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Timed To Take Place While He Is Out Of San Bernardino On Vacation Palace Coup Against Hernandez Aimed At Replacing Him As SBC CEO With Smoke

Nearing his three-year anniversary as San Bernardino County's top staff member, Leonard Hernandez appears to be on the brink of being deposed.

A concerted move, timed for maximum effectiveness by the county's largely disaffected mid-level staff while Hernandez has temporarily loosened his grip on the reins of power by going on vacation, is in



Leonard Hernandez

play now. The well-coordinated series of events, if effectuated as planned, will culminate in a deci-

sion by the board of supervisors at its August 8 meeting, at which a review of Hernandez's job performance was previously scheduled, to hand him a pink slip.

There yet remains the possibility that Hernandez can actuate a career-saving maneuver, but such a development would likely entail a crippling mid-level executive suite blood-letting that would carry

with it the potential of paralyzing the county for months and creating a schism on the board of supervisors where at present a civilized decorum in which Dawn Rowe is functioning as the board chairwoman without challenge prevails.

In September 2020, Hernandez was promoted to assume the post of county chief executive officer and replace Gary

McBride, his predecessor, the following month. Hernandez, 45, has now spent a quarter of a century employed in government, having begun in 1998 at the age of 20 as a part-time page at the Chino Branch Library when he was attending Cal State Fullerton while pursuing a bachelor's degree in history. Upon graduating from college, he obtained a full-time position at the See P 5

Hesperia City Manager Molina's Promotion & Managerial Bona Fides Under Question

By Mark Gutglueck

A month-and-a-half after Rachel Molina's elevation to the position of Hesperia city manager was finalized, making her the second of the county's current 24 municipal managers, questions are emerging about whether her skill set is adequate to the task.

Intrinsic to that question is not only the nature of the Hesperia manage-

rial assignment – one that is considered, arguably because of the size of Hesperia and a host of its historical, geographical and jurisdictional aspects, to be the most challenging such municipal management job in the county – but the unseemly circumstance that precipitated her positioning to promote into the city manager's post.

At present, Hesperia,

at 73.209 square miles, is, among San Bernardino County's 24 cities and incorporated towns, its third largest municipality geographically, ranking behind neighboring Apple Valley and Victorville, at 77.08 square miles and 74.01 square miles, respectively. More than its sheer size, Hesperia faces a host of difficulties.

Hesperia is dealing



Rachel Molina

with multiple negative legacies, some of which came into existence with

or after its 1988 incorporation and others which accompanied or were a consequence of the community's creation.

The first such legacy is the Santa Fe railroad's bifurcation of the city.

In the 1880s, the California Southern Railroad, a subsidiary of the Atchison, Topeka and Santa Fe Railway, undertook the construction of the rail. See P 2

Kerr Handed A 14-Month Prison Term For His Bribery Conviction

Richard Kerr, the former Adelanto mayor who embarked on a mission in 2015 to transform

the city he led into the "marijuana capital of California" to, he and his cronies maintained, save it from financial perdition, all the while taking money on the not-so-sly from those seeking lucrative cannabis-related business operating li-

censes, was sentenced to 14 months in federal prison this morning.

Kerr was a political neophyte who in November 2014 was elected as an alternative candidate in a "clean sweep" of three incumbents under whom efforts to redress dwindling municipal revenues in Adelanto had failed, leading the city to make See P 3

After A Quarter Of A Century, Wapner Pulls The Plug On His Governmental Relations Consultancy



Alan Wapner

The discontinuation of any known overt busi-

ness activity on the part of a company Ontario City Councilman Alan Wapner has operated for nearly a quarter of a century is an outgrowth of his wife's medical condition, the councilman told the *Sentinel* this week.

Alan Wapner & Associates was founded in November 1998, according to documents on file with the State of Califor-

nia. Within the last two months, the company's website went dormant.

Wapner, who has been on the Ontario City Council since 1994, is the third longest serving local official in San Bernardino County after Mayor Eunice Ulloa in Chino and Councilman John Roberts in Fontana.

Wapner possesses a degree in See P 3

Two SBC 9-Year-Olds Competing In World Youth Golf Championship At Pinehurst

Two San Bernardino County nine-year-olds teed off yesterday as competitors in the U.S. Kids Golf World Championship at the Pinehurst Golf Course in Pinehurst, North Carolina.

As of today, three 9-hole rounds in that competition had been completed, with John Paul Fewell of Yucca Valley tied for 52nd place after having shot what

would be for an adult 17 over par on the 27 holes and London Martin of Redlands, at 27 over adult par, tied for 95th place among 121 competitors in their age class.

Fewell shot 43, 44 and 38 in rounds one, two and three. Martin shot 44, 38 and 53.

Leading all of the nine-year-olds was Skyy Wilding of Bangkok, Thailand, who was four

under adult par with 104 strokes on all three rounds, 37, 33 and 34. In second place was William Yoder of Dublin, Ohio, at one under par, with rounds of 37, 32 and 38. Dmitri Elchaninov of Moscow, Russia was even at 108, with rounds of 37, 37 and 34.

Those competing against Fewell and Martin are a veritable Who's Who of future golf leg-

ends, including Brecken Haglund, Hudson Knapp, Lorezo Almeida, Jakub Szczepanik, Graham Gapin, Penn Taino, Carter Botha, Guinn Hill, Levi Jameson, Simon Bustos, Henry De Vries, Ignacio Enrique Beaulieu De Freitas, Jacob Eagan, Jack Helle, Rilen Kozic, Cameron Sacramento, Eli Seales, Octavio Bailly, Brian Kelley, Elliott Skurski, Hunter

Williams, Jax Roberts, Rexton Vandegriff, Navid Barth, Camden Guyton, Bram Patrick, James Tang, Grayson Fiorentino, Rory French, Teddy Krivarchka, Jai Ranganathan, Logan Burton, Landry Moses, Theo Oderinde, Matthew Schreibman, Charlie Beard, Carsen Fegan, Kingston MacPherson, Chance Petersen and Graham Potter.

USFS Opts Against Giving Arrowhead Bottling A New Mountain H₂O Drafting Permit

By Amanda Frye & Mark Gutglueck

Amid unresolved questions over the legality and propriety of the Arrowhead Spring Water Bottling Company's use of water taken from the San Bernardino Forest, the United States Forest Service is, at least temporarily, refusing to renew the water drafting permit that has provided the procedural basis for allowing those diversions to take place for the last 36 years.

Over the last several decades, environmentalists and local activists concerned about the preservation of the San Bernardino National Forest have challenged the massive scale removal of water from Strawberry Canyon, located within the National Forest primarily above the 5,000-foot elevation in the San Bernardino Mountains.

For more than nine decades, several companies bottling water under brands incorporating the Arrowhead name have taken water out of Strawberry Canyon without any validly established rights to that water.

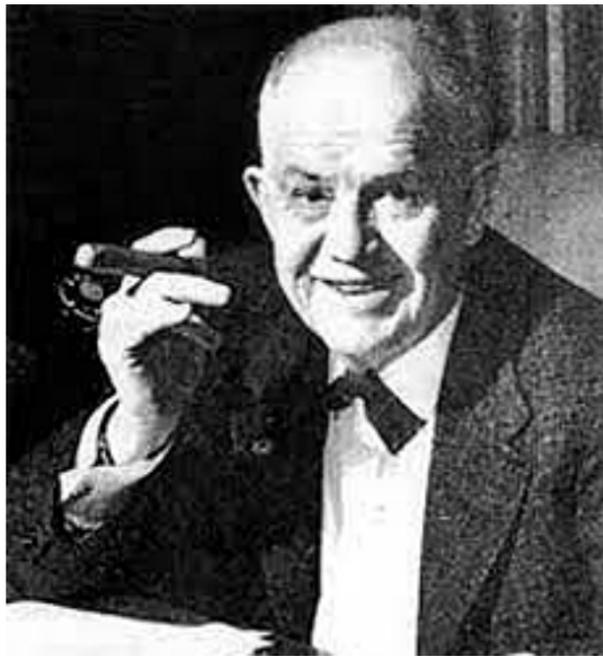
In the late 1920s, Charles Anthony, then the general manager and vice president of the Arrowhead Springs Corporation and the acting president of the Arrowhead Springs resort property and its associated water bottling company, entered into talks with California Consumers Co., the parent company of California Consolidated Waters Co., regarding the sale of the Arrowhead- See P 6

Speculators, Developers, Elected Officials & City Officials All Sought To Turn A Profit By Short-changing Hesperia On Its Infrastructure *from front page*

system between Barstow and Colton, entrusting oversight of that effort to civil engineer Jacob Nash Victor. Victor laid that line through what is today Hesperia, in so doing creating the community. The township of Hesperia grew up around the rail line, rather than to one side of it, and in the fullness of time, that rail line became a division in the city, a very real physical barrier. With a slight degree of curvature and variance mostly at the north end, the rail line runs essentially on a straight line through the city south-south-southwest moving south or north-north-northwest moving north, such that it divides the city east from west. The railroad tracks can be forded only at Bear Valley Road on the city's extreme north end, by means of the Myra McGinnis Bridge on Main Street in the central part of the city and the Rancho Road Underpass at the city's south end. Santa Fe Avenue West and Santa Fe Avenue East closely parallel the rail line through much of the city. The east-west streets Sequoia, Pitache, Capri, Donert, Manzanita, Trinity, Sycamore, Alder, Birch, Catalpa, Hackberry, Eucalyptus, Lilac, Deodar, Mesa, Lemon, Mauna Loa, Mojave, Hercules, Willow, Vine, Live Oak, Pine, Cajon, Chestnut, Smoke Tree, Spruce, Juniper and Yucca, all of which lie between Bear Valley Road and Main Street, are divided east from west by the railroad track corridor. Walnut, Orange, Olive, Sultana, Muscatel, Lime, Palm, Elm, Joshua, Sage, Cactus, Allthorn, Mesquite, Bodart, Ash, Mission, Fremontia, Fir, Adelia, Larch and Rodeo streets and El Centro Road lying between Main Street and Rancho Road

are all prevented from meeting one another east and west of the railroad tracks. In this way, Hesperia is a city that is largely divided from itself, such that going from the east of the city to the west or vice versa often entails a commuting rigamarole and delay. Overcoming this problem is expensive, as the most recent fix to the dilemma, consisting of the Rancho Underpass completed and opened in 2013, cost \$27 million in 2006 dollars.

Thus, the entity that might be credited with being most responsible for creating Hesperia – the Santa Fe Railroad – is equally responsible for saddling Hesperia with an intractable prob-



Penn Phillips

lem, a physical and geographical division that it has yet, despite the best minds available to it during its prehistory and its 35 years as a city, been unable to solve. While certainly this is not a problem of Molina's creation nor one which can be laid at her feet, she is at this stage the one individual personally responsible for seeking a solution. As it stands, the railroad is not amenable to allowing grade crossings at any of the 51 prospective spots where traffic might move from the east side of the city to the west or vice-versa but cannot do so because of the obstruction, and Molina has not taken the initiative to begin that dialogue.

The city's second and perhaps even more daunting legacy is that of Penn Phillips, the father of modern Hesperia.

Marion Penn Phillips was born on June 13, 1887 in Parsons, Kansas. In the 1920s he became involved in real estate speculation and promotion, undertaking the development of Clear Lake Highland, and completed Frazier Mountain Park near Bakersfield in 1924, and a development known as the Avocado Farms near Vista in 1926. He developed large tracts in the Las Vegas basin in 1927, the development of 5,800 lots and 18,000 acres of land in the area around Coos Bay, Oregon between 1929 and 1933, and had built, in association with former World Heavyweight Champion Jack Dempsey, the famed Hotel Del Pacifico

in Ensenada, Mexico in 1931. From 1929 to 1932 he bought and sold more than 60,000 acres of undeveloped land in the Colorado River basin.

During the Second World War, Phillips was executive vice-chairman of the U.S. Treasury Department War Finance Committee for Southern California and following the war he developed and sold thousands of acres in Palmdale, Lancaster, Victorville, Apple Valley, Barstow and Newberry Valley.

He was serving as the vice-president and director of Standard Federal Savings and Loan Association of Los Angeles in the early 1950s, at which time he created Omart Investment Company. On April 22, 1954, what was billed as the largest private land sale in Southern California in 35 years was con-

summated with Omart Investment Company's purchase of a 36-square mile tract seven miles south of Victorville, representing roughly 90 percent of the entire township of Hesperia, for \$1.25 million from the Appleton Land and Water Company and the Lacey Estate, which had owned the land jointly since 1888. Phillips, as the president of Omart, signed the land transfer documents at Pioneer Title and Insurance Company in San Bernardino.

Phillips simultaneously announced his intention to spend \$8.25 million through the Hesperia Land Company, a subsidiary of Omart Investment Company, to prepare the property for development, indicating 1,000 acres of the property was to be allocated to industrial development, 8,000 acres for agriculture and that 5,000 homes would be built along with a two-and-one-half mile-long-and-one-quarter-mile-wide artificial lake, and a resort section.

Involved with Phillips in the Hesperia venture were Jack Dempsey as well as Charles Allen, vice-president of E.F. Hutton and Company of New York City; Fresno-based attorney Milo E. Rowell, Nat Mendelsohn of Riverside; Philip J. Farrar of Fresno; along with Los Angeles investment brokers Dan Christy and Henry Paul Willis.

Within a week, Phillips and Dempsey announced plans to renovate the Hesperia Hotel, which had been dormant since 1926.

Using the Hesperia Land Development and Hesperia Sales Corporation, Phillips promoted his construction company, U-Finish Homes, which mass-produced housing units that were completely finished on the outside, leaving the buyer to complete the interior. He secured water rights to support this community through the newly created Mojave Water Agency, of which he was a founding member.

The formula Phillips applied in Hesperia was

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much like the one he used with his developments elsewhere: secure land, build some homes on it, put in the minimal amount of infrastructure to make the homes habitable, bring in a population that creates the basis for a community that includes momentum for establishing some form of a jurisdictional governmental agency, sell all of the parcels acquired, take a profit and move on to the next development elsewhere.

