINO... 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.

FBN 20230001621 The following person is doing business as: MARISCOS Y ANTOJITOS TRADICION SINALOENSE. 1055 W 21ST ST SAN BERNARDINO, CA 92405; MAILING ADDRESS 4015 MOUNTAIN DR #1 SAN BERNARDINO, CA 92405; COUNTY OF SAN

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B E R N A R D I N O ERNESTO ORDAZ SANDOVAL 4015 MOUNTAIN DR #1 SAN BERNARDINO, CA 92407.

The business is conducted by: AN INDIVIDUAL. The registrant commenced to transact business under the fictitious business name or names listed above on: 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.

FBN 20230001555 The following person is doing business as: PROSPERITY REA. 9161 SIERRA AVE SUITE 203-B FONTANA, CA 92335 COUNTY OF SAN BERNARDINO... 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.

FBN 20230001557 The following person is doing business as: SHARP ENVIRONMENTAL SERVICES. 502 W 1ST ST. RIALTO, CA 92376 COUNTY OF SAN BERNARDINO... 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.

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FBN 20230001557 The following person is doing business as: SHARP EXTERMINATOR COMPANY. 502 W 1ST ST. RIALTO, CA 92376 COUNTY OF SAN BERNARDINO... 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.

FBN 20230001813 STATEMENT OF ABANDONMENT OF USE OF FICTICIOUS BUSINESS NAME STATEMENT The following person is doing business as: ESPINOZA MARKET. 924 COLTON AVE COLTON, CA 92324 COUNTY OF SAN BERNARDINO... 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.

FBN 20230002101 The following person is doing business as: WINDOW TINTING 2023 LLC. 859 N MOUNTAIN AVE APT 7E UPLAND, CA 91786 COUNTY OF SAN BERNARDINO... 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.

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FBN 20230002223 The following person is doing business as: PHONEFIXER. 500 INLAND CENTER DR GLENDALE, CA 92408; MAILING ADDRESS 1023 TYLER ST GLENDALE, CA 91205; COUNTY OF SAN BERNARDINO... 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.

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FBN 20230002134 The following person is doing business as: FIRST TEAM CLOTHING. 6547 MANZANO ST CHINO, CA 91710 COUNTY OF SAN BERNARDINO... 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.

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RAUL MILIAN MONROY 6547 MANZANO ST CHINO, CA 91710. The business is conducted by: AN INDIVIDUAL. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A

By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ RAUL MILIAN MONROY, OWNER Statement filed with the County Clerk of San Bernardino on: MARCH 06, 2023 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.

FBN 20230003028 The following person is doing business as: VIXEN HAIR CO.. 147 E VINE ST SUITE #62 REDLANDS, CA 92373 COUNTY OF SAN BERNARDINO... 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.

FBN 20230003014 The following person is doing business as: RAINBOW LANDSCAPE. 14974 SUMMERLAND LN FONTANA, CA 92336 COUNTY OF SAN BERNARDINO... 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.

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FBN 20230003051 The following person is doing business as: CARLOS PORTALES & ASSOCIATES. 3186 HILLVIEW DR. S. UNIT 2 CHINO, CA 91710 COUNTY OF SAN BERNARDINO... 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.

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FBN 20230002887 The following person is doing business as: ONE WAY RESTAURANT BURGERS. 1403 E FOOTHILL BLVD UPLAND, CA 91786 COUNTY OF SAN BERNARDINO... 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.

FBN 20230002830 The following person is doing business as: JD CONCRETE PUMPING. 1608 BRADBURY AVE DUARTE, CA 91010 COUNTY OF SAN BERNARDINO... 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.

FBN 20230002830 The following person is doing business as: JOSE HERNANDEZ DUARTE, CA 91010. The business is conducted by: AN INDIVIDUAL. The registrant commenced to transact business under the fictitious business name or names listed above on: MAR 23, 2018 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.

FBN 20230003006 The following person is doing business as: US CHINA BUSINESS & FIRENSHIP FEDERATION. 6952 AVIGON DR CHINO, CA 91710 COUNTY OF SAN BERNARDINO... 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.

