

Friday, October 20, 2023 A Fortunado Publication in conjunction with Countywide News Service 10808 Foothill Blvd. Suite 160-446 Rancho Cucamonga, CA 91730 (951) 567-1936

## Government Reform Group Again Qualifies Vote To Rescind Fire Service Tax

Nearly a year-and-a-half after San Bernardino County residents voted to rescind the application of a fire service tax to cover 95 percent of the county's 20,105-square mile expanse only to see that measure invalidated by the county government's legal challenge of the initiative, the public interest group that sponsored it has again qualified another ballot measure to prevent the county from continuing to impose the

assessment.

Fire Protection District Service Zone Five, known by its acronym FP-5, was originally formed in 2006, as a construct for the county fire department to provide the communities of Silverlakes and Helendale, an area of 5.6 square miles with a current population of 6,347 located in the Mojave Desert between Victorville and Barstow approximately five-and-a-half miles

west of the I-15 Freeway, with firefighting and emergency medical service. The creation of FP-5 carried with it the annexation of Silverlakes and Helendale into a fire service assessment zone, which required that landowners within those two communities' confines pay yearly assessments to defray the cost of the fire department's operations therein.

Between 2015 and 2017, four of the county's

incorporated municipalities – San Bernardino, Twentynine Palms, Needles and Upland – at the direction of their respective city councils, closed out their traditional municipal or local fire departments and had the entirety of their city limits annexed into FP-5, entailing each parcel owner in those jurisdictions paying an annual assessment of approximately \$150 to have the county fire department provide

those communities, under the auspices of FP-5, firefighting and emergency medical service. In each of those four cases, the existing local or municipal fire departments were shuttered.

In 2018, a proposal to expand FP-5 to cover 19,073 square miles of unincorporated land in the county along with the cities of San Bernardino, Twentynine Palms, Needles and Upland was made **See P 3**

## Honesty & Courage Or Lack Thereof Among Toro, Echevarria & Smith Will Control Flow Of Colton's Millions To CR&R

By Mark Gutglueck

Twenty-seven years after Colton entered into a corruption-encrusted franchise arrangement with its current trash hauler's corporate predecessor that prompted the firing of a former city manager and indirectly led to the federal indictments of four of its former council members, it is uncertain whether the current city manager and city council majority will consent to a competitive bid process for the franchise when the contract expires after its third decade in 2026 or whether they will submit to a combination of pressure and temptation to extend the exclusive franchise contract until 2036.

With the matter steeped in pay-to-play implications, City Manager Bill Smith, who is said to privately favor putting the franchise out to bid, has so far receded from making such a recommendation because three of the current members of the council may be disposed toward renewing CR&R's contract to provide trash service to the 54,911-population, 16.06-square mile city's residential, commercial and industrial customers. Councilwoman Kelly Chastain, who 18 years ago went along with extending the franchise as it approached its ten-year anniversary, is widely considered to be in the pocket of CR&R and is again militating toward a franchise extension without any bid- **See P 5**

## Mann Refutes Suggestions That As Yucaipa City Manager He Is A Shill For Developers

Yucaipa City Manager Chris Mann this week derided perceptions that his status as a developer and his role as a representative of the building industry undercuts his ability to fulfill the commitments he has assumed to safeguard Yucaipa residents' interests in his vaunted position overseeing the myriad operations at City Hall, including ones pertaining to land



Chris Mann

use decisions and enforcing regulations relating to

construction and the provision of infrastructure to accommodate growth in the community.

Mann found himself at the center of a maelstrom of controversy and adversity created by the manner in which he was put into the Yucaipa city manager position.

His hiring in January followed by little more than two months the November election of

two new members of the city council – Matt Garner, who replaced David Avila in the First District, and Chris Venable who replaced Greg Bogh in the Fifth District. That hiring came in the immediate aftermath of the forced departure of longtime City Manager Ray Casey.