Phillips built roads for Hesperia that were of a decidedly low standard, consisting of a mixture of desert sand used as aggregate and bitumen to create streets that were no more than one-and-a-half inches thick. The roads, when new, looked good, but under the withering desert sun and use, began to deteriorate within three to four years. The flash floods the desert is prone to further washed out the roads over the following decades, leaving many of Hesperia's streets in poor condition, including some that eventually returned to being nothing more than dirt roads.

Phillips was equally irresponsible in the creation of the town's water system. Though he started with the tremendous advantage of Hesperia being blessed with a world-class water supply, he squandered that asset in his headlong pursuit of a profit. Hesperia lies near the headwaters of the Mojave River, the watershed area north of the San Bernardino Mountains, a pristine and perpetually recharged water supply

created by melting snow and overflowing rainwater from the heights southeast of Hesperia. The water system Phillips created for Hesperia consisted in large part of pipes cannibalized from a petroleum conveyance operation from depleted oil fields. Thus, the Hesperia Water Company, capturing water at the foot of the mountain before it rushed forward to become the Mojave River and wend out into the desert, used substandard pipes, which compromised the quality of the product provided to Hesperia for domestic use.

In this way, Phillips created what would become Hesperia's initial infrastructure deficit. In the nearly sixty-five years since Phillips took his final leave of Hesperia, the city has struggled to overcome its inferior infrastructure foundation.

When Hesperia became a city in 1988, it was poorly served by the incorporation committee that had succeeded in obtaining that milestone. The incorporation committee, partially as a consequence of its members' lack of sophistication, shortsightedness and haste, failed to hold its own in hard-nosed bargaining with county representatives and other competing entities during the process for arriving at the property tax allocation formula for local governmental entities in the Hesperia community, including the city, post incorporation. Previous to Hesperia's incorporation, when the

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Kerr, Woodard & Wright's Means Of Disguising Their Kickbacks Were Creative But Obvious *from front page*

a declaration of fiscal emergency in 2013, what was seen as a prelude to a filing for bankruptcy protection.

Using the city's dire financial situation as a pretext, Kerr joined with John "Bug" Woodard, who was elected with him in 2014, and Jermaine Wright, who had been elected to the council in 2012, to push for allowing marijuana cultivation operations within a circumscribed area of the city's industrial zone.

The trio at first indicated that the liberalization was to be a limited one that would confine itself to the growing of marijuana to be sold to dispensaries located

outside the city and that no retailing of the drug would take place in the city. The day the city began to accept applications for those cultivation operation permits, scores of would-be growers or their representatives descended upon City Hall, such that the line that formed at the planning counter wound out the entrance and three quarters of the way around the building. Many of those applicants bore briefcases loaded with cash.

As things progressed, more than two dozen city employees, including three city managers, three city attorneys and multiple planning division professionals resigned over concerns that the city's processes, standards and protocols were being violated in favor of accommodating those willing to make arrangements to share with city officials, mean-

ing Kerr, Woodard and Wright, the proceeds from the businesses they were competing to set up.

With the dawn of 2016, the countdown toward that November's passage of the Adult Use of Marijuana Act, Proposition 64, began. As a consequence, Adelanto went from merely allowing indoor nurseries to grow marijuana to permitting dispensaries or pot shops to be set up as well as for companies to arrange to deliver marijuana and cannabis products door-to-door, laboratories to be established to refine marijuana into its constituent chemicals, and operations to produce cannabis and marijuana-based products such as liniments and edibles. Kerr arranged to hire a contract economic development director for the city, one whose assignment was to induce businesses,

primarily ones involved in commercial marijuana or commercial cannabis entrepreneurship, into coming into the city. The contract for that economic development director, Jessie Flores, allowed Flores to accept employment or fees from any of the businesses he was negotiating with on behalf of the city. In this way, Flores could be the recipient, legally, of money provided by the cannabis or marijuana companies.

Creative ways of delivering money to Kerr, Wright and Woodard were devised. Woodard, a real estate agent, was given fees on brokered deals for property that started out outside the areas zoned for commercial cannabis or commercial marijuana activity but eventually ended up inside those expanded zones. Wright received payments in cash and other forms. Kerr was

provided with checks from a lawyer that were intended as payments for a future settlement of a lawsuit the lawyer filed on his behalf over an injury he suffered during a motorcycle-riding mishap during a city-sponsored event. That lawyer, David Serrano, obtained clearance from the city to transform what had formerly been a nightclub known as the "Jet Room" frequented by airmen from George Air Force Base into a marijuana and cannabis product emporium. Kerr's wife, Misty, set up an unregistered charity which was the recipient of envelopes stuffed full of cash passed to her while she attended city council meetings.

Ultimately, Wright went down when in 2017 he accepted \$10,000 in marked \$50 bills from an FBI agent masquerading as a businessman looking to set up a mari-

juana distribution business in Adelanto, giving the undercover G-man his assurance as he took the money that the city's regulators would not interfere with the company. Wright was removed from office in early 2018 and was convicted in June 2022 and is now serving a five-year prison sentence.

In 2018, the FBI conducted a series of raids at Kerr's home, office and City Hall, creating a degree of bad publicity for him and which, because of the close affiliation he and Woodard had with Wright, resulted in him and Woodard being voted out of office later that year. Before that occurred however, he and Woodard succeeded in elevating Flores from contract economic development director to the position of city manager. Flores remains in place

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With His Consultancy, Wapner Cashed In On Knowledge He Gained By Being Involved In Government *from front page*

political science from USC and juris doctorate from Whittier Law School. He was a police officer with the Ontario Police Department for 16 years, reaching the rank of sergeant. In his capacity as a city councilman, he served as an appointed representative to multiple regional joint powers authorities, including the Southern California Association of Governments, known by its acronym SCAG; the San Bernardino Associated Governments, the county's transportation agency formerly known by its acronym SanBAG and now known as the San Bernardino County Transportation Authority or SBCTA; the Ontario International Airport Authority, of which he has been the continuous chairman since its inception more than a decade ago and other joint powers authorities, committees and boards. His perspective and knowledge of how governmental agencies work and ar-

ticulate with one another and their policies and procedures are deemed valuable to some individuals or businesses, particularly ones that must deal with governmental entities for project or contract approval or getting a franchise or seeing success with some program or other.

Under the law, those needing assistance or guidance with a project application or franchise/contract competition in a jurisdiction outside of Ontario can consult with Wapner, and it is legally permissible for him to offer assistance to such entities in exchange for money. At the same time, it is illegal for an elected official, to accept payment/remuneration from an individual or company looking to obtain project approval or a contract with or which is competing for a franchise with or wants to be a program participant within or from the jurisdiction where that official serves in an elected or appointed capacity, as is the case with Wapner in Ontario or at Ontario Airport or with SBCTA or SCAG or any other joint powers authority in he has a direct or perhaps even an indirect hand.

Over the years, as Wapner & Associates has had varying degrees of success in bringing in clients, some of them relatively high paying ones, Wapner has been subjected to scrutiny and accusations that he is in some fashion profiting by his holding of public office.

Early in his tenure in office, the statements of economic interest he is by California law required to file every year, known as Form 700s, showed no reportable interests in terms of investments, real estate property holdings, real estate property holdings through a business entity or trust, income, travel payments advances and reimbursement, loans, gifts, honoraria, commission income, income and loans to business entities or trusts or income from real property beyond the income of his then-wife and routine household purchase loans through the Ontario Public Employees Credit Union.

Later in the 1990s, he began reporting receiving gifts in the form of movie and sporting event tickets, clothing items and the like from individuals and companies with items and issues

before the city, including franchise holders and airlines flying into and out of Ontario Airport.

In 1998, he took a disability retirement from the police department because of his inability to wear a gun holster around his waist and he for a time showed income from RSG International as a security and private investigations consultant of between \$1,001 and \$10,000.

In 2000 he reported purchasing in September 1999 a sole proprietorship in a Straw Hat Pizza restaurant in Chino Hills at a fair market value of between \$10,001 and \$100,000, from which he made no immediate reportable profit. He continued in 1999 to work as a security and private investigations consultant for RSG International, generating income of between \$1,001 and \$10,000.

For the year 2000 he reported his continuing ownership of the Straw Hat Pizzeria, but showed it generating less than \$499 in income. Meanwhile, his security business clientele continued to include RSG International and added the Chino Valley Unified School District, attributing both

of those to being primary reportable sources of income of between \$10,001 and \$100,000 to Alan Wapner & Associates, to which he ascribed the general description "security consultant" in describing the business activity it involved.

In the Form 700 disclosure form Wapner filed in 2002 for the year 2001, he yet described the business activity of Alan Wapner & Associates as "security consultant." Its primary client list had dropped to include only the Chino Valley Unified School District, though the reportable income remained at between \$10,001 and \$100,000. That reporting remained the same for the year 2002.

Upon filing the Form 700 disclosure form for 2003 in March 2004, Wapner changed the general description of the business activity of Alan D. Wapner & Associates to "public affairs/government relations/security consulting."

The Chino Valley Unified School District was gone as a reportable source of income of \$10,000 or more but was replaced by Caltrop Engineering and Portrait Homes. Overall, Alan D. Wapner & Asso-

ciates' reportable income remained at between \$10,001 and \$100,000.

In 2004, Alan D. Wapner & Associates' list of clients providing a reportable source of income of \$10,000 or more grew by two to four, again with Caltrop Engineering and Portrait Homes, augmented by WalMart Stores and the Young Electric Sign Company. It again showed reportable income remained at between \$10,001 and \$100,000.

In 2005, Alan D. Wapner & Associates' list of clients providing a reportable source of income of \$10,000 or more grew, in this case by two to four, again with Caltrop Engineering and Portrait Homes, augmented by WalMart Stores and the Young Electric Sign Company.

In 2006 and 2007, Alan D. Wapner & Associates hit its first high water mark. In each of those years, the company took in somewhere between \$100,000 and \$1 million for the consulting work performed primarily by Alan Wapner. The document filed by Wapner on March 21, 2007 to cover the year 2006 shows that

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With Its Unsophisticated Citizenry, Hesperia Became A Magnet For Developers Ready To Exploit The City Along With Politicians & Municipal Managers Seeking Their Fortunes By Facilitating Them *from front page*

county directly provided many of the services to the community along with the previously existing Hesperia Recreation and Park District, the Hesperia Fire District and the Hesperia Water District, that formula was somewhat less arcane. Upon incorporation, city officials failed to broker a very favorable split of property taxes with the county.

Like many of the cities that incorporated after the passage of Proposition 13, Hesperia was given a less-than-generous allotment of the diminishing property tax stream. This was a particularly harsh circumstance for Hesperia, which at its roughly 73 square miles, had over 473 miles of roads, many of them neglected and deteriorating.

The city was allotted a mere 1.59 percent of the property tax revenue – \$1.59 of every \$100 collected. That was the second smallest allotment of any of the cities in the county at that time and it is now the paltriest property tax share of any of the county's current incorporated cities. At present, the county of San Bernardino keeps 14.23 cents of every property tax dollar collected in Hesperia. Indeed, in Hesperia there is a fifteen-way split of property tax. The other thirteen beneficiaries of the property tax rolls are the Hesperia Unified School District, which is given 29.5 percent; another 21.41 percent goes to the Education Revenue Augmentation Fund, most of which comes back to the school district; the Hesperia Fire Protection District pulls in 15.3 percent, nearly ten times what the city receives; The Victor Valley Community College District claims 6.4 percent; the Hesperia Recreation and Park District is given 4.3 percent. The county's flood control district claims

2.2 percent for operations and 0.09 percent for administration; the county library system takes 1.38 percent; the Hesperia Water District is provided 1.03 percent; Community Services Area 60, which lies at the city's periphery, is entitled to 0.99 percent; the San Bernardino County Superintendent of Schools accretes 0.97 percent; the Mojave Water Agency abducts 0.50%; and the Mojave Desert Resource Conservation District nabs 0.02 percent.

Hesperia was not the only city in the county which formerly found itself shortchanged with regard to the division of property tax. Chino Hills, which incorporated in 1991; Apple Valley, which like Hesperia incorporated in 1988; Highland, which incorporated in 1987; Victorville, which incorporated in 1962; Rancho Cucamonga, which incorporated in 1977; Fontana, which incorporated in 1952; and Adelanto, which incorporated in 1970, found themselves in similar circumstances, with Victorville at that time being allotted no return in property tax at all. In no case were any of those cities formerly experiencing more than a 5.2 percent return of property tax collected within their respective borders. In 2003, the county agreed to allot all of those cities 7 percent of the property tax on any land annexed into those cities after that point. Also, several of the cities, individually and collectively, pursued litigation and legislation sponsored by local state lawmakers aimed at upping those cities' property tax revenue.

Hesperia participated in those efforts. The first legislative effort in this regard, Assembly Bill 1057, failed on the Senate floor in 1999. Subsequently, then-Assemblyman Phil Wyman

introduced Assembly Bill 1378, which was designed to give Hesperia a larger share of property taxes collected by the county, such that Hesperia at that time stood to be the recipient of \$2 million more per year if Assembly Bill 1378 passed. But the San Bernardino County Board of Supervisors voted 3-2 to oppose AB 1378 and a key member of the board, former Assemblyman and then Chairman of the Board Fred Aguiar, lobbied in Sacramento against it. Wyman then dropped the legislative try, saying "I killed the bill because we'd rather do it together at the local level."

Hesperia officials abandoned the legislative approach and pulled out of litigation the city was engaged in as a co-plaintiff with other cities after assurances were provided that then-Hesperia Mayor Jim Lindley would be able to use his entrée with his then-political ally, then-supervisor Bill Postmus, to amicably negotiate with the county an increase in Hesperia's share of the property tax return. That came to naught, however, when there was a falling out between Postmus and Lindley, whereupon Postmus ceased his intercession on behalf of the City of Progress.

For Chino Hills, Rancho Cucamonga, and Fontana, the litigative/legislative approach succeeded and by 2006, those cities saw an increase in their end of the formula for property tax splits.

Victorville saw its share of property tax pass-through upped from zero to 4.72 percent, with 6 percent going to its fire district and 5 percent going to its park district.