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The registrant commenced to transact business under the fictitious business name or names listed above on: MAR 21, 2023. 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/ XINHANG WANG, CEO Statement filed with the County Clerk of San Bernardino on: MARCH 24, 2023 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 03/31/2023, 04/07/2023, 04/14/2023, 04/21/2023 CN-BB14202321MT

FBN 20230003112
The following person is doing business as: BOTANICA EL DUENDE. 8145 CYPRESS AVE SUITE J FONTANA, CA 92335 COUNTY OF SAN BERNARDINO ISABEL C GARCIA RUIZ 8145 CYPRESS AVE SUITE J FONTANA, CA 92335. The business is conducted by: AN INDIVIDUAL. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A. By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ ISABEL C GARCIA RUIZ, OWNER Statement filed with the County Clerk of San Bernardino on: MARCH 28, 2023 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 03/31/2023, 04/07/2023, 04/14/2023, 04/21/2023 CN-BB1420232699MT

Simmons: Too Much Brains & Too Much Conscience To Remain As Chino Police Chief Past 50 *from page 3*

the wider lens of public and social scrutiny and the application of realistic and appropriate standards. Nevertheless, it is understood, goes without saying and can be no other way than that as police chief Simmons is obliged to back his men in their comportment and performance of their jobs, even when they have been demonstrated to use overbearing assertions of their authority and gone to extraordinary lengths

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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 03/31/2023, 04/07/2023, 04/14/2023, 04/21/2023 CN-BB142023222MT

FBN 20230003126
The following person is doing business as: PAIN AWAY WACU. 330 N D ST SUITE 524 SAN BERNARDINO, CA 92401 COUNTY OF SAN BERNARDINO HYODONG JEONG 9015 DEER HAVENDR PHELAN, CA 92371. The business is conducted by: AN INDIVIDUAL. The registrant commenced to transact business under the fictitious business name or names listed above on: MAR 08, 2023. 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/ HYODONG JEONG, OWNER Statement filed with the County Clerk of San Bernardino on: MARCH 28, 2023 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 03/31/2023, 04/07/2023, 04/14/2023, 04/21/2023 CN-BB1420232699MT

FBN 20230003113
The following person is doing business as: GARCIA'S GLASS. 16155 SIERRA LAKES PKWY #160-149 FONTANA, CA 92336 COUNTY OF SAN BERNARDINO ISABEL C GARCIA RUIZ 16155 SIERRA LAKES PKWY #160-149 FONTANA, CA 92336. The business is conducted by: AN INDIVIDUAL. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A. By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information

to maintain command presence. While officers have command presence – the ability to assert authority by voice intonation, by virtue of their position as police officers, the weaponry they carry, ability to network with other police officers and the societal backing they have from the civil government and the prosecutorial assistance of the district attorney's office – as a tool in their panoply by which they can intimidate citizens into complying with their requests or instructions, Simmons recognizes that police functioning solely or largely through the use of fear and intimidation alone represents a dead-end in

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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/ ISABEL C GARCIA RUIZ, OWNER Statement filed with the County Clerk of San Bernardino on: MARCH 28, 2023 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 03/31/2023, 04/07/2023, 04/14/2023, 04/21/2023 CN-BB14202324MT

FBN 20230003219
The following person is doing business as: ELITE BARBER. 1667 N MOUNTAIN AVE SUITE 122 UPLAND, CA 917841781. Mailing Address 13118 GABAY CT RANCHO CUCAMONGA, CA 91739. The business is conducted by: A GENERAL PARTNERSHIP. The registrant commenced to transact business under the fictitious business name or names listed above on: JUN 01, 2015. 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/ MARIA E FERANDEZ, CO-PARTNER Statement filed with the County Clerk of San Bernardino on: MARCH 30, 2023 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

which the ultimate result will be the loss of the police's moral authority altogether. Simmons, the *Sentinel* is told, wants to get away from that element of his existence. More cerebral than physical, Simmons is said to be burned out on the machismo-driven ethos of police life. Before becoming police chief, he authored an article, Big Data Does Not Have to Mean Big Brother or Be a Big Deal for Police Chief Magazine, a piece in which he dealt with law enforcement's role in shuffling society into an Orwellian straitjacket. "Society continues to become fully immersed in the digital informa-

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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 03/31/2023, 04/07/2023, 04/14/2023, 04/21/2023 CN-BB14202325SMT