In October 2022, the council as it was then composed – comprised of

Bogh, Avila, Justin Beaver, Bobby Duncan and Jon Thorp – had voted to extend Casey's contract until June 2024. On January 9, 2023, the first substantive meeting of the Yucaipa City Council with Garner and Venable as members, was held. After adjourning into a closed session conducted outside the scrutiny of the public shortly after the meeting be- **See P 2**

## Battery Storage Project Proposal In Sycamore Hills Raises Upland 1st District Residents' Concerns

An issue has manifested in northwest Upland that carries with it the potential of dividing the community in the City of Gracious Living.

There are multiple elements to what is occurring. One of those is the emphasis by the State of California on society making a conversion from its dependence on fossil fuels to renewable energy sources. Another

factor is northeast Upland's show of tangible process toward achieving that conversion. Also at play is Upland's adherence to the political division imposed on it by an outside attorney who forced it into ward system voting starting with the 2018 election cycle. Another is the social-economic division between the city's north and south sides and the short shrift

historically accorded to the south side. Playing a part is the strong emphasis city officials have been making on what they consider to be economic development.

Afoot is an effort by GridStor, in conjunction with Upland Reliability Project Holdings, LLC, to complete the 120-megawatt Upland Reliability Project in the Sycamore Hills district in **See P 7**

## Fontana Passes Street/Sidewalk Vending Restriction Ordinance



Acquanetta Warren

At its October 10 meeting, the Fontana City Council gave unani-

mous passage to an ordinance giving city code enforcement officers or that division's contracted consultants far wider latitude and authority in dealing with unlicensed street vendors.

To demonstrate it is serious about driving unlicensed street vendors out of the 43.07-square-mile city of 214,718 population, the city council augmented the new **See P 3**

## Second Judge Suspends Chino Valley Unified School District Parental Notification Policy

A second San Bernardino Superior Court judge has entered a ruling blocking the Chino Valley Unified School District's policy, put into place this summer, requiring the notification of parents whose children are assuming an identify that deviates from the gender on their birth certificates.

On October 19, San Bernardino County Superior Court Judge Mi-

chael Sachs granted the California Attorney General's Office's request for a preliminary injunction that prevents the Chino Valley Unified School District from implementing the essential elements of the parental notification policy the school board passed by a 4-to-1 vote on July 20.

The policy, which was strongly endorsed by parents in the district and passionately op-

posed by advocates of the lesbian-gay-bisexual-transsexual-queer community, mandated that the district's faculty notify the parents of a child in writing within three days if he or she reidentifies his or her gender, which is defined by the student changing pronouns, names or seeking to use a gender-based changing room, locker room or restrooms for a gender different than the

one assigned that child at birth. The policy further requires parental notification when a student tells faculty or a counselor about any violence he or she has experienced or of any contemplation of suicide.

In ratifying the policy, which was virtually identical to one outlined in an Assembly bill introduced by Republican Assemblyman Bilal Essayli earlier this year that failed to

make it out of committee in the Democrat-controlled state legislature, defied, in addition to LG-BTQ advocates, a powerful swathe of California's political establishment.

On July 20, California Superintendent of Public Schools Tony Thurmond sojourned to Chino from Sacramento to be on hand at the Don Lugo High School Auditorium where the Chino Valley Unified School **See P 13**

## In January, Yucaipa's Ruling Council Coalition Precipitated An Extended Crisis By Stealthily Terminating Casey & Hiring Mann

from front page

gan, Beaver, Duncan and Garner pressured Casey into resigning and moved to conduct a vote to terminate City Attorney David Snow. The vote to accept Casey's resignation was 3-to-2, with Beaver, Duncan and Garner prevailing and Thorp and Venable dissenting. The council then voted 5-to-0 to fire Snow. At that point, Steven Graham, the city attorney with the City of Canyon Lake in Riverside, materialized and began functioning as Yucaipa's City Attorney. The council then voted 4-to-1, to offer the position of city manager to Mann, who at that time was the city manager of Canyon Lake, a member of the Yucaipa Water District Board of Directors, and the principal in Mann Communications. Mann, like Graham, had been present on the civic center grounds throughout the meeting.