Apple Valley was granted 9.4 percent of the property taxes its residents pay, and another 9.2 percent was handed over to the town's fire district.

The city of Rancho Cucamonga now gets 5.11 percent and its fire district is provided with 12.48 percent.

A deal was brokered with the city of Chino

Hills such that it continues to get a 3.9 percent return on property tax paid for property that was previously within the city and ten percent of taxes from new development. The city of Chino Hills' fire district also receives 15.15 percent of the property tax paid by Chino Hills residents.

In Fontana, the city receives a 3.8 percent property tax return, while its fire department is granted an 18.55 percent return.

The city of Highland is given 24.4 percent of the property tax collected within city limits.

Hesperia remains as the forlorn stepchild of the county when it comes to the distribution of property tax, receiving 1.75 percent of the property tax the residents living within its city limits pay.

The infrastructure deficit Phillips saddled Hesperia with was compounded by a series of decisions made by the fledgling city council shortly after the city was incorporated in 1988 and doubled down upon by the councils that succeeded the first. Looking southward at the upwardly mobile population of Rancho Cucamonga, a city which had incorporated a mere eleven years before in 1977, the newly formed city council, led by mayor Bruce Kitchen and council members George Beardsley, Mike Lampignano, Percy Bakker and M. Val Shearer, lured Rancho Cucamonga Deputy City Manager Robert Rizzo to town to serve as the city's first city manager. Deluded into thinking that cityhood would instantly transform their city into an economically dynamic hotbed of upscale development similar to Rancho Cucamonga, the city council empowered Rizzo to cut deals with developers to convince them to begin building aggressively and soon. Rizzo took the council's somewhat naive instructions too literally, pushing his planning staff to approve projects as proposed by developers, entailing projects with sketchy or inadequate

infrastructure, both in the immediate vicinity of the neighborhoods which were springing up as well as throughout the city in general.

In some cases, Rizzo, to meet payroll, diverted bond money intended for the provision of infrastructure into the general fund, where it



Robert Rizzo

was eaten up by the day-to-day expenses of running the city. In time, many of the landowners inveigled into the assessment districts created to debt service those bonds lost those properties in tax foreclosures as the promised increases in the value of their properties failed to materialize because the infrastructure those bonds were supposed to pay for was never built. Correspondingly, the sales tax producing commercial development that was to accompany the improvements to those properties in question never materialized, depriving the city of revenue that could have been converted into infrastructure improvements.

The centerpiece of Hesperia's developmental fixation was the Rancho Las Flores project, which was being pushed by the Dana Point-based ARC Las Flores Corporation and was originally projected to result in the construction of 9,100 residential units in Summit Valley on 10,000 acres at the city's extreme south end that consisted of the 490-acre Las Flores Ranch and several adjacent parcels, including Bureau of Land Management property obtained through a series of land swaps. Rizzo convinced Bakker, Beardsley, Shearer and Lampignano and Kitchen that the project would generate economic development and create neighborhoods

to rival those in upscale Orange County. Within two years, the scope of the project grew and in 1990, the city approved the Rancho Las Flores specific plan, which called for development of 15,540 housing units in eight phases.

Rizzo, however, was manipulative and dishonest, exploiting the very city council members who hired him, enabled him and directed him to develop the city at any cost. During the 1990 election, he arranged with developmental interests to get scores of residents in Orange County to write \$99 checks in blank and entrust them to him. He then distributed those checks to the candidates up for election in the city council race that he deemed to be most accommodating of the pro-development agenda, including Percy Bakker, M. Val Shearer and planning commission member Donna Roland. In this way, Rizzo was seeking to obtain leverage over those to whom he was answerable. No one on the council objected until press accounts in early 1992 revealed what had occurred. Even then, the council sought to minimize the transgression. But public outrage over the corruption of the electoral and governmental process forced the council's hand and in April 1992, Rizzo left the city.

Some 18 years later, Rizzo's corrupt manipulations of the elected city officials who hired him came home to roost when a series of legal, financial, managerial and governmental transgressions he had engaged in as city manager with the City of Bell came to light and he was arrested, criminally charged, convicted and given a 12-year sentence in state prison.

The Rancho Las Flores project never got off the drawing boards, though it remained active, on paper, under succeeding city managers and the guidance of community development director Tom Harp and

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Hernandez's Meteoric Rise Was A Function Of His Ruthless Goal-Oriented Ambition & Accompanying Ability To Get Things Done, Though His Propensity For Micromanagement Is Now Threatening To Undo Him

from front page

James S. Thalman Chino Hills Branch Library. He earned his Master of Science degree in library science through Pennsylvania's Clarion University's online learning program and promoted into the position of the Fontana Branch Library manager within the San Bernardino County Library System. In 2008, he became the director of libraries with the City of Riverside, but in 2010, anticipating the retirement of San Bernardino County Librarian Ed Kieczkowski, returned to San Bernardino County. In 2011, upon Kieczkowski's departure, Hernandez moved into the position of San Bernardino County librarian. In 2013, he was offered, while he was simultaneously serving in the librarian post, a secondary position as the director of the San Bernardino County Museum.

In 2015, then-San Bernardino County Chief Executive Officer Greg Devereaux promoted Hernandez to the position of county deputy executive officer overseeing the community services group, which included the county's library and museum systems, the registrar of voters, regional parks, county airports and the county department of agriculture/weights and measures.

In 2017, the same year that McBride was made county chief executive officer, Hernandez was given the interim assignment of county chief operating officer and then ultimately that of full-fledged chief operating officer.

McBride, whose experience consisted of working within the county's finance division, was affable and non-confrontational, accordingly reluctant to become forceful with the county's various department heads. He delegated much of his interaction with staff to

Hernandez. Over time, the board of supervisors, and in particular the strongest personality on the board, Supervisor Curt Hagman, began to bypass McBride, going directly to Hernandez, instructing him to carry out not only what the board as a whole had voted upon but to put into effect whatever it was that Hagman on his own wanted to see accomplished. Hernandez, looking to get ahead and recognizing that Hagman was the de facto leader of the board and the county, swung into immediate action in accordance with those instructions. Ultimately, the board opted to remove McBride and replace him with Hernandez.

When Hernandez made the transition from chief operating officer to chief executive officer, Luther Snoke, one of the county's deputy executive officers, was promoted into the position of chief operating officer to replace Hernandez.

Hernandez's promotion came in the midst of the COVID-19 crisis. He and Snoke managed to guide the county through the pandemic despite its unprecedented challenges, earning high marks for his performance in making everything, or virtually everything, the county's political leadership wanted to accomplish doable.

The element that made and makes Hernandez so effective is at the same time his Achilles' heel. Just as his value as the county's chief operating officer under McBride consisted of his ruthless willingness to exercise his authority, his reach as chief executive officer has in equal measure been contingent upon intimidation and fear. His stock has risen while he was in the capacity of chief operating officer because of a symbiotic exchange with the board: he was willing to

do what neither McBride nor most previous chief executive officers would allow, which was to let the board of supervisors have their way or put into motion the action they wanted taken without having to hold a public vote ratifying the policy they were embarking upon. In return, his own power grew. What the board members, in particular Hagman, wanted, Hernandez wanted and therefore achieved for them. Under this arrangement, the county's department heads had a simple choice: either do what Hernandez ordered them to do, whether what he was asking of them was officially approved by the board of supervisors or not, or risk being fired. When he made the transition to chief executive officer, he continued to apply that formula.

About a year-and-a-half into his time as the chief executive, however, the county structure was beginning to feel the toll of the way he had been operating. One issue is that Hernandez's reach exceeds his grasp. His authority and ability to strike fear into those he commands and have them carry out his orders is not matched by his depth of experience in informing the wisdom of or determining what those orders should be. Virtually his entire work history consists of being a government employee, giving him no workable knowledge of the demands of the private sector. Additionally, the breadth of his experience as a government employee prior to moving into top management was confined to the county's libraries and museum, departments which have different levels of significance, priority, intensity, controversy, invasivity, authority and urgency involving a far less substantial outlay of public funds than many other departments. Upon becoming chief operating officer, Hernandez knew very little about public works and engineering; the county hospital; land use services; the county health department; behavioral health;

the department of human services formerly known as social services or the welfare department; the building department; real estate services, not to mention the departments that function under the authority of county elected officials other than the board of supervisors.

Despite his lack of expertise in those areas, Hernandez has a tendency toward micromanaging. This has led to his efforts to dictate activity with regard to matters he does not fully understand, and which put those in roles of responsibility into a position of following through with action they know to be ill-conceived. His insistence on being in the loop with regard to actions each department is going to take, such that he is electronically carbon copied on emails department heads and mid-level staffers send out, has in many cases engendered paralysis among employees within certain county divisions where the contemplated action might be deemed sensitive or in any fashion controversial.

While few dispute Hernandez's underlying intelligence, talent and ability, a common observation is that Devereaux, in one of his last moves as county CEO, acted prematurely in making him chief operating officer and that he should have allowed him to obtain more seasoning and experience by having him remain in the capacity as a deputy or assistant executive officer or understudy to the chief executive officer for another five to ten years so that he might have familiarized himself with the nuts and bolts of a wide variety of the county's departments and divisions either in depth or at least in a manner that was not superficial, which would have rendered him into an experienced county administrator who could eventually take the helm himself. An extensive period under Devereaux's guidance likely would have given Hernandez an under-

standing of how the various county departments are purposed to articulate into an overarching cohesive operation.

Devereaux, however, lasted less than two years as chief executive officer after Hernandez came into the county administrative suite, at which point Hagman forced Devereaux's departure and Hernandez found himself thrust into the post of chief operating officer. His response to this was to use his primary asset – his utter ruthlessness – to serve his political masters, to threaten department heads with termination if they didn't do exactly what he told them to do, regardless of whether what he was ordering them to do was in accordance with standards or agreed upon best practices, wise, sustainable or justifiable in the long run. If those department heads did not do as they were instructed, they were soon out of a job. Hernandez established his reputation as someone who got results.

In his capacities as both the county's chief operating officer and as its chief executive officer, Hernandez encountered employees who resisted, or refused to follow, his orders or instructions. Virtually everyone of those employees is now gone, replaced by others now seeking to comply so that they too are not cashiered. In his role as chief executive officer, county employees say, Hernandez values loyalty above competence. Under Hernandez, a department head who salutes and carries out his or her marching orders, realistic or unrealistic, is highly valued. Mid-level employees are fleeing or retiring in droves.

Amidst the hemorrhaging of experienced employees, mistakes have been made, some of them costly. In April, it was publicly revealed that the county refunded to the federal government \$4.4 million of \$8.5 million it had received in emergency grant funding to house the homeless during the COVID-19 pandemic because it had

failed to make use of the money within a specified timeframe. Word now comes that the county is about to lose state grant funding that could have been applied to redress homeless issues. County employees say they were hamstrung in completing the requirements to maintain that funding because of micromanaging and unnecessary interference by Hernandez.

Similarly, new state laws intended to streamline the approval process for certain types of development, including so-called accessory dwelling units, are in effect throughout the state. In San Bernardino County, however, the land use services department has been slow to process such applications for a variety of reasons, some of which are attributed to Hernandez having forced that division's department head's departure unnecessarily and his seeming inability to find a suitable or willing replacement to restore the department to functionality.

Whereas four and five years ago complaints about McBride's inability to facilitate quick action were being heard while Hernandez was being lauded as a dynamic result-oriented actor, similar complaints are now being heard, with the county's dysfunction being laid at Hernandez's feet. To cut through county red tape and bureaucracy at this point, one is directed to bypass Hernandez and go directly to Snoke.

Hernandez yet has the power of the position he holds and enjoys the full backing of Supervisor Dawn Rowe, the current chairwoman of the board of supervisors. Rowe, whose own staff is recognized as being weaker and less effective than the staffs of all four of the other supervisors, is particularly dependent upon Hernandez for guidance and the operation of her office. Hernandez as well yet commands the loyalty of three of the county's highest ranking staff members – Assistant Ex-

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While Hernandez Yet Has The Backing Of The Board Chairwoman & Three Top County Execs He Promoted, Virtually The Entirety Of County Mid-Level Management Is Against Him *from page 5*

Executive Officer and Human Resources Director Diane Rundles, Chief of Administration Pamela Williams and Chief Financial Officer Matthew Erickson. Rundles was selected for the position of human resources director by Hernandez and promoted in 2023 to assistant executive officer based upon her loyalty. Hernandez, with good reason, believes he can call upon the backing of Rowe and the support of the other three if an out-and-out power struggle is to ensue.

Nevertheless, forces are lining up against Hernandez.

Virtually every mid-level administrative employee in the county is looking forward to his departure. Four of the members of the board of supervisors – Hagman, Paul Cook, Jesse Armendarez and Joe Baca, Jr. – have misgivings about his performance. Hagman is in a lead role in what is said to be an ef-

fort to “clean the county slate.”

Hernandez presumed that he had the backing of County Counsel Tom Bunton, who leads the county’s stable of in-house attorneys. Bunton, who has the full confidence of the board’s members to navigate them through not only legal but many operational challenges, has demonstrated himself to be independent of Hernandez on multiple issues.

It appears that today, over the weekend and then on Monday and Tuesday, a series of backroom discussions and maneuverings will ultimately determine Hernandez’s future with San Bernardino County.

Many members of mid-level county management feel they have had their hands tied and been prevented from responding to project requests from board members. Some of those are beginning to worry

about their long-term employment viability and relationship with board officers should Hernandez depart from the county.

Afoot is what participants are loathe to acknowledge as a coup, but which carries all the hallmarks of such.

That action, ironically, is based on Hernandez’s willing transfer of his executive authority to Snoke when he departed for vacation. While Hernandez is out of town, out of the county and out of the executive suite located on the fifth floor of the county administrative building at 385 North Arrowhead Avenue in San Bernardino, those aligned against Hernandez are looking toward the board of supervisors at its meeting on Tuesday to use the performance review they are scheduled to carry out relating to Hernandez as the grounds for extending, for the time being, his vacation leave involuntarily. Since Hernandez is technically on his own vacation leave at this point, the county could allow his vacation to continue, such that

he remains on his own leave, pending further notification to the public. This would allow the county to better manage the potentially negative attention and backlash a direct firing or putting him on administrative leave would have.