FBN 20230003176
The following person is doing business as: EAGLES DYNASTY NETWORK. 1461 E COOLEY DR COLTON, CA 92324. Mailing Address 1216 1/2 W RIALTO AVE SAN BERNARDINO, CA 92410. COUNTY OF SAN BERNARDINO MIRTA E ARMENTA 1216 1/2 W RIALTO AVE SAN BERNARDINO, CA 92410. The business is conducted by: AN INDIVIDUAL. The registrant commenced to transact business under the fictitious business name or names listed above on: MAR 29, 2023. 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/ MIRTA E ARMENTA, OWNER Statement filed with the County Clerk of San Bernardino on: MARCH 29, 2023 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 03/31/2023, 04/07/2023, 04/14/2023, 04/21/2023 CN-BB14202326MT

FBN 20230003168
The following person is doing business as: AQUAMAN POOL AND SPA. 1551 W 13TH ST UNIT 215 UPLAND, CA 91786 COUNTY OF SAN BERNARDINO RYAN M DICKENSON 1551 W 13TH ST UNIT 215 UPLAND, CA 91786. The business is conducted by: AN INDIVIDUAL. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A

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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/ RYAN M DICKENSON, OWNER Statement filed with the County Clerk of San Bernardino on: MARCH 29, 2023 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 03/31/2023, 04/07/2023, 04/14/2023, 04/21/2023 CN-BB14202327MT

FBN 20230003159
The following person is doing business as: FLY CAM MEDIA. 1255 W COLTON AVE STE 143 REDLANDS, CA 92374 COUNTY OF SAN BERNARDINO ENTERPRISES, LLC 1255 W COLTON AVE STE 143 REDLANDS, CA 92223 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: MAR 27, 2023. 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/ ALIMON WILLIAMS, PRESIDENT Statement filed with the County Clerk of San Bernardino on: MARCH 29, 2023 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

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under federal, state, or common law (see Section 14400 et seq., Business and Professions Code). Published in the San Bernardino County Sentinel 03/31/2023, 04/07/2023, 04/14/2023, 04/21/2023 CN-BB14202328MT

FBN 20230003141
The following person is doing business as: CATRANS. 9763 MEADOWOOD DR RANCHO CUCAMONGA, CA 91737 COUNTY OF SAN BERNARDINO CRUZ CHAVIRA JR 9763 MEADOWOOD DR RANCHO CUCAMONGA, CA 91737. The business is conducted by: AN INDIVIDUAL. The registrant commenced to transact business under the fictitious business name or names listed above on: NOV 15, 2004. 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/ CRUZ CHAVIRA JR, OWNER Statement filed with the County Clerk of San Bernardino on: MARCH 29, 2023 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 03/31/2023, 04/07/2023, 04/14/2023, 04/21/2023 CN-BB14202329MT

FBN 20230002687
The following person is doing business as: L&J EXPRESS. 2582 W CARDAMON ST SAN BERNARDINO, CA 92410 COUNTY OF SAN BERNARDINO SONIA L CRUZ 2582 W CARDAMON ST SAN BERNARDINO, CA 92410. The business is conducted by: AN INDIVIDUAL. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A. By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code

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179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ SONIA L CRUZ, OWNER Statement filed with the County Clerk of San Bernardino on: MARCH 16, 2023 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 03/31/2023, 04/07/2023, 04/14/2023, 04/21/2023 CN-BB14202330MT

FBN 20230003127
The following person is doing business as: NELLIE'S IDEA'S. 7536 VICTORIA AVE HIGHLAND, CA 92546 COUNTY OF SAN BERNARDINO NELLIE M AGUILERA 7536 VICTORIA AVE HIGHLAND, CA 92346. The business is conducted by: AN INDIVIDUAL. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A. By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ NELLIE M AGUILERA, CONSULTANT Statement filed with the County Clerk of San Bernardino on: MARCH 28, 2023 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 03/31/2023, 04/07/2023, 04/14/2023, 04/21/2023 CN-BB14202331MT

by people in the form of wearables. Wearable technologies track various aspects of a person's activities, including location, movement, heart rate, and sleep. Wearables are currently a \$700 million industry and experts predict the market will continue to grow quickly." Having obliquely raised the specter of the government commandeering that information to spy on the population, Simmons in the article sought to allay that concern by focusing on the equally real prospect that the underworld will exploit that information trove. "Unfortunately, criminals are also users of

these systems," Simmons wrote, and he then made an attempt to lull the reader into accepting that good-intentioned and moral upholders of the law, the police, can be trusted to use that available information to perpetrate justice. "The good news is data can become the digital fingerprint that law enforcement can use to identify criminals," Simmons wrote. "These data include information that identifies [an] individual's past criminal activity and plans to commit future crimes. All this information is uploaded, usually without a second thought, by the criminal, and then stored digital