Nearly two score Yucaipa residents who had been alerted at the last minute that something was in the offing, had shown up at the meeting, several of whom had hoped to be able to talk the council out of getting rid of Casey, a Princeton-educated civil engineer with extensive public works experience in governmental and municipal settings and construction experience in the private sector. He had served as Yucaipa's city engineer/director of public works for five years beginning in 2003 before he was promoted to the position of city manager in 2008. The crowd's efforts at intercession had been to no avail, and Casey abruptly joined the ranks of the unemployed or retired or both.

With Mann and Graham on hand for the meeting and Graham assuming the role of city attorney on the spot without any forewarning, there were immediate accusations that a violation of The Ralph M. Brown

Act, California's open public meeting law, had taken place. The Brown Act prohibits a quorum of an elected governmental body or an appointed governmental body with decision-making authority from meeting, discussing any matter to be decided or voted upon or coming to a consensus in any way about a matter to be voted upon outside of a public forum. The Brown Act allows less than a quorum of an elected body – as in the case of the five-member Yucaipa City Council, two members – to meet and discuss some contemplated action to be voted upon, but it prohibits either of those two members from engaging in a "serial" meeting of a quorum, whereby one of those members then separately meets with another member to discuss the upcoming action or vote.

Residents who were opposed to what was tantamount to Casey's sacking reasoned that a Brown Act violation had to have taken place, as Graham was on hand for the meeting before he was hired as city attorney and, likewise, Mann was immediately present, in anticipation of the action the council ultimately took.

Beaver, Duncan, Garner, Mann and Graham had anticipated nothing more than mild objections among the public to jettisoning Casey, which they believed would blow over in short order. That proved a gross miscalculation. Beaver, Duncan and Garner put out a press release justifying their action, asserting that "the voters of Yucaipa elected two new members to the city council" and that "the council is taking decisive action to move Yucaipa forward" by "making changes to the city's executive leadership team," simultaneously celebrating the talents of Mann and Graham. For a large number of Yucaipa residents, that rang hollow. The newly elected Venable had not gone along with firing Casey, residents noted, and less than three months previously, Beaver and Duncan had voted to keep Casey in place for another year-

and-a-half. When the city conferred a severance package on Casey which essentially guaranteed him the salary he would have received had he remained in the capacity of city manager for the duration of his contract and provided Mann with an extremely generous employment contract, such that the city and its taxpayers were put in the position of paying to employ two city managers for sixteen months, the outrage among a growing contingent of Yucaipa citizens was contagious. Beaver, Duncan and Garner, who to begin with had not anticipated the outrage or its depth, initially assumed it would diffuse rapidly. It did not, and, as more and more residents learned of what had occurred, it intensified.

One public relations misstep followed another as the three members of the council sought to evade the growing wrath of their constituents. Consequently, Beaver, Duncan and Garner turned to Mann, the principal in Mann Communications, which according to the company's website, assists its clients to "effectively communicate with the public... effect change at the ballot box... delivering... messages through both traditional and innovative means... identifying supporters one by one." As Mann headed a team of "practiced political strategists," according to his company's website, and "the experts at Mann Communications have a track record of success utilizing strategies and tactics such voter targeting, direct mail, live and automated phone banks, opposition research, earned media, polling, issues management, and grassroots mobilization including door-to-door outreach," Beaver, Duncan and Garner were ready to accede to the city manager's guidance.

Mann instructed them to seek to have the public move past the loss of Casey as a steady guiding hand at City Hall and instead focus on the talents of the new management team they were installing. Accordingly, Beaver, as mayor, took a bold stab at explaining why the

trio had settled on Mann as city manager to replace Casey, alluding to Mann's status as the president of the Yucaipa Valley Water District Board of Directors, referencing Mann's knowledge of the community based upon his residence in the city and asserted Mann "has the right relationships to help our city work collaboratively throughout the region for the benefit of Yucaipa residents."