To most expeditiously effectuate the plan, it would probably be best that the county simultaneously place Chief of Administration Pam Williams on leave as well.

The *Sentinel* has learned that Assistant Executive Officer and Human Resources Director Diane Rundles is not being consulted in the current process under way due to concern about Hernandez’s influence through her.

It is felt that while Williams, Rundles and Erickson are Hernandez loyalists, they are also realists and will accept a transition to Snoke as chief executive officer once it is cleanly effectuated. Concern is that having them in place while there are loose ends yet to be tied down in moving Hernandez out and Snoke in could create

problems. For that reason, all three will need to be anesthetized to some degree until such time as they can be awakened to read and interpret the writing on the wall.

The major sticking point in a transition from Hernandez to Snoke consists of Rowe’s closeness to Hernandez, the mutual loyalty between the board chairwoman and the county CEO and the authority the San Bernardino County Charter confers upon the individual serving in the role of chairman or chairwoman of the board of supervisors.

Despite that loyalty, there exists hard political reality which is militating against Hernandez.

Chris Carrillo is purposed to run against Rowe in 2024. He has already begun to line up financial support for that run and is now in a footrace with Rowe for stitching up funding from other sources. Many of those sources consist of elements in the public sector and the private sectors, the later particularly involving ones in the Third Supervisorial District where

Rowe is serving, who have been and will continue to be impacted by county policy and action. A major test case in that regard is the much-anticipated ambulance services contract scheduled to be awarded this month. With the only two applicants being American Medical Response and CONFIRE, it is up in the air as to which candidate – Rowe or Carrillo – will obtain the support of American Medical Response and its dozens of employees. It is likely the association of county firefighters will be supporting Carrillo.

While Rowe has enjoyed the support of the development community in the past, the perception of recent dysfunction within the county land use services department, which many hold Hernandez responsible for, could result in cross-over support for Carrillo.

There is a growing belief that even if Rowe continues to support Hernandez, she does not on her own have the political muscle to keep him in place.

-Mark Gutglueck

After Arrowhead Water Company Established H₂O Rights Low In The San Bernardino Mountains, It Began To Appropriate Water Above the 5,000-Foot Elevation Level, & That Diversion Continues To This Day *from front page*

head water bottling operations. The California Consolidated Waters Company was formed in 1929 for the purpose of purchasing the Arrowhead Water bottling operation from the Arrowhead Springs Hotel. The purchase merged three Los Angeles-based companies that bottled and distributed “Arrowhead Water,” “Puritas Water” and “Liquid Steam.”

At that point, the Arrowhead Springs Corporation’s legitimate water rights extended only to water that company drew from a spring near the privately-owned historic Arrowhead Hotel as well as from the Arrowhead Springs on the east side of Arrowhead Mountain and in Coldwater Canyon at the 2,000-foot elevation below the San

Bernardino National Forest. In exchange for a \$100,000 commission, Anthony executed a deal with California Consolidated Waters Co. relinquishing those rights along with further rights to water the Arrowhead Springs Corporation had no claim or legal title nor any right under state or federal law to. In supplying to California Consolidated Waters Co. a warranty title of water rights, Anthony relied upon Arrowhead Springs’ attorney, former California Assemblyman Byron Waters. In a letter dated February 14, 1929, Waters inventoried the water-producing assets that the Arrowhead Hotel and existing bottling operation possessed in the form of the Arrowhead Springs on the east side

of Arrowhead Mountain and in Coldwater Canyon, while using sleight-of-hand to out-and-out manufacture further water rights he asserted as “belonging to the company” without providing any documentary proof of their actual existence or Arrowhead Hot Springs Resort’s ownership of them, and made them part of the deal.

California Consolidated Waters, on the basis of a single pipeline permit that was not based on any water rights and without having obtained a diversion permit, in August 1930 started diverting spring water from a single “bedrock crevice” spring in the San Bernardino National Forest along Strawberry Creek at an elevation of 5,600 feet. Subsequently, in 1933 and 1934, the company put in place tunnels, ultimately accompanied by holes and horizontal wells at or near the headwaters of Strawberry Creek in Straw-

berry Canyon. Strawberry Creek was noted in maps and springs studies prior to the diversion to be a perennial stream which was fed by abundant flowing headwaters springs.

It was the seller Arrowhead Springs Corporation, not the United States Forest Service nor the State Water Resources Board, that granted California Consolidated Waters Co. the unwarranted right to develop the springs and divert the water from the Strawberry Creek headwaters. By 1934, California Consolidated Waters, had developed three springs using adits – horizontal passages bored into rock for drainage purposes – and then added 10 horizontal borehole wells to tap spring water aquifers in the mountain-side, thereby diverting the forest spring water through a pipeline down the mountain, giving twenty percent to half of the water thus obtained to the hotel and then bot-

tling and selling the rest. This unauthorized twenty percent giveaway to the Arrowhead Springs owners is still ongoing.

Over the years, water from Strawberry Canyon has been bottled under various names, including Arrowhead, Puritas, Arrowhead and Puritas, Arrowhead Puritas, Arrowhead Spring Water and Arrowhead Mountain Spring Water among them, all under the aegis of the Arrowhead Hot Springs Company, Arrowhead Springs Corporation, Arrowhead Water Corp, Arrowhead Mountain Spring Water Company, Coca-Cola Bottling of Los Angeles, Rheem, California Consolidated Water Company, Beatrice Foods, BCI-Arrowhead Drinking Water Company, Perrier, Nestlé, Nestlé Waters of North America, Inc. and now BlueTriton Brands.

Water rights cannot be awarded on U.S. Forest Service land. Nor is it possible for an entity to assert prescrip-

tive rights to water on U.S. Forest Service land. Prescriptive water rights are created when a water user infringes upon the established water rights of another entity by means of trespass or unauthorized taking of that water. Upon making what would otherwise be illegal or illicit use of a given quantity of water openly and without the use of force for a period of five or more consecutive years, under California law, the interloper who took the water can then claim an annual right to the minimum amount of water taken during each of all of the five years. While the prescriptive rights are granted to anyone making such a showing of use of another private citizen’s or local or state agency’s water, federal law supersedes state law, and federal law does not permit the federal government’s water rights to be taken away or stepped upon by prescription.

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A Succession Of Its City Managers Were Either Unable Or Unwilling To Work Toward Having Hesperia Overcome Its Historical & Systemic Infrastructure Deficit *from page 4*

principal planner Dave Reno, suffering setbacks with the revelations of Rizzo's illicit efforts to filter money from Orange County development interests into the campaign coffers of council member candidates amenable to the aggressive development proposal that would have doubled the city's population. The project's prospects were damaged as well by other significant challenges that retarded its progression, such as the economic downturn of 1991 and 1992 and the listing of three species that inhabited the property – the arroyo toad, the Least Bell's Vireo and the willow flycatcher – as endangered.

Even without Rizzo at the helm, the developmental imperative that the city council embraced pervaded other project proposals and inescapably resulted in the city waiving requirements that those projects given approval entail the foundational framework and both on-site and off-site improvements such as roads, wastewater treatment capability, water and sewer lines and stormwater facilities to handle the impacts and consequences of that construction and the inhabitation of what was being built. When objections were made to allowing projects to proceed without the needed supporting improvements to accommodate them, project proponents or members of the council themselves would respond by saying that insisting on such requirements would heed progress and economic opportunity. Continued growth would generate prosperity and a larger local economy, which ultimately would lead to the enhancement of property values and commercial development, and thus future property tax and sales tax enhancements, the growth proponents insisted. With that attitude

prevailing, the city's infrastructure deficit continued to compound.

Rizzo was replaced by D.J. Collins, who for years had been the general manager of the Hesperia Water District. Under Collins, the water district in short order was subsumed by the city. Collins made little



Robb Quincey

headway in dealing with the city's infrastructure problems, and though he succeeded in diverting some of the money available from the city's water operations to shore up the city's inadequate road system, he and the council were strongly criticized for having broken a commitment to strictly devote water revenues to maintaining the city's water system. Collins' administration was severely challenged by "the revolt of the Young Turks" in the fire department, which came about when many of the fire department's personnel, most of whom were close to a generation younger than Collins, objected to the city overriding efforts by the fire marshal to strictly enforce the state and municipal fire code with regard to new development as City Hall sought to liberalize regulations and encourage building.

Collins would be succeeded by a succession of relatively short-lived city managers – David Berger, Steve Dukett, David Bentz and Steve West. Following West's departure, the city council temporarily elevated assistant city manager Rod Foster to the city manager's position. In 2000, Western Water made an overture to Hesperia with regard to purchasing the city's municipal

water division. Making that pitch for Western Water was Robb Quincey. Quincey, who had a Bachelor of Arts degree in public administration and political science from the University of Minnesota, a Master of Public Administration degree from the University of South Dakota and a doctorate in public administration with an emphasis in economics and organizational development from the University of La Verne, left quite an impression on the city council, though they did not accede to his suggestion that they sell the city's water system to Western Water. Nevertheless, in October 2000 they offered Quincey a position as city manager. He accepted the offer. Titularly, Foster returned to his assistant city manager's post. Quincey, however, had no actual experience in managing a governmental organization. He proved no more effective in holding in check the developmental imperative embodied by the city's political leadership than any of the previous city managers and, in actuality, embraced it in his effort to remain in good standing with the city council.

In terms of overseeing the day-to-day municipal operations, Quincey, the show horse, proved highly dependent upon Foster, the workhorse, who in essence served as the de-facto city administrator during Quincey's more than four-year tenure as city manager in Hesperia.

In March 2005, Upland Mayor John Pomierski succeeded in convincing Quincey to jump ship and take on the managerial duties in the City of Gracious Living. For twenty days after Quincey's departure, Foster again served as interim city manager in Hesperia. In Upland, where like in Hesperia his reputation exceeded his skill level, Quincey soon recognized he was in over his head. He convinced Pomierski to hire Foster to serve as his assistant city manager. Foster then followed

Quincey to Upland. Over time in Upland, events would overtake Pomierski and Quincey, with both criminally charged and convicted of corruptions of the political process, based on graft, monetary diversions and conflicts of interest, with Upland reflecting what had occurred in Hesperia, mainly the developmental imperative having been sustained by the development community's payment of



Mike Podegracz

bribes and political contributions to the elected decision-makers who approved development proposal after development proposal without requiring that the project proponent accompany each succeeding addition to the community with adequate infrastructure to keep up with the impact of the new growth let alone replace, refurbish or redo the crumbling or nonexistent infrastructure from previous rounds of overdevelopment. Because of Upland's higher profile than Hesperia and the greater level of sophistication of its citizenry, Pomierski and Quincey were caught out and prosecuted, whereas in Hesperia, similar depredations, while not entirely unnoticed, continued without being effectively checked, prevented or prosecuted.

With Quincey's departure to Upland in 2005, the city had an opportunity to promote Foster, a committed municipal managerial professional who was perhaps the most qualified and talented employee in that role the city ever had, but Quincey prevailed upon his political masters in Upland to offer Foster a contract to serve as his assistant city manager there, and Foster departed.

Hesperia turned to

Mike Podegracz, who had served as Hesperia's contract engineer/director of public works before he was hired in 1999 outright as the director of development services. Podegracz would remain in the city manager's post for just over a decade, making him the city's longest serving city manager. Despite the adherence of a majority of the city council to the development imperative, there was hope that under Podegracz, an engineer by training and profession, the city would adopt some semblance of a policy by which the new growth would be balanced with sufficient infrastructure. That promise was lived up to only to the extent that through much of Podegracz's tenure as city manager – that is from late 2007 through 2013, the local state and national economies were dealing with what was at first a severe downturn followed by a sluggishness of several years' duration that sharply reduced development.

The pro-growth forces that had driven Hesperia's population to increase from 48,373 at the time of its incorporation in 1988 to 50,819 in 1990 to 62,582 in 2000 to 90,173 in 2010 to 100,200 in 2020 had never abated, manifesting in Bill Holland and Russ Blewett being elected to the city council in 2010 and Paul Russ being elected to the council in 2014.

In 2012, the council voted to reduce its development impact fees as a ploy of encouraging further expansion and it extended those reductions in 2014. Also in 2014, the Texas-based Terra Verde Group, led in California by its director of development, John Ohanian, signaled its intention to revive the Las Flores Ranch project, which had lain dormant for some two decades, after having acquired the 10,000 acres near Summit Valley previously controlled by then-bankrupt ARC Las Flores for roughly \$45 million.

Podegracz's term as city manager drew to a

close in 2015 when he voluntarily retired. His tenure as city manager had shaped the career and future of Rachel Molina, one of his eventual successors, in more ways than one.

In 2007, when Molina was hired as a senior office assistant in the Podegracz's office, another employee, Kim Summers, had already been with the city for eight years. At that time, Summers held the posi-



Kim Summers

tion, city spokeswoman, that Molina a few years later, when Summers promoted to the position of assistant to the city manager, would take on.

As an employee within the City of Hesperia's administrative suite, Molina witnessed, as did others, the gradual development of a romantic relationship between Summers and the married Podegracz. Steadily over time, Summers took on more and more assignments of intensity, seriousness and gravity, promoting to the position of assistant to the city manager by 2009 and then in 2012 to deputy city manager. In 2014, she applied for and was hired in Murrieta as assistant city manager there. In 2017, upon the retirement of Murrieta City Manager Rick Dudley, the Murrieta City Council promoted her to city manager.

While there is indication of Summers' ability and competence in her performance in both Hesperia and Murrieta and she has a record of accomplishment in the two cities, her willingness to engage in an intimate relationship with Podegracz, her superior at Hesperia City Hall, did not harm her chances for professional advancement, such that she promoted into two of the

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As Tools Of The Building Industry, Holland, Blewett & Russ Hired A Sheriff's Captain As City Manager, Knowing He Would Not Have The Wherewithal Or Appetite To Require Developers To Balance Their Projects With Adequate Infrastructure *from page 7*

more senior posts within the Hesperia municipal management suite while Podegracz was city manager. This was not lost on Molina.