Officially, Planning Commission Shot The Resort Hotel Down Over “Land Use Incompatibility” *from page 9*

when we contacted the consulting firm, they said well, they’ve never been paid for the study all this many years. So, they said, ‘If you’d like a copy of the study, then somebody needs to pay the invoice.’ But somehow Miss Flanagan was able to obtain a copy of the study for no fee.”

Gilbert further damaged the prospect of her client getting approval for the Wonder Inn project when she used the terms “take” and “take permit” with regard to the tortoises, and did not clarify whether Landver and Greenberg were looking to “take” the tortoises in the sense that they would kill them or “take” the tortoises in the sense that they might simply remove them from the property and place them elsewhere in the desert.

Neither Mlynarski nor Gilbert clarified what protocol the biologist Landver and Greenberg had hired followed in doing the 2021 survey that they claimed found no tortoises.

As it was becoming clear with the progression of the hearing, Mlynarski and Gilbert radically amended the Landver and Greenberg team’s position with regard to the tortoises, going from the contention that nothing needed to be done about them because they weren’t present on the property to saying the mitigation monitoring program for the project was revised to require a focused survey by a permitted biologist for the entire area during the tortoises breeding season and that Landver and Greenberg would obtain an “incidental take permit” from the California Department of Fish & Wildlife if any tortoises were discovered.

Planning commissioner Mike Stoffell noted the “discrepancy” in their before and after positions with regard to the tortoises.

Mlynarski, whose body language reflected that he knew his clients’ project was going down in flames, made a last-ditch effort to salvage it.

“There was never any intention to destroy any habitat or ignore any findings,” he said. “We really wish that whoever the gentleman was up in Wrightwood who did the study, we wish that he would have shared it with the county or shared it with us before he shared it with other people, but the fact that we have it now and ELMT [the environmental consulting group that Landver and Greenberg hired] went out and did some additional work recently to verify what was currently on site, So they’ve done two surveys now and both of their surveys have not come up with any findings that I’m aware of.”

Confronted by Stoffell over the sharp contrast between the evidence presented that the property is home to tortoises and the effort Landver and Greenberg’s team had made to convince the decision-makers that tortoises were not present on the property, a visibly pained Mlynarski began, “I’ll just briefly say this tortoise thing is...” and then paused. Mentally recompensing himself, he said, “None of us want to have any disruption of environmental conditions. The protocol that Julie mentioned that has to occur, like burrowing owl or anything, there’s going to pre-construction inspections done. If there’s any evidence of a burrow or the finding of a tortoise, then the protocol kicks in. You don’t get to go in there and disturb the property. Just like Native American consultation, you get conditioned that you have to do observation and so forth before construction or even if you are in construction, if something is found, you stop and then you deal with it. It’s a very precise process. The permits are not easy to obtain. Federal and Local offices will be involved in that.”

Caught out, Gilbert admitted they had not

done a focused study, and then, somewhat implausibly stated that the development team would be “happy” to take steps to protect any tortoises that show up on the property, after having earlier suggested no such measures were necessary because no tortoises were on the property.

“Had we known about the report early on, had there been any indication that there had been tortoises nearby, things would have been different,” she said, “but happy to find that out now and we’re happy to take care of it.”

Weldy, returning to whether the project and its scope represented a compatible land use in the area. He pressed Landver about whether a limited commercial use – the electric switching station located on a limited expanse of just over three acres, which was intended for and had been utilized to provide a relatively benign and unobtrusive service to domestic homestead sites – could or should be bootstrapped up into something of far greater land use intensity.