Paradoxically, however, when the mayor or councilmen Duncan and Garner, whose public communication skills had never been their strong suit, brought Mann's skill at shaping public opinion to bear, it served only to alarm the city's already animated residents further, who came to believe that Mann was a puppet master, manipulating the troika over whom he had taken control, to promulgate what was an unabashedly pro-development agenda.

Mann, through Mann Communications, according to the firm's website, functions in the main as a representative of developers and development interests seeking to move building proposals past the planning process and get them approved. Mann Communications specializes in, the firm's website states, making sure that "elected officials are... provided the political cover they need in order to support good projects" to "provide our clients with a wealth of knowledge and experience and a winning approach to land use entitlement. Mann Communications Principal Chris Mann has been an active partner in numerous development projects in California, Nevada and Arizona. Having worked both as an elected official and as a developer, he uniquely understands the development process from both the public and private perspectives. Understanding the practices and motivations of each side better than most, he is able to provide tremendous value to the entire development process, making Mann Communications an invaluable member of any project team."

A good cross section of Yucaipa residents –

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and others in the know, as well – found troubling that Canyon Lake and Yucaipa would hire Mann into their respective city manager posts, in which they oversaw and oversee the regulatory processes of those cities' land use decision-making and planning functions, given his ownership of a company in major portion dedicated to working on behalf of developmental interests, the very entities he was supposed to be regulating. Yucaipa residents needed to go no further than Mann Communications' website to glimpse those development interests – residential developers Lennar, Pardee, Meritage Homes, Richmond American, Holland Development, the Golshan Group, Rotkin Real Estate Group as well as Jacobsen Family Holdings, Turner Dale, Carlton Properties, Preferred Business Properties Real Estate Services and Oakmont Industrial Group.

Whereas previously it was widely recognized among Yucaipa residents that Duncan was a real estate agent, a majority of the community did not perceive as problematic allowing the real estate industry a seat at the table among individuals from a variety of professional classes serving in the capacities of city council members in their roles as the arbiters of how the city's character was to be maintained or allowed to evolve. What it looked like at that point, however, was that Duncan had put Mann in place to boost the prospect of more and more development in Yucaipa,

in turn increasing his ability to sell houses and make money.

It was widely recognized that Casey had an intense and intimate understanding of the need for matching any incoming development with adequate infrastructure, the cost for which had to be defrayed either by the developer or the city's taxpayers, and that he was capable of serving as not only an honest broker between pro-development and anti-development forces and sentiments within the community but advocating for and insisting that project proponents be financially responsible for the infrastructure and off-site improvements that must accompany their development efforts. Casey, it seemed, had gotten into somebody's, or several somebodies', way. With his forced exit, there arose an instantaneous perception that Beaver, Duncan and Garner had ditched him in favor of Mann, who would have the city adopt an absolute open-door planning and development process by which the city's largely rural nature would come under increasing threat and the balance that had long been maintained between its Old West, worldly, agricultural, mercantile, semi-rural and urban influences was to be discarded and replaced by subdivision after subdivision that would make Yucaipa indistinguishable from scores or even hundreds of other cities in Southern California that are now composed, practically, of wall-to-wall houses.

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## Nine Years Later, Bowden Back As Twentynine Palms Interim City Manager

The City of Twentynine Palms has inserted Larry Bowden into the post of interim city manager to replace Frank Luckino, who earlier this month announced he was departing from the city's top administrative post after eight years.

It was Bowden who had plugged the city managerial gap the last time Twentynine Palms found itself unexpectedly bereft of its manager. In June 2014, Andrew

Takata, at that time the interim city manager in Calexico, was hired to serve as Twentynine Palms City Manager. Just five months later, in November 2014, Takata abruptly resigned as city manager to become the chief of staff for San Bernardino County Second District Supervisor Janice Rutherford. Bowden, who at that time was serving in the capacity of the city's recreation director, was

made temporary city manager.