During the time that Podegracz was city manager, after Summers had promoted to the position of assistant to the city manager, Molina was entrusted with the public information officer assignment, serving as the city's representative and spokeswoman.

In July 2015, Podegracz informed the city council he would depart as city manager toward

the end of that year. In December, he made good on that, and exiting with him were Director of Development Services Scott Priester, Economic Development Director Steve Lantsberger and Director of Public Works Dale Burke.

Rather than seek out a career municipal management professional to replace Podegracz, the city council, dominated by the stridently pro-development Holland, Blewett and Russ, opted to hire Nils Bentsen, who over the previous three-and-a-half years

had been the commander of the San Bernardino County Sheriff's Department's Hesperia Station – serving in the capacity of what was essentially Hesperia's chief of police, as the city has from its inception contracted with the sheriff's department for law enforcement services.

Holland, who was then the mayor, had previously worked as a sheriff's deputy and personally knew Bentsen. While for some, the challenges and extraordinary issues Hesperia faced as a city presented a strong reason for relying upon a seasoned city manager steeped in the arenas of either financial organization, civil engineering, land use policy or urban planning, Holland, Blewett and Russ felt having a manager who would not

obsessively focus on the barriers to further development would better allow them to pursue the economic growth in the city that those who had bankrolled putting them in office were looking to achieve. In that way, Bentsen's lack of expertise and experience in ensuring adequate roads, bridges, sewers, utilities, flood control and other infrastructure and public improvements registered as an advantage rather than a disadvantage, a quality that recommended him insofar as the then-ruling coalition on the city council was concerned.

Once in place, Bentsen proved himself to be in line with the council's expectations, an accommodationist rather than an obstructionist. Moreover, he was willing to install into a key

position relating to Hesperia's welcoming of the building industry – that of development services director – not a traditional municipal professional committed to the standards of best practices and land use standards but rather someone not unlike himself, a law enforcement professional who had no formal training with regard to municipal or governmentally-imposed building standards, Michael Blay, a former sergeant with the sheriff's department with whom he had once served.

An object demonstration of the pro-growth orientation of the Bentsen administration was made on January 26, 2016, not even a month after he had assumed the city manager's post, with staff's presentation of the Tapestry development

proposal, the follow-on to the never-realized Las Flores Ranch Development. Despite a firestorm of protest by residents who made clear they did not consider the project to be one the city should countenance, the city council unanimously approved proceeding with it. The proponents made a number of representations they were patently unable to live up to, including that the project would get under way at once, providing homes for young families, the first of which would be ready for occupancy by first time homebuyers and first-time move-up buyers by late 2018 to early 2019, ranging in price from \$200,000 to \$400,000 and that the Terra Verde Group would complete, at its own ex-

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Wapner *from page 3*

there were just three clients – Caltrop Engineering, Wal-Mart Stores and the Young Electric Sign Company – which were sources of \$10,000 or more to Alan Wapner & Associates that year. Total income for the company exceeded \$100,000 but was less than \$1 million. The document filed by Wapner on March 31, 2008 to account for the year 2007 lists Caltrop Engineering, Wal-Mart Stores, the Young Electric Sign Company and Sobrato Development as sources of \$10,000 or more to Alan Wapner & Associates that year. The document shows that for 2007, the total income for Alan Wapner & Associates was between \$100,000 and less than \$1,000,000.

In 2008, the total income for Alan Wapner & Associates was between \$10,001 and \$100,000. Caltrop Engineering, Encore Image, IBI Group and Wal-Mart were listed as the company's sources of \$10,000 or more that year.

In 2009, Alan D. Wapner & Associates reported receiving between \$10,001 and \$100,000 in income, with two sources each a source of \$10,000 or more that year, those

being Caltrop Engineering and Bingo Innovations, Inc.

In 2010, Wapner, through his entity Alan Wapner & Associates, once again zoomed to the top of the local governmental relations consulting establishment. That year, according to the document he filed on January 27, 2011, his consultancy brought in between \$100,000 and \$1 million, with Caltrop Corporation and Bingo Innovations of California, Inc. each being a single reportable source of \$10,000 or more of that money.

In 2011, the amount of money Alan Wapner & Associates brought in dipped below \$100,000 again, though it remained above \$10,000, according to Wapner's Form 700 filing. Caltrop Corporation and Bingo Innovations of California, Inc. again were major sources of that money. They were joined by Airport Mobile Towing as a provider of more than \$10,000 of the income to Alan Wapner & Associates in that year's reporting cycle.

In 2012, Alan D. Wapner & Associates took in, according Wapner's Form 700 filing in March 2013, between \$10,001 and \$100,000. No single entity provided him over \$10,000 that

year. The same was the case in 2013.

In 2014, according to the Form 700 form Wapner filed on March 11, 2015, the income of Alan D. Wapner & Associates dropped off precipitously. That year, income stood at between \$0 and \$499.

There is an anomaly with the reporting document that Wapner filed on March 29, 2016 for 2015, but it appears that the company once again took in between \$10,000 and \$100,000 that year, with Ghost Networks LLC being the sole entity that served as a source for over \$10,000 to Alan D. Wapner & Associates that year.

There is an anomaly with the reporting document that Wapner filed on March 29, 2016 for 2015, but it appears that the company once again took in between \$10,000 and \$100,000 that year, with Ghost Networks LLC being the sole entity that served as a source for over \$10,000 to Alan D. Wapner & Associates that year.

In 2016, based upon the Form 700s Wapner filed in March 2017, it does not appear that Wapner & Associates was active at all.

Wapner's economic interest reporting documents for 2017 indicate

that there was little or no activity involving Alan D. Wapner & Associates, consisting of income between \$0 and \$499. However, in 2017, according to the Form 700s he filed in 2018, on July 24, 2017, Wapner created another consulting company, Edinburgh Consulting, LLC. The company did not do much in the way of any remunerative work, however, as the amount of gross income received is listed as matching that of Alan D. Wapner & Associates, that being between \$0 and \$499.

In 2018, Alan D. Wapner & Associates and Edinburgh Consulting, LLC were virtually non-functional, each reflecting income of between \$0 and \$499. That was again the case in 2019.

In his Form 700 filings for 2020, 2021 and 2022, Wapner makes no mention of either Alan D. Wapner & Associates and Edinburgh Consulting, LLC.

On July 27, 2023, the Facebook page Ontario *Political News* had a posting that attributed the proliferation of warehouses in Ontario, said to have reached a saturation of 12 per square mile, to a "pay-to-play" ethos in the city that was demonstrated by warehouse proponents being "re-routed to Alan D.

Wapner & Associates by Wapner himself."

Within a week, the website for Alan Wapner & Associates became inactive.

The *Sentinel* inquired of Wapner with regard to the perception of some that it is improper of him, as an elected official who has ultimate governmental decision-making authority with regard to land use, contracts, franchises, development, projects, programs and the like within Ontario, to be accepting work from individuals who have business interests which might be impacted by the decisions of the Ontario City Council. The *Sentinel* asked Wapner if there was any validity to the concern that by hiring him through Alan Wapner & Associates, an individual or business could influence, or at least seek to influence, the decision-making process in Ontario. In addition to asking about suggestions that by and through Alan D. Wapner & Associates he was engaging in influence peddling, the *Sentinel* asked about the recent social media posting relating to his company and if that had a bearing on his decision to discontinue its operation.

Wapner responded, stating "Alan D. Wap-

ner [& Associates] was established as a sole proprietorship in 1999 to engage primarily in private investigations services. In the years following, I began engaging with clients doing work in other cities. My standard agreement included specific language concerning potential conflicts. This language was approved by the city attorney. Pursuant to that agreement and state law, I never participated on any project in the City of Ontario."

According to Wapner, "I never 'shuttered' my business. When my wife was diagnosed with Huntington's Disease and breast cancer, I ceased all outside business to spend time with her and family. Huntington's Disease is a fatal disease with no cure. As such, we are committed to spending every moment together. While I continue my responsibilities as a councilman, any other time is spent with my wife. That is why the business ceased operations."

Wapner said he puts no stock in what is posted on Ontario *Political News*.

"I have no idea what is discussed on social media," he said. "I never use social media or look at it. I get my information from reliable sources."

—Mark Gutglueck

After Years Of Drafting More Mountain Forest Water Than The Federal Government & Environmentalists Could Countenance, Nestlé, now Known As Blue Triton, Is Being Subjected A State Water Board Cease & Desist Process *from page 6*

In 1931, the Del Rosa Mutual Water Company, an appropriator of water on East Twin Creek downstream of the Arrowhead Springs Hotel (and downstream of the confluence of Strawberry Creek and East Twin Creek), filed a lawsuit to enjoin the taking of any water either by Arrowhead Springs Corporation or California Consolidated Water Company from East Twin Creek or Strawberry Creek.

The Del Rosa suit did not involve the San Bernardino National Forest nor the State of California. A finding in that case was that neither Arrowhead Springs Corp nor California Consumers Co. had previous water rights which extended back to the founding of the San Bernardino National Forest on February 25, 1893.

The Arrowhead Water Bottling Company, under various names and corporate configurations, including divisions of Standard Oil of California and Rheem Manufacturing, continued to operate, drawing water from Strawberry Canyon throughout the 20th Century. In 1969, the Arrowhead Water Bottling Company was acquired by the Coca Cola Bottling Company of Los Angeles and in 1978, Chicago-based Northwest Industries acquired Arrowhead Puritas when it bought Coca Cola Bottling of Los Angeles. In 1982, Northwest Industries unloaded Coca-Cola Bottling to Beatrice Foods. BCI subsequently acquired Beatrice in a leveraged buyout. While under BCI's control, the Arrowhead Puritas water drafting permit in Strawberry Canyon expired, at which point the BCI-Arrowhead Drinking Water Company applied to extend the permit. In 1987, while that application was still pending,

Perrier purchased the BCI-Arrowhead Drinking Water Company. Later the name "Arrowhead Mountain Spring Water Company" was handwritten on the permit.

The name "Arrowhead Mountain Spring Water Company" is not in BlueTriton's chain of title. Nevertheless, it was used during the 1990s in United States Forest Service correspondence, including on invoices and in spring site records for the water pipeline system in Strawberry Canyon. At that time, newspaper articles show the company using that name as bottling and shipping Arrowhead water to Japan. This was water extracted from public land – Strawberry Canyon in the San Bernardino National Forest. The diversion of that water left a parched and dewatered forest canyon below, which burnt in the "Old Fire" in 2003.

The water pipeline conveyance extraction special use permit renewal process entailed a U.S. Forest Service review of the water drafting arrangement and its environmental/ecological impact, which in the late 1980s and 1990s the U.S. Forest Service did not have the immediately available resources to carry out. In a gesture of compromise, Perrier was allowed, pending the eventual U.S. Forest Service review, to continue to operate in Strawberry Canyon by simply continuing to pay the \$524-per year fee to perpetuate the water extraction under the terms of the expired permit. In 1992, when Nestlé acquired the Arrowhead brand bottling operations from Perrier, it inherited the Strawberry Canyon operation and continued to pay the \$524 annual fee without renewing the permit, which at that time existed under the name of

the "Arrowhead Mountain Spring Water Co.," one that was never listed legally in corporate filings, but which operated under Nestlé Waters of North America, Inc. until it was acquired by BlueTriton Brands.

Nestlé's intensive water-drafting activity, which has long been decried by environmentalists, came under increasing fire as a statewide drought, which lasted for more than five years after it first manifested in 2011, advanced. In 2015 environmental groups were gearing up to file a lawsuit claiming the U.S. Forest Service had violated protocols and harmed the ecology of the mountain by allowing Nestlé Waters North America to continue its operations in Strawberry Canyon for 28 years after its permit expired. At that point, the Forest Service moved to make an environmental review. In the meantime, Nestlé continued its water extraction, pumping an average of 62.56 million gallons of water annually from the San Bernardino Mountains. Environmentalists lodged protests with the water rights division of the California Water Resources Control Board, alleging Nestlé was diverting water without rights, making unreasonable use of the water it was taking, failing to monitor the amount drawn or make an accurate accounting of the water it was taking, and wreaking environmental damage by its action.

Following a two-year investigation, state officials in late 2017 arrived at a tentative determination that Nestlé could continue to divert up to 26 acre-feet of water (8.47 million gallons) per year. Nestlé had gone far beyond the water drafting limit the company was entitled to, the State Water Resources Control Board said, and was actually drafting 192 acre-feet (62.56 million gallons), such that 166 acre-feet (54.09 million gallons) the company was taking annually was unauthorized, according to a report released on

December 21, 2017.

The Water Rights Division of the State Water Resources Control Board called upon Nestlé to immediately end its diversions beyond the 26-acre-foot threshold or otherwise marshal evidence supporting its level of diversion.

Nestlé, despite being unable to produce any historical record of water rights approaching the volume of its diversion, continued to maintain it had established rights to roughly 190 acre-feet of water per year in Strawberry Canyon. The company refused to comply with the State Water Resources Control Board's mandate, continuing to take 144 acre-feet in 2017, 141 acre-feet in 2018, 210 acre-feet in 2019, and 180-acre feet in 2020. By 2020, Nestlé was in negotiations with One Rock Capital Partners, LLC and Metropoulos & Company for the sale of Nestlé Waters North America. In late March 2021, in what was represented as a \$4.3 billion transaction, that deal was closed.

A month later, on April 23, 2021, the State Water Resources Control Board's Division of Water Rights, through its permitting and enforcement branch, issued a cease-and-desist order relating to the Strawberry Canyon water diversion activity. Initially, that cease-and-desist order went to Nestlé Waters North America, as the State Water Resources Control Board had not been informed of the buyout of Nestlé Waters North America, including the Arrowhead Spring Water bottling operation, by One Rock Capital Partners, LLC and Metropoulos & Company.

By that point, the State Water Board had revised the maximum amount of water to be diverted from Strawberry Canyon to 7.26 acre-feet per year.