“This is an anomaly of zoning that you have found,” he said to Landver. “So the question is do we really have a compatible land use to take that anomaly and magnify it quite a bit. We spent a lot of time talking about property rights and about what you can expect from zoning, what’s in my neighborhood, and transition, appropriate changes for traffic and resources and so on. I’m struggling with this inconsistent zoning, making it bigger in this substantially rural area. That is not an indictment of the business plan or the concept or the fact that we need to expand out there. Help me understand the consistency of zoning when we go and expand what was an anomaly, wasn’t really planned that way. Somebody said, ‘Let’s go put a building out there and we’re going to use it to electrify the neighborhood.’ I’m not sure that is enough of a toehold, at least for me, to say this [the resort hotel] is

a compatible use. It feels a little jarring compared to everything else that’s there.”

Landver gave it his best shot, saying that there was another site of either 22 acres or 40 acres located a mile away at Utah Trail and Amboy Road that was entirely zoned for commercial use. He said there were homes all around that property, and that was why he and Greenberg had had opted for the acreage they purchased, which has no homes on it and no homes immediately adjacent to it and therefore would not represent a conflicting use.

Weldy then said, “The people that are right around that [the 22 or 40 acres zoned for commercial use] know full well that it is zoned commercial, has been for a long period of time. Here you have people that are around it who have had a rural [residential] designation and a pink building. It may be an eyesore or a nuisance, but a pink building. They seem to accept that, but the expectation is, for a long time, rural residential.”

Mlynarski leapt into the breach.

“What is the expectation when you move into an area and you think that’s what it’s going to be like forever?” Mlynarski said. “Land use is a tricky subject. This area has transitioned for decades. It is rural, but it is the back door to Vegas, the back door to Laughlin. You’ve got an airport to the south. You’ve Twentynine Palms. You have a National [Park]. That has changed the characteristic of this community over decades, as well. Who would have ever believe that three-and-a-half million want to go to Joshua Tree, but they do. I think that’s part of the reason this group acquired such a large footprint [223 acres].”

Weldy offered his view that having space between the development and the adjacent properties might not sufficiently mitigate the untoward impacts of the project given the dissimilarity or incompatibility of the two land uses.

“The issue of transition or separation is different when we’re looking at high density, medium density standard residential in a developed area,” Weldy said. “Out here where the spaces are so big and interrupted, the scale is just different. I don’t have an answer for that. So, what is an appropriate buffer zone and what does that look like? It’s not clear cut. This is a pretty grand scale. That’s part of my struggle with the zoning because this is pretty ambitious.”

When Weldy sought from the commission what its sentiments were, Commissioner Michael Stoffel said, “Everything that I’ve heard and read, I’m not able to support it as it is,” Michael Stoffel said. “I would make a motion to not recommend the project – or deny the project – based on the land use designation and the scope of going from the small property to such a large property in the area.

Weldy stated his opinion that “Environmental [issues are] not a concern. This is a grand change between them [zoning allowances] and I can’t support this.

Commissioner Kareem Gongora indicated he was apprehensive about supporting the project without an environmental impact report. He said, “I find the project itself very appealing but I think the land use concern, the access to services, resources and the multitude of concern

in this area make me not in favor of the project in this certain location. From a land use perspective, I’m not inclined to support this project at this time.”

A refinement of the motion was articulated by Weldy to declare the commission as making a finding that the zoning Landver and Greenberg were seeking is incompatible in size and intensity to the zoning around it. Stoffel’s motion was seconded by Matthew Slowik. The motion passed unanimously with the support of Weldy, Stoffel, Slowik and Commissioner Kareem Gongora. Commissioner Melissa Demirci

The refinement of the motion’s language by Weldy was intended to give Landver and Greenberg a basis upon which to appeal the commission’s decision to the board of supervisors, which has the authority to grant or deny the project proposal, including the conditional use permit, policy land use amendment, zone change and mitigated negative declaration.

According to County Counsel Jason Searles “This is a recommendation item, so if the commission is not recommending approval, the matter dies here unless it is appealed by the applicant.”

Landver and Greenberg have 30 days from March 23 to file that appeal.

-Mark Gutglueck

Short-Term Rentals *from page 2*

rentals, similar to that in Twentynine Palms.