BlueTriton, through the law firm of Ellison Schneider Harris & Donlan, on August 5, 2021 made a motion to dismiss the State Water Board prosecution

team's draft cease-and-desist order.

In 2021, BlueTriton, under the aegis of the Arrowhead Spring Water Bottling Company, diverted 143 acre-feet of water from Strawberry Creek.

Also in 2021, the U.S. Forest Service granted BlueTriton a new pipeline permit, despite the ongoing water rights case and a change in ownership. The permit required a "valid proof of water rights." The draft cease and desist order, which has now been confirmed by the tentative State Water Resources Control Board and the California Environmental Protection Agency ruling, maintains that BlueTriton holds no valid water rights in the canyon or anywhere in the forest. The determination that the company does not have water rights, however, has not yet fully precluded the company from being able to draw water out of Strawberry Canyon.

Blue Triton's motion to dismiss the draft cease-and-desist order was overridden and extensive hearings were held last year under the direction of Administrative Hearing Officer Alan Lilly, focusing on multiple issues, including whether BlueTriton was making unauthorized diversions of water and if a cease-and-desist order should be issued. After more than seven months during which Lilly examined evidence and testimony presented and the issuance of a tentative draft order that was publicly reviewed in April and part of May 2023, Lilly made a yet-to-be-fully-confirmed finding that BlueTriton does not possess any water rights that authorize such diversions or beneficial uses.

Lilly issued a further tentative finding that the state board issue an order which in its current form directs the respondent, BlueTriton Brands, Inc., to cease its diversions through ten sources of water in Strawberry Canyon, those being tunnels 2, 3 and 7,

and boreholes 1, 1A, 7, 7A, 7B, 7C and 8 in the Strawberry Creek watershed in San Bernardino County for its water-bottling operations because BlueTriton does not have any water rights that authorize those diversions and uses. Tunnels 2, 3 and 7, and boreholes 1, 1A, 7, 7A, 7B, 7C and 8 are located roughly between an elevation of 5,400-feet and 5,700 feet in upper Strawberry Canyon.

Lilly's tentative order, however, does not prohibit BlueTriton from continuing to divert water through those ten facilities for deliveries to the San Manuel Band of Mission Indians for use at the Arrowhead Springs Hotel property under BlueTriton's contractual obligations to the San Manuel Band, subject to BlueTriton's special use permit, inherited from Nestlé, issued by the San Bernardino National Forest under applicable federal law.

Lilly's order does not prohibit BlueTriton from continuing to divert water through designated boreholes 10, 11 and 12 in lower Strawberry Canyon for its water-bottling operations or deliveries to the San Manuel Band.

Neither side in the dispute over BlueTriton's drafting of water in the San Bernardino Mountains was satisfied with Lilly's findings.

BlueTriton is yet contesting the validity of the effort to impose any form of water-drafting limitation on it whatsoever, asserting its water rights in Strawberry Canyon are well-established.

Environmentalists, conversely, have given indication that they will at a future date challenge BlueTriton with regard to the water diversion from boreholes 10, 11 and 12, as the historical record does not reflect that it, Nestlé or any of their corporate predecessors have or had an established right to that water. Lilly's order did not extend to boreholes 10, 11 or 12 because the challenge of what was

Continued on Page 14

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business primarily in San Bernardino County as HYPERHIVE 8966 BENSON AVE SUITE A MONTCLAIR, CA 91763; HYPERHIVE INC. 8966 BENSON AVE SUITE A MONTCLAIR, CA 91763

The business is conducted by: A CORPORATION registered with the State of California as number: 5598137.

The registrant commenced to transact business under the fictitious business name or names listed above on: March 19, 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/ JUAN GARCIA, CEO
Statement filed with the County Clerk of San Bernardino on: 3/30/2023

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 M4750

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 on April 7, 14, 21 & 28, 2023. Republished/Corrected on July 28 and August 4, 11 & 18, 2023.

FBN 20230001715

The following entity is doing business primarily in San Bernardino County as FRESH DONUTS 1150 N RIVERSIDE AVE RIALTO, CA 92376; THEARY THOEUN 6019 MAGNOLIA RIALTO, CA 92377

The business is conducted by: AN INDIVIDUAL.

The registrant commenced to transact business under the fictitious business name or names listed above on: March 4, 2013.

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/ THEARY THOEUN, Owner
Statement filed with the County Clerk of San Bernardino on: 2/22/2023

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 19576

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 on March 3, 10, 17 & 24, 2023. Corrected on April 7, 14, 21 & 28, 2023. Republished/Corrected on July 28 and August 4, 11 & 18, 2023.

Republished/Corrected on July 28 and August 4, 11 & 18, 2023.

FBN 20230005574

The following entities are doing business primarily in San Bernardino County as

DEFABULOUS ESTATES 9483 HAVEN AVE SUITE #100 RANCHO CUCAMONGA, CA 91730; JENNIFER J DEFABIS 5580 VIA ESCALANTE RIVERSIDE, CA 92509

Mailing Address: 5580 VIA ESCALANTE RIVERSIDE, CA 92509

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/ JENNIFER J DEFABIS
Statement filed with the County Clerk of San Bernardino on: 5/31/2023

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 J2523

Notice-This fictitious name statement expires five years from the date it was filed in the office of the

Public Notices

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 on June 2, 9, 16 & 23, 2023.

Republished/Corrected on July 28 and August 4, 11 & 18, 2023.

Notice of Hearing On Petition To Determine Claim To Property

PROSB 2300915
Estate of STEVEN MCBEAN

A petition has been filed by executor KEVIN MCBEAN asking the court to determine a claim to the property located at 9339 Frankfurt, Fontana, CA 92335, and a hearing on the petition has been set. Please refer to the petition for more information.

If you have a claim to the property at 9330 Frankfurt, Fontana, CA 92335, you may attend the hearing and object or respond to the petition. If you do not want to attend the hearing, you may also file a written response before the hearing.

If you do not respond to the petition attend the hearing, the court may make orders affecting ownership of the property without your input.

NOTICE is given that KEVIN MCBEAN, Petitioner, has filed a petition entitled Petition for Letters of Administration under Probate Code section 850 asking for a court order determining a claim or claims to the property at 9330 Frankfurt, Fontana, CA 92335.

A hearing on the petition will be held on August 29, 2023 at 9:00 a.m. in Department S36 at Superior Court of California, County of San Bernardino, 247 West Third Street, San Bernardino, CA 92415, San Bernardino District.

Filed: July 14, 2023
Angelica Segura, Deputy Judge Michelle H. Gillette
Attorney for Kevin McBeane:

Chris Scarcella State Bar No. 280213
C.S. Scarcella & Associates

250 W. First St. #244
Claremont, CA 91711
Ph: (909) 529-3979
Fax: (877) 795-9845
cs@scarcellaw.com
Published in the San Bernardino County Sentinel on July 28 and August 4, 11 & 18, 2023.

NOTICE OF PETITION TO ADMINISTER ESTATE OF:

Ruth Kader Thomas
Case NO. PROSB2300796

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

A PETITION FOR PROBATE has been filed by Jasmine Keshawn Jennings in the Superior Court of California, County of San Bernardino.

THE PETITION FOR PROBATE requests that Jasmine Keshawn Jennings be appointed as personal representative to administer the estate of the decedent.

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

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

A hearing on the petition will be held in Dept. S36 at 09:00 AM on 09/28/2023 Room: at Superior Court of California, County of San Bernardino, Superior Court of California, County of San Bernardino, San Bernardino District-Probate Division at 247 West Third Street, San Bernardino, CA 92415 IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

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

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

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

Ryan S Carrigan
6800 Brockton Ave Riverside CA 92506
Telephone No: 9515303297
Published in the San Bernardino County Sentinel on: 08/04/2023, 08/11/2023, 08/18/2023

FBN 20230006774

The following entity is doing business primarily in San Bernardino County as

JENNIE B'S BLUE MOUNTAIN CUISINE 2935 S PINE VALLEY AVENUE ONTARIO, CA 91761; DUTCH POT DREAMS LLC 2935 S PINE VALLEY AVENUE ONTARIO, CA 91761

The business is conducted by: A LIMITED LIABILITY COMPANY registered with the State of California under the number 20235741369

The registrant commenced to transact business under the fictitious business name or names listed above on: JUNE 6, 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/ SHANE LINTON, CEO
Statement filed with the County Clerk of San Bernardino on: 7/05/2023

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 J6748

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 on August 4, 11, 18 & 25, 2023.

FBN 20230006094

Public Notices

The following person is doing business as: VIMAR CLEANING SERVICES 12354 LILY CT RANCHO CUCAMONGA, CA 91739 COUNTY OF SAN BERNARDINO MARIA A SALAZAR 12354 LILY CT 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: MAR 14, 2013 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 A SALAZAR, OWNER Statement filed with the County Clerk of San Bernardino on: JUNE 15, 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 07/14/2023, 07/21/2023, 07/28/2023, 08/04/2023 CNBB29202331MT

FBN 20230006650

The following person is doing business as: BELMONT CARING, LLC. 294 E HOSPITALITY LANE SAN BERNARDINO, CA 92408 COUNTY OF SAN BERNARDINO BELMONT CARING, LLC 294 E HOSPITALITY LANE SAN BERNARDINO, CA 92408

The business is conducted by: A LIMITED LIABILITY COMPANY. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing.

s/ KALPESH P. SOLANKI, MANAGING MEMBER
Statement filed with the County Clerk of San Bernardino on: JUNE 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 07/14/2023, 07/21/2023, 07/28/2023, 08/04/2023 CNBB29202330MT FBN 20230006504

The following person is doing business as: GOLDEN CLIPPERS BARBER SHOP. 3545 HIGHLAND AVE SUITE A HIGHLAND, CA 92346 COUNTY OF SAN BERNARDINO ANDREA R SERRANO 3545 HIGHLAND AVE SUITE A HIGHLAND, CA 92346; OSCAR ACEVEDO 3545 HIGHLAND AVE SUITE A HIGHLAND, CA 92346. The business is conducted by: A GENERAL PARTNERSHIP. 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/ ANDREA R SERRANO, PARTNER
Statement filed with the County Clerk of San Bernardino on: JUNE 27, 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 07/14/2023, 07/21/2023, 07/28/2023, 08/04/2023 CNBB29202329MT

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The following person is doing business as: OSCAR'S QUALITY WATER. 638 E FRANCIS ST UNIT A ONTARIO, CA 91764 COUNTY OF SAN BERNARDINO OSCAR ACEVEDO 638 E FRANCIS ST UNIT A ONTARIO, CA 91764.

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/ OSCAR ACEVEDO, OWNER Statement filed with the County Clerk of San Bernardino on: JUNE 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 07/14/2023, 07/21/2023, 07/28/2023, 08/04/2023 CNBB29202328MT

FBN 20230006536

The following person is doing business as: JC'S EPOXY. 1990 CLUSTER PINE RD COLTON, CA 92324 COUNTY OF SAN BERNARDINO FABIOLA ORTUNO 1990 CLUSTER PINE RD COLTON, CA 92324.

The business is conducted by: AN INDIVIDUAL. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ FABIOLA ORTUNO, OWNER Statement filed with the County Clerk of San Bernardino on: JUNE 27 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 07/14/2023, 07/21/2023, 07/28/2023, 08/04/2023 CNBB29202327MT

FBN 20230006572

The following person is doing business as: EL BALCÓN; EL BALCÓN ROOFTOP; EL BALCÓN ROOFTOP LOUNGE; EL BALCÓN RESTAURANT; EL BALCÓN TAPAS; THE BALCONY; THE BALCONY ROOFTOP; THE BALCONY TAPAS; THE BALCONY LOUNGE 200 NORTH EUCLID AVENUE UNIT C ONTARIO, CA 91764; MAILING ADDRESS 4083 RUNNING OAK LANE SAN BERNARDINO, CA 92407; COUNTY OF SAN BERNARDINO HOUSE OF AYALA, LLC 4083 RUNNING OAK LANE SAN BERNARDINO, CA 92407

The business is conducted by: A LIMITED LIABILITY COMPANY. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ SANDRA AYALA-CHAVEZ, CEO Statement filed with the County Clerk of San Bernardino on: JUNE 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

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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 07/14/2023, 07/21/2023, 07/28/2023, 08/04/2023 CNBB29202326MT

FBN 20230006508

The following person is doing business as: CALIFORNIA IRON DESIGN WORKS. 231 SOUTH ST SAN BERNARDINO, CA 92410 COUNTY OF SAN BERNARDINO RAFAEL A SEGOVIA 231 SOUTH 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 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ RAFAEL A SEGOVIA, OWNER Statement filed with the County Clerk of San Bernardino on: JUNE 27, 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 07/14/2023, 07/21/2023, 07/28/2023, 08/04/2023 CNBB29202325MT

FBN 20230006576

The following person is doing business as: DIRECTOR OF REALTOR RELATIONS. 10535 FOOTHILL BLVD STE 460 RANCHO CUCAMONGA, CA 91730 COUNTY OF SAN BERNARDINO DIRECTOR REALTY RELATIONS 11405 CENTRAL AVE APT L304 CHINO, CA 91710 The business is conducted by: A CORPORATION. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ TERESA M SAN-CHEZ, PRESIDENT Statement filed with the County Clerk of San Bernardino on: JUNE 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 07/14/2023, 07/21/2023, 07/28/2023, 08/04/2023 CNBB29202324MT

FBN 20230006533

The following person is doing business as: HACIENDA GRILL. 41787 BIG BEAR BLVD BIG BEAR LAKE, CA 92315; MAILING ADDRESS P.O. BOX 1796 BIG BEAR LAKE, CA 92315; COUNTY OF SAN BERNARDINO GG & NG, INC. 4 LAKRFIELD LN LAGUNA NIGUEL, CA 92677

The business is conducted by: A CORPORATION. The registrant commenced to transact business under the fictitious business name or names listed above on: JUN 05, 2006 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/ GUSTAVO GONZALEZ, PRESIDENT Statement filed with the County Clerk of San Bernardino on: JUNE 27, 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

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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 07/14/2023, 07/21/2023, 07/28/2023, 08/04/2023 CNBB29202323MT

FBN 20230006642

The following person is doing business as: JDS STEEL CONSTRUCTION. 15777 VALLEY BLVD UNIT J FONTANA, CA 92335; MAILING ADDRESS PO BOX 1290 BLOOMINGTON, CA 92316; COUNTY OF SAN BERNARDINO FLEENER CONSTRUCTION INC 15777 VALLEY BLVD UNIT J FONTANA, CA 92335. The business is conducted by: A CORPORATION. The registrant commenced to transact business under the fictitious business name or names listed above on: DEC 19, 2002 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/ DAVID FLEENER, PRESIDENT Statement filed with the County Clerk of San Bernardino on: JUNE 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 07/14/2023, 07/21/2023, 07/28/2023, 08/04/2023 CNBB29202322MT

FBN 20230006703

The following person is doing business as: GLOWWITHDANIELA. 104 E. STATE ST SUITE A REDLANDS, CA 92373; MAILING ADDRESS 22111 NEWPORT AVE SPC 93 GRAND TERRACE, CA 92313; COUNTY OF SAN BERNARDINO DANIELA MAGALLON-VELASCO 104 E. STATE ST. SUITE A REDLANDS, CA 92373. 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/ DANIELA MAGALLON-VELASCO, OWNER Statement filed with the County Clerk of San Bernardino on: JULY 03, 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 07/14/2023, 07/21/2023, 07/28/2023, 08/04/2023 CNBB29202321MT

FBN 20230006698

The following person is doing business as: CAMDAN PACIFIC REALTY. 9431 HAVEN AVENUE SUITE 232 RANCHO CUCAMONGA, CA 91730 COUNTY OF SAN BERNARDINO RAMDAN PACIFIC, LLC 9431 HAVEN AVENUE SUITE 232 RANCHO CUCAMONGA, CA 91730 The business is conducted by: A LIMITED LIABILITY COMPANY. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ DAN AKINS, MANAGER Statement filed with the County Clerk

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CNBB29202310MT

FBN 20230007166
The following person is doing business as: O AND B MORENO MAINTENANCE REPAIR EQUIPMENT. 2250 DARBY ST. SPACE #10 SAN BERNARDINO, CA 92407 COUNTY OF SAN BERNARDINO OSCRA MORENO 2250 DARBY ST. SPACE #10 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: JUL 05, 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/ OSCRA MORENO, OWNER Statement filed with the County Clerk of San Bernardino on: JULY 18, 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 07/21/2023, 07/28/2023, 08/04/2023, 08/11/2023 CNBB29202311MT

FBN 20230006988
The following person is doing business as: MONTOYA'S NURSERY. 12051 VICTOR ST ADELANTO, CA 92301 COUNTY OF SAN BERNARDINO JAVIER MARTINEZ 12051 VICTOR ST ADELANTO, CA 92301. 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

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(B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ JAVIER MARTINEZ, OWNER Statement filed with the County Clerk of San Bernardino on: JULY 11, 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 07/21/2023, 07/28/2023, 08/04/2023, 08/11/2023 CNBB29202312MT

FBN 20230006989
The following person is doing business as: V. MONTOYA ENTERPRISE, INC.. 5505 JURUPA ST ONTARIO, CA 91761 COUNTY OF SAN BERNARDINO V. MONTOYA ENTERPRISE, INC. 5505 JURUPA ST ONTARIO, CA 91761 The business is conducted by: A CORPORATION. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ JAIME VARGAS, CEO Statement filed with the County Clerk of San Bernardino on: JULY 11, 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

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County Sentinel 07/21/2023, 07/28/2023, 08/04/2023, 08/11/2023 CNBB29202313MT

FBN 20230006888
The following person is doing business as: MARISCOS LOS CULICHIS. 4439 MISSION BLVD UNIT A MONTCLAIR, CA 91763 COUNTY OF SAN BERNARDINO MARISCOS LOS CULICHIS, LLC 4439 MISSION BLVD UNIT A MONTCLAIR, CA 91763 The business is conducted by: A LIMITED LIABILITY COMPANY. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ FRANCISCO CISNEROS ESTRELLA, MANAGING MEMBER Statement filed with the County Clerk of San Bernardino on: JULY 07, 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 07/21/2023, 07/28/2023, 08/04/2023, 08/11/2023 CNBB29202302MT

FBN 20230006886
The following person is doing business as: BP CAD. 2130 N ARROWHEAD AVE UNIT 205B-9 SAN BERNARDINO, CA 92405 COUNTY OF SAN BERNARDINO BLUE POINT CAD, LLC 2130 N ARROWHEAD AVE UNIT 205B-9 SAN BERNARDINO, CA 92405 The business is conducted by: A LIMITED LIABILITY COMPANY. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A By signing, I declare that all information in this statement is true and correct. A registrant who declares

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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/ JOSUE C HERNANDEZ, MANAGING MEMBER Statement filed with the County Clerk of San Bernardino on: JULY 07, 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 07/21/2023, 07/28/2023, 08/04/2023, 08/11/2023 CNBB29202301MT

FBN 20230007755
The following person is doing business as: PURE SPORTS NUTRITION. 2213 E. 4TH STREET ONTARIO, CA 91764 [MAILING ADDRESS P.O. BOX 4552 ONTARIO, CA 91761]; COUNTY OF SAN BERNARDINO PURE SPORTS NUTRITION 2213 E. 4TH STREET ONTARIO, CA 91764 The business is conducted by: A CORPORATION The registrant commenced to transact business under the fictitious business name or names listed above on: AUG 01, 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/ ELIJAH KRZEMINSKI, CEO Statement filed with the County Clerk of San Bernardino on: AUGUST 02, 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

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time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et seq., Business and Professions Code). Published in the San Bernardino County Sentinel 08/04/2023, 08/11/2023, 08/18/2023, 08/25/2023 CNBB31202306MT

FBN 20230007758
The following person is doing business as: PURE ACTIVEWEAR. 9116 FOOTHILL BLVD #108 RANCHO CUCAMONGA, CA 91730 [MAILING ADDRESS P.O. BOX 4552 ONTARIO, CA 91761]; COUNTY OF SAN BERNARDINO PURE ALKALINE WATER LLC 9116 FOOTHILL BLVD #108 RANCHO CUCAMONGA, CA 91730 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: JAN 01, 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/ SAMIR YEZHNIKOVSKY, PRESIDENT Statement filed with the County Clerk of San Bernardino on: AUGUST 02, 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 08/04/2023, 08/11/2023, 08/18/2023, 08/25/2023 CNBB31202303MT

FBN 20230007679
The following person is doing business as: NIRVANA DESIGN COMPANY. 3492 N WOODRUFF CT RIALTO, CA 92377

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COUNTY OF SAN BERNARDINO DEBORA S MERTAN 3492 N WOODRUFF COURT RIALTO, CA 92377; NAOMI A JARRETT 14792 PALM STREET VICTORVILLE, CA 92394; CHRISTINE D OLBRICH 1042 N MOUNTAIN AVE UPLAND, CA 91786. The business is conducted by: A GENERAL PARTNERSHIP. 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/ DEBORA S MERTAN, PARTNER Statement filed with the County Clerk of San Bernardino on: JULY 31, 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 08/04/2023, 08/11/2023, 08/18/2023, 08/25/2023 CNBB31202302MT

FBN 20230006993
The following person is doing business as: TRUIZMSTREETWEAR. 1232 N SIERRA WAY APT 2 SAN BERNARDINO, CA 92405 COUNTY OF SAN BERNARDINO STEVE M MARTINEZ 1232 N SIERRA WAY APT 2 SAN BERNARDINO, CA 92405. 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/ STEVE M MARTINEZ, OWNER Statement filed with the County Clerk

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of San Bernardino on: JULY 12, 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 08/04/2023, 08/11/2023, 08/18/2023, 08/25/2023 CNBB31202302MT

FBN 20230007615
The following person is doing business as: LOS CUBANOS TACOS. 9615 FOOTHILL BLVD RANCHO CUCAMONGA, CA 91730 COUNTY OF SAN BERNARDINO ANDRES M DIAZ ACOSTA 1337 LA MANCHA WAY ONTARIO, CA 91764. The business is conducted by: AN INDIVIDUAL. The registrant commenced to transact business under the fictitious business name or names listed above on: JUL 26, 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/ ANDRES M DIAZ ACOSTA, OWNER Statement filed with the County Clerk of San Bernardino on: JULY 28, 2023 I hereby certify that this copy is a correct copy 54554of the original statement on file in my office San Bernardino County Clerk By:/Deputy Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et seq., Business and Professions Code). Published in the San Bernardino County Sentinel 08/04/2023, 08/11/2023, 08/18/2023, 08/25/2023 CNBB31202301MT

Kerr Sentenced from page 3

and the city's licensing of commercial marijuana and cannabis-related businesses continues.

Early this year, Kerr accepted a conviction of accepting more than \$57,000 in bribes and kickbacks in approving ordinances authorizing marijuana cultivation, transportation, and commercial sales in the city and ensuring his benefactors would obtain licenses or permits for cannabis businesses.

Kerr's appearance in court in Santa Ana was somewhat reminiscent of his time in office, as he and his attorney, Carlos L. Juarez, sought, rather unconvincingly, to persuade U.S. District Judge John W. Holcomb that Kerr, a former Marine, had been well-intentioned during his sojourn into politics and that the effort to marijuanify Adelanto was a sincere strategy to put Adelanto on the road to economic

recovery and not a ploy to enrich himself.

Juarez said that Kerr was trying "to serve the people," but as a high school dropout wasn't smart enough to avoid the temptations of "political corruption" that presented themselves to him once he assumed elective office. He sought to paint his client as "naive," rather than mendacious.

In his statement, Kerr seemed to default to the misrepresentations he had engaged in when he was promoting the businesses that formed the basis for the kickback schemes he was participating in. He asserted that Adelanto had benefited from fees, taxes and jobs the marijuana-based and cannabis-based businesses brought it.

While the crime Kerr pleaded guilty to, one count of honest services wire fraud, carries a statutory maximum sentence of 20 years in federal prison, Assistant U.S. Atty. Sean Peterson asked Judge Holcomb

to sentence the 66-year-old Kerr to 46 months in prison, which Petersen said would serve to dissuade others in California seeking to exploit

the state's laws allowing marijuana to be sold for both medical and intoxicative purposes.

Holcomb, however, imposed a sentence

of less than a third of the duration Petersen asked for, saying he had considered Kerr's age, health, service to his country as a Marine and

the consideration that at present he is the sole breadwinner for five of his eight grandchildren.

-Mark Gutglueck

San Bernardino Forest Ranger Told BlueTriton Its Permit Application Is Not Going To Be Approved from page 9

then Nestlé's water use in Strawberry Canyon did not include the drafting of water from those boreholes.

The California State Water Resources Control Board, in consultation with the California Environmental Protection Agency, is considering responses from the public at large to Lilly's tentative ruling along with the input from both the environmentalists whose importuning of the State Water Resources Control Board led to the hearings for the cease-and-desist order,

input from BlueTriton and input from attorneys representing all parties while formulating what is intended as a final determination.

On July 21, Michael Nobles, the district ranger with the San Bernardino National Forest, wrote to David Feckley, BlueTriton Brands' director of natural resources at the company's corporate office in Wylie, Texas.

"The U.S. Forest Service (USFS) recognizes the long working relationship between BlueTriton Brands, Inc. and the USFS. We acknowledge that the permitting process is complex and appreciate BlueTriton's patience during the application review," Nobles' letter begins. "The USFS has accepted BlueTriton's application dated 21-Feb-2023 for the

continued use and occupancy of National Forest System lands within the San Bernardino National Forest. However, the requested use cannot be re-authorized at this time due to the uncertainty surrounding the water rights utilized by BlueTriton's activities. As you know the California State Water Resource Control Board is completing a hearing regarding a draft cease and desist order concerning Blue Triton's water rights. USFS regulations speak directly to this circumstance. 36 Code of Federal Regulations 9.8 (Use of Water) states: '(a) No operator may use for operations any water from a point of diversion which is within the boundaries of any unit unless authorized in writing by the regional director.

The regional director shall not approve a plan of operations requiring the use of water from such source unless the right to the water has been perfected under applicable State law, has a priority date prior to the establishment of the unit and there has been a continued beneficial use of that water right.' Because of this, the USFS will not be in a position to issue a final response to your application until the board renders its decision. The existing use may continue, and your current permit continues in effect under operation of law until the USFS renders its final decision. You are bound by all terms and conditions of the permit, including the 2019 version of the adaptive management plan. All outstanding

Continued on Page 16

With Multiple Generations Of Men Running Hesperia For Their Benefit And To The Community's Detriment, Women Are Now Getting In On The Act *from page*

pense, infrastructure such as utilities, roads, curbs, gutters, sewers, a wastewater treatment facility, schools and parks as well as the installation or alteration of 40 intersections and the widening of Rancho Road and I Avenue.

Terra Verde Group, it turned out, was not going to build the homes but merely obtain the entitlement to build, intending to have the actual construction handled by established home builders in the region. Issues with the availability of water, which always existed but were never cogently addressed, became an existential threat to the undertaking, entailing delay upon delay for more than four years. There followed efforts to rewrite history. The project would have gone ahead full speed, Ohanian said, but for the interference of the COVID-19 pandemic. That explanation was inadequate, of course, because the building that was supposed to be taking by late mid-to-late 2017 so that occupancy could begin by late 2018 to early 2019 was scheduled some two-and-a-half years before the pandemic manifested.

What is now conspicuously clear was there was never a cogent plan or even vague intention that the proponent would provide the infrastructure a 15,663-home planned development would need, and that the game plan that had existed for the Las Flores Ranch property and the surrounding acreage since Rizzo had been city manager had never changed: the developers who stood to profit by the conversion of the land would manipulate the pro-growth politicians they had bankrolled into office to force

the city's staff to machinate the public financing of that infrastructure.