This, week, however, interim Director of Land Use Services Chad Nottingham said the department had run into a couple of roadblocks in assembling enough information upon which to make a recommendation.

“Unfortunately, due to the complexity of the data, to make an informed recommendation simply wasn’t available at this time,” Nottingham said. “We

pushed hard to get the study done to get the data, but we couldn’t get it in time. We didn’t want to come before you and make an uninformed recommendation on this matter.”

Thus, Nottingham said, his department will begin a public outreach that will last from April to June, it will complete the data collection and study findings should be completed in August. “We’ll bring those findings and any recommendations back to you all later this year in November,” he said.

-Mark Gutglueck

District Officials Acknowledge They Prevented Parents Paying Extra Fees To Build Neighborhood Schools From Being Able To Get Their Children Into Those Facilities By Letting Others Line Up Ahead Of Them *from page 8*

District] and they'll build the damn school. We said do what it takes to put that school in. They put a school in in record time. The thing is, they built the school smaller than it needed to be."

Leon said, "The truth of the matter is, they are a real irresponsible bunch [the school board] over there, led by Randall Cenicerros. They don't answer to the city. They are answerable only to the state and the San Bernardino County Superintendent of Schools. They did not listen to the city council. In fact, they have board members who hate us. Randall Cenicerros drags his feet when we tell them what needs to be done. They are completely disrespectful. We have no mechanism, no leverage with them. I can bully them in person, but I can't promise those people who live down there that I can do anything about what they are angry about. If those parents who couldn't get their kids into their neighborhood school are mad at the city, they are angry at the wrong level of government. They need to be angry at the school board. Anthony Villaraigosa, when he was mayor [of Los Angeles] tried to take over the schools in Los Angeles. They laughed at him. The school district is just not answerable to us. We have no influence over them. Not only are they culpable, they are incompetent. It's almost impossible to work with people who are not competent. Someone should tell them, 'Do your damn jobs.' They don't do anything because they are irresponsible."

Leon said, "I feel for those people [the parents with children who now attend schools far distant from their homes]. Even though I have no jurisdiction whatsoever, I am angry these people are being marginalized. So, as mayor, I will step up and bring out the stick or

carrot, whatever it takes."

The *Sentinel* emailed Mountain View board members Chris Taylor, Randall Cenicerros, Ronald Newton, Dr. James Willingham and Michelle Imperial a virtually identical set of questions with regard to what had occurred on March 14 and March 15 and the district's registration policy, including whether each of them thought it would not be more logical and fair to set a student capacity by grade for students at each of the district's schools and then reserve that number of spaces for each grade for those students living most proximate to the school and to allow those reserved spaces to fill with students living most proximate to the school, such that if those spaces do not fill, to then, and only then, open those spaces to students in the district living more distant from the school.

The *Sentinel* also asked the board members if they thought the parents who live close to Parkland School whose children will not be attending Park View School in the upcoming school year because they were outmaneuvered by those willing to borderline break the law by camping out near the school overnight were treated fairly by the district.

The *Sentinel* asked the school board members if they believed the district, by its registration system, rewarded parents who were willing to push the legal envelope by camping out next to the school or on school property or Homeowner Association property or park property the night before the registration day.

The *Sentinel* asked the board members if they thought creating a circumstance by which parents had to engage in borderline illegal activity to get their children registered at Park View School for the next

school year sent an undesirable message to the children of the district or at least to the children of the district who had to witness their parents or one of their parents skirting the law to get them into school.

None of the board members responded.

Dr. Moss acknowledged that the district had ineffectively prevented the line for registration forming more than 24 hours in advance and that after district officials gave assurances to the Park Place residents that the line would not be honored, they relented and allowed positioning in that line to dictate whether or not the children of those in it would be allowed to get into Park View School.

"We told them they wouldn't be able to camp there overnight," Moss said. "We told them where people could be and what would be acceptable. That morning [March 15], I was there before the registration started. I went out and handed everyone a number. As long as they had completed registration material they were processed at the parkhouse based on their number."

Parents were mistaken if they believed that living proximate to or immediately proximate to a school automatically qualified their children

attendance at that school, Moss said.

When you register for school, it doesn't have to do with who is closest," Moss said. "You are allowed to register at a school if you live within that school's attendance boundary."