By 2021, having taken a full measure of the current council, its sophistication and that of Bentsen, the investors behind the Terra Verde Group have recommitted to developing the land with a slightly changed focus. A subgroup of investors, Schlegel Capital and The Beau-



Nils Bentsen

mont Group, will utilize DMB Development to oversee construction of the homes and 700,000 square feet of retail and commercial space. Gone is the pledge to make the homes affordable to first time homebuyers. Rather than starting in the \$200,000 range, the least expensive home will run \$450,000. And buyers, who would have been able to anticipate relatively modest annual property tax bills based upon the previously represented home prices in the \$200,000s, will be doubly stung. Not only will they pay property taxes based upon homes priced in the high \$400,000s, \$500,000s, \$600,000 and \$700,000s, those buyers will also be hit with Mello-Roos fees that are to be applied to the Tapestry neighborhoods to defray the cost of the community facilities districts that are to be created to finance the building of the infrastructure. The current city council has now been convinced by the representatives of the Terra Verde Group that the only way the project can move forward is if the Mello-Roos district is formed in advance of the project completion. Thus, each homeowner who buys into the subdivision will take on the responsibility, on top of his/her annual mortgage and normal property

taxes, a yearly \$4,000 to \$5,000 Mello-Roos assessment in order to pay for the construction of the infrastructure the entire project will need. Some have questioned whether enough qualified buyers for the homes will manifest. The Tapestry project was originally conceived of and sold to Hesperia's political leadership as an undertaking that was to take advantage of the wellspring of homebuyers unable to afford the steeply priced housing available in lower San Bernardino County, Riverside County, Los Angeles County and Orange County who would be willing to invest in no-frills, slightly lower quality and therefore less expensive homes in the High Desert. With the transformation of the Tapestry concept to one that would entail "starter" homes in the half-million-dollar range or more with a combined yearly property tax and Mello Roos fee burden approaching \$10,000, the viability the Terra Verde Group will be able to market the homes and thereby service the debt to cover the cost of infrastructure has come into question. Those who opposed the project all along and other critics of the city are now sounding dire warnings as to what the city has involved itself in with Tapestry, which is also referred to as the Silverwood Project. Not only will Hesperia be burdening itself with 15,663 lower-quality homes, many of which will remain empty and unsellable, those critics have warned, but no true progress in eradicating Hesperia's multi-generational infrastructure deficit will have been made.

After a relatively short duration as Hesperia's development services director, particularly one who had no previous experience in municipal management or the issues pertaining to urban planning and development, Blay was promoted by Bentsen to assistant city manager.

Things within the executive suite at Hesperia

City Hall were going along swimmingly, or so it seemed, until late 2020. At that point, a degree of tension was palpable among those serving at the senior staff level, it was reported. Then there emanated from City Hall an account of a shouting match that had taken place between Bentsen and Blay, one that was seen by a handful of employees and heard by several more.

The underlying issue was problems, the *Sentinel* was informed, with Blay's performance as assistant city manager or, at least, Bentsen's expectations with regard to Blay's performance. Things reached a crisis, the *Sentinel* was told, when Bentsen learned that Blay was having sexual relations with more than one of the women he oversaw in his capacity as assistant city manager.

In short order, at Bentsen's direction, a separation agreement between the city and Blay was drawn up, and Blay was terminated. The friendship between Bentsen and Blay, which extended back nearly three decades to the time they had been deputies with the San Bernardino County Sheriff's Department, had come to an abrupt end.

A codicil to the separation agreement was a nondisclosure agreement that was apparently signed by all parties which was aimed at averting scandal and adverse publicity for the city as well as for Blay, for the women involved and for Bentsen.

In the initial aftermath of Bentsen and Blay's row at City Hall, there were some in the know as to what had brought it about who were anticipating that not only Blay but the female employees he had entangled himself with were to be disciplined or terminated for having compromised the office professionalism they were expected to maintain. While Blay was, in fact, let go, the *Sentinel* is given to understand that there was concern at the time that firing the

women along with him could have any of several unintended and undesirable effects, and for those reasons the women in question were neither fired nor subjected to any discipline. One of those concerns was that a dual, triple or quadruple firing could invite unwanted scrutiny on its own and/or one of the terminated women might make a



Michael Blay

public objection that would bring the underlying circumstance to light. Moreover, because Blay's status as assistant city manager put him on the city's organizational chart in a position above the women involved such that they were either directly or by theory indirectly answerable to him, Eric Dunn, who was then the city attorney, was concerned one or more of the women might contest their firings by claiming they were victimized in the circumstance by a sexual predator who had used his authority to pressure them into their individual sexual relationships with him.

According to employees and officials at City Hall, one of the women caught up in the matter that led to Blay's exit was Molina.

The *Sentinel's* effort to obtain a copy of the nondisclosure agreement relating to Blay's departure resulted in City Attorney Pam Lee telling the *Sentinel* this morning, August 4, that "There is a separation agreement regarding Michael Blay, which is a public record that can be requested through the city clerk's office."

The *Sentinel* made an immediate inquiry with City Clerk Melinda Sayre's office for a copy of that document, although it is not clear whether it includes the

nondisclosure agreement at issue. Despite the city website's statement that the city clerk's office is open on Fridays until 4:30 p.m., the *Sentinel* was informed by recording that the city clerk's office is not open on Fridays. The *Sentinel* made a request by email to Sayre for that document, but had not received it by press time.

Last year, Bentsen's time as a public employee eclipsed 33-and-one-third years. Given that the calculation for public employee pensions in California uses a multiplicand of three percent for each year that a law enforcement or city management employee is employed times the maximum annual salary of that employee during his employment span in government, Bentsen was at a point where he was maxed out in the pension system, such that he could make as much money in retirement as he could working. He elected to retire, recommending as he did so that the city council appoint Molina, whom he had elevated to the position of assistant to the city manager in 2016, deputy city manager in 2020 and assistant city manager in 2021 when Blay departed, as his successor as city manager. In October 2022, the city council essentially acceded to that recommendation. At the same time, it increased Bentsen's \$258,825 salary by ten percent, such that what had been a total annual compensation rate of \$364,764.36 when his annual perquisites and add-ons and benefits of \$105,939.36 were included jumped to \$390,649.86, or \$32,554.15 per month. In addition, the council simultaneously consented to hiring Molina as city manager effective at once at an annual salary of \$240,000, plus \$23,789 in pay add-ons or perquisites along with \$67,306.86 in benefits for a total annual compensation of \$331,095.86, or \$27,591.32 per month.

Effective December 12, 2022 running through June 18, 2023,

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Whereas Previous City Managers Purposefully Pursued Policies Which Intensified Hesperia's Infrastructure Deficit, Molina Seems Oblivious To It *from page 3*

Bentsen was provided with a \$23,725.62 monthly bonus equal to his monthly salary to serve as Molina's mentor as she made the full transition over those roughly six months to a city manager who could function on her own and without oversight. Thus, technically, between October 2022 and June 2023, Hesperia was functioning with two city managers.

With Bentsen's departure on June 18 and Molina in sole command of the city, the sheer enormity of the job she has taken on has become apparent. Almost immediately, problems manifested.

A first major operative challenge were conditions in the city's animal control division. Despite demands for service out in the community and what appears to be more than adequate space within the city's animal shelter to house captured animals, large numbers of animals have been turned away. Complaints have mounted.

An unverified report is that upwards of ten city employees resigned their positions with the city in the roughly five weeks after Molina became city manager. Accompanying this was an account of two employees accepting promotions offered by Molina and then, in relatively speedy terms, tendering their resignations. Moreover, it is reported that Molina has moved to rehire two employees who, during Bentsen's tenure as city manager, were terminated by the city or were otherwise forced to depart primarily because of inadequacy in their respective performances. Word among staff and other officials is that Molina rehired both because they represent an institutional knowledge of the city and the departments that she finds necessary in order to be able to run the city because, despite her more than 15 years' experience as a city em-

ployee, she simply does not have a comprehensive enough knowledge of either the nuts and bolts of municipal management or specific circumstances in Hesperia to competently oversee the city's operations.

This lack of confidence in her ability has led to the hemorrhaging of city employees, both remaining and departed employees have said.

The fashion in which she has been undone by the relatively minor challenge of filling gaps in the city's animal control division is emblematic of her having gotten in over her head by taking on the city manager's post, those observing the current chaos at City Hall have said. With top flight city management professionals such as D.J. Collins and Rod Foster not having been able to overcome the pro-growth dictates of their political masters on the city council long enough to provide meaningful and productive focus toward overcoming the legacies of Penn Phillips and Robert Rizzo and the cumulative infrastructure deficit stretching back nearly seven decades, few believe Molina has the experience or acumen to so much as recognize the challenges she is dealing with, let alone overcome them.

This is compounded by the dark insinuations about how it was that she was able to promote as rapidly as she did into first the deputy city manager and then the assistant city manager posts she held for the roughly two-and-a-half years before her promotion to city manager, typified by a suggestion that she had, as one city employee crudely put it, "slept her way to the top at City Hall."

The *Sentinel*, in an email, this week inquired directly with Molina whether there had indeed been a wave of employee resignations in the aftermath of her assumption of the city

managerial role in Hesperia and if she could quantify the number of employees who left the city from June 19, 2023 through August 1, 2023 and identify those employees by job title along with the grounds those employees gave for their resignations.

Molina did not respond.

Asked to refute the contention that her occupation of the top staff position or her management approach/style/ability had anything to do with those resignations, Molina did not respond.

Nor did Molina clarify the circumstances or situation pertaining to or accuracy of the report of two employees accepting promotions and resigning. She did not address questions about whether she had hired two employees whom Bentsen had previously terminated.

The *Sentinel* sought to take up with Molina some of the widely held beliefs that there was impropriety in the way she was able to promote, and promote so rapidly, specifically reports, relating to the relationships, that is physical with sexual overtones, she was reported to have had with her immediate male superiors at City Hall.

The *Sentinel* asked about the surfacing of her name in connection with the barely-contained scandal pertaining to Blay. The *Sentinel* noted that there were further insinuations, based upon Bentsen's recommendation last year, despite her slender municipal operations résumé and lack of expertise in any single given government departmental function beyond public relations, that she succeed him as city manager, suggesting she was involved with him.

Asked if she acknowledged having had a physical, i.e., sexual relationship with Michael Blay, Molina made no response. Asked if she now considered her relationship with Blay to have been improper, Molina did not respond.

She likewise avoided responses to similar

questions relating to Bentsen and she did not respond to direct inquiries as to whether her sexual relationships with her superiors within Hesperia's managerial structure contributed to her advancement within the Hesperia governmental hierarchy.

Molina similarly avoided questions directly posed to her about Hesperia's need to overcome its infrastructure deficit that is the legacy of Penn Phillips, the inadequate property tax arrangement that is the legacy of the city's founders, the legacy of Robert Rizzo which established a city managerial commitment to facilitate the development imperative embraced by the city's political leadership, the physical/geographical bifurcation of the community by the Santa Fe Railroad and what prospect she felt she had for successfully dealing with the City of Hesperia's myriad challenges.

After alluding to how at least some city employees are convinced she is not up to managing the city, the *Sentinel* asked Molina if at this point she believes she bit off more than she can chew by becoming Hesperia city manager and what cogent refutation she could provide to those skeptics who contend that her first month on the job had demonstrated her as inadequate to the task. She chose not to answer.

Molina is not entirely without her defenders.

On the dais at the Hesperia City Council meetings at present, six of the eight personages are women – May-

or Brigit Bennington, Councilwomen Rebekah Swanson, Councilwoman Allison Lee, City Manager Rachel Molina, City Attorney Pam Lee and City Clerk Melinda Sayre. It was pointed out that social attitudes in the High Desert are somewhat behind the times and the lack of acceptance of women in positions of authority is to be expected in a place like Hesperia, where the challenges the city faces, including its infrastructure deficit, is the doing of men who controlled the politics and offices and machinery of government throughout the community's history. That Molina and Summers before her came into a male-dominated, indeed chauvinistic setting in which women were disrespected, disregarded and debased and were able to work their way up the ladder from the comparatively lowly positions they were initially hired into, using what assets they did possess by turning the weaknesses of the exploitative men who have ruled the roost in Hesperia for so long against them is, Molina's supporters say, proof that they are fit to be managing Hesperia and Murrieta. Her detractors may not like that Molina scratched her way to the top of the heap in Hesperia, but that she did so is indisputable.

Mayor Bennington, in response to an inquiry by the *Sentinel* said she was "disheartened" at questions relating to Molina "not being qualified for the position she holds."

Bennington said, "The Council voted 5-0 to approve her contract

because she has the necessary experience and education to perform in this role. Ms. Molina has a bachelor's degree in organizational leadership from Chapman University and a master's degree in public administration from California Baptist University. In addition to serving as a senior office assistant and public information officer earlier in her career, during her 16-year tenure, she has served as department head for community relations/city manager's office and economic development, human resources, information technology and development services. As development services director, she was responsible for engineering, planning and community development."

Bennington said, "Like council members across the country, I use my own experience and education to help inform my decision making. I stand by my voting record and reject any accusation that I make decisions that are in any way influenced by anything other than the best interests of the residents I serve. During my tenure with the City of Hesperia, as well as with another municipality, I have been personally aware of city managers across the state who have been appointed with far less experience and education. As the city's first woman city manager, the types of accusations raised against Ms. Molina are discouraging to other women in the profession whose accomplishments are intended to be diminished by those with questionable motives, as is clearly the case here."

Forest Management Will Let BlueTriton Remain In Strawberry Canyon Until State Water Board Makes Its Final Determination *from page 14*

noncompliance issues shall be cured within 90 days of the receipt of this letter, and any outstanding reports, studies, or other required

documentation shall be submitted to the Forest [i.e., the San Bernardino National Forest management] within 4 weeks of the receipt of this letter."

Nobles added, "Should BlueTriton choose to end its use of USFS lands rather than continue under the terms of the current permit, please notify me at your earliest possible convenience and submit a written plan for removal

of all infrastructure. We look forward to resolving the issues of water usage and transmission on Forest lands once the final ruling is made by the State Board. Blue Triton may at that time choose to submit an application that is consistent with both State law and the forest land management plan or a plan to remove their infrastructure from forest lands."