Moss further indicated that the Mountain View School District does not have what he called "open enrollment," meaning that students were not free to roam around and attend any school in the district they wished and students from other districts were not free to attend school in the Mountain View School District. Rather he said, each school had attendance boundaries, and those living within those boundaries were obliged to attend that school.

That rule is not firm and fast, he acknowledged.

"If you are within the attendance boundaries of a school, you go to the school to register," Moss said. "If the school is full, you are able to register any school in the district."

Moss contradicted parents who insisted otherwise, saying that no students from outside the district and no students living outside of Park View's attendance boundaries had registered at Park View.

in crime suppression efforts. When accessing big data, departments must be aware of potential flaws and biases within the data. Personal privacy and police transparency are two critical issues that also must be addressed by law enforcement looking to utilize big data initiatives."

Law enforcement agencies mining the information available about everyday people, some of whom are criminals, is "not a big deal," Simmons insisted, as long as those agencies balance that tool with the use of other tools.

"The caution for law enforcement agencies is to ensure their officers do not utilize big data as the sole means to detain someone," he wrote.

Moss implied, indeed suggested, that the only students registered at Park View School lived within its attendance boundaries. "We don't accept students from outside the boundaries, either a school's attendance boundaries or outside the district," Moss said. "You can't be from another attendance zone. Only those within Park View's attendance boundary were allowed to register. That is what is posted on the website. Anyone living within that that attendance boundary can attend there."

Moss did, however, reluctantly acknowledge that multiple students within the attendance boundary of Ranch View Elementary School had qualified to attend Park View School next year, but he insisted that those students lived "equidistant" from both schools.

No parents had an absolute right to have their children attend any particular school in the district, Moss said.

When confronted with the language contained in the Lennar, Lewis Homes and Stratham Communities advertisements for the homes in the Park Place and Park Lane phases of the Ontario Ranch development that promoted sales of the homes with a claim that there would be a nearby

school for children of those neighborhoods to attend, Moss sought to slip out from underneath that commitment by saying, "A lot of people were guaranteed all sorts of things by the developer."

Similarly, Moss endeavored to sidestep the consideration that those who purchased homes within the Park Place and Park Lane neighborhoods did so under a Mello-Roos taxing arrangement by which they are paying \$4,443.17 per year in fees that residents of many other neighborhoods in the city are not paying, and were doing so with the understanding that the extra fees they are paying were to provide them with a neighborhood school.

"The taxes they are paying fund all the schools in the district, not just Park View," Moss said.

Moss did not address the concerns expressed by many that the district had purposely undersized Park View.

Moss said the jostling over attendance at the district's schools would resolve itself in the future.

"We have a school that is coming on in 2025-26 and another in 2027-28," he said.

-Mark Gutglueck

Simmons Leaving As Chino Police Chief *from page 18*

tally in large interconnected databases located around the globe. This is called big data: data that is generally too big and moves too fast for the processing capacity of conventional databases."

Simmons continued, "According to Rick Graham, retired chief of detectives from the Jacksonville, Florida, Sheriff's Office, the problem is no longer a lack of actionable intelligence but an overwhelming surplus of data. It will be up to each individual law enforcement agency and its ability to access big data in real time to enable big data to be a force multiplier

"Rather, officers should utilize big data as a means to supplement their reasonable suspicion through specific and articulable facts leading them to be more successful in identifying people who are committing criminal activity," Simmons propounded. "This practice will help ensure officers are not targeting certain groups or violating people's Fourth Amendment rights as had occurred under the stop-and-frisk strategies utilized by some departments."

Simmons asserted, "Real-time access and analysis of big data allow law enforcement to more precisely and effectively solve crimes without intruding on the lives of innocent people," something civil libertar-

ians might quibble with, given that there exists points at which the innocent and the guilty are indistinguishable.

While Simmons for 28 years and probably nearly four years before that was devoted to the concept of being a law enforcement officer, it appears that time has passed.

At present, he is making \$223,785.21 in salary, \$61,152 in additions and perquisites, \$84,168 in benefits and a \$22,845.65 contribution toward his retirement fund for a total annual compensation of \$391,950.86. Upon retiring, he will be provided with a \$187,979.576 annual pension, which is 84 percent of his current salary.

-Mark Gutglueck