Bowden, who originally moved to Twentynine Palms in 1966 with his parents, has multiple claims to fame and status in Twentynine Palms. He was active in the Twentynine Palms Historical Society, was elected to the city council in 1994 and served a one-year term as mayor. He worked for the city for 25 years, primarily as the city's park and recre-

ation director, along with stints in other capacities, including assistant city manager in addition to that of interim city manager. He made his most lasting impression on the city as the basketball coach at Twentynine Palms High School.

On Monday, October 16, in a continuation/extension of its October 10 meeting, the city council voted 5-to-0 to approve a contract which calls for Bowden to serve as city

manager at a pay rate of \$86.50 an hour until such time as the city finds its next city manager and puts him or her into place.

As a retiree receiving a pension under the California Public Employees Retirement System, Bowden can work up to 960 hours every governmental fiscal year, which runs from July 1 through June 30. Thus, assuming a ten hour workday Monday through Thursday,

and a three day work week at the time of the Thanksgiving holiday and a one-week closure of City Hall Christmas week, Bowden can work through until the end of the day on April 15, 2024, at which point he would need to depart. If the city council has not settled on a full-fledged city manager by that point, it will need to find another interim city manager.

-Mark Gutglueck

### Interference With Brick & Mortar Businesses, Health Considerations, Tripping Hazards And Other Considerations Push Fontana To Restrict The Proliferation Of Sidewalk Vendors *from front page*

ordinance with a contract with a private company that will be paid roughly \$100,000 a month for the next six months to cite the sidewalk vending offenders and seize their merchandise and means of doing business if they violate the ordinance a second time.

After years in which street vendors have encroached on public property within those areas of the city's commercial areas, the city conducted a workshop on September 12, 2023 in which the council and community were briefed by Fontana code compliance inspectors on the difficulties that

they and contracted staff are facing when dealing with non-permitted street vendors.

Large numbers of those conducting sidewalk business do not have licenses and city employees reported that they were "taking a proactive approach by providing education to street vendors on how to obtain a San Bernadino County health permit/City of Fontana business license," according to a city staff report. Nevertheless, according to the report, "street vendors continue to operate illegally." As a consequence, according to the staff report, "Fon-

tana Code Compliance Inspectors and contracted staff are confiscating all perishable items, but the non-permitted street vendors are still returning to operate throughout the City of Fontana. This ordinance will grant authority to city staff to confiscate and impound all non-permitted street vendors' equipment to further the city's effort to mitigate health risks and maintain accessible pathways."

According to the city, the ordinance will allow code enforcement officers to safeguard the Fontana community with more effective regulation of food and merchandise sales. The ordinance and the change in the city's approach will, the city maintains, improve public safety by increasing operational efficiency, visibility, and availabil-

ity and allow for the immediate correction of the problems the unlicensed vendors create.

The ordinance adds two separate sequences of sections to the city code giving code enforcement officers the legal grounds to clear out sidewalk obstructions and seize not just the goods being sold by unlicensed vendors, but their carts and any other appurtenances involved in their illicit salecraft.

The authority contained in the ordinance rests upon the authority granted municipalities by Senate Bill 946, including Government Code section 51038, which authorize a city to regulate sidewalk vending to help protect public health and safety.

Previously, the city had adopted Fontana

Municipal Code chapter 15, article XVII, entitled "Sidewalk Vending" to regulate sidewalk vending within the city. The ordinance adopted on October 10 adds sections 1-14, relating to obstruction enforcement consequences and 15-829, pertaining to impoundment.

The ordinance states, "Any city official, including a code compliance officer or inspector, police officer, firefighter, fire prevention specialist, or examiner may impound a sidewalk vendor's vending cart, equipment, food, utensils, goods, flowers, toys, furniture, or merchandise (collectively 'items') used in violation of this article pursuant to the provisions of Section 2080.10 of the California Civil Code, Section 114393 of the California Health and Safety Code,

and/or any other applicable city, county, or state law for any of the following reasons: (1) Food displayed, offered, or made available for sale, including equipment or utensils used by a sidewalk vendor, without holding a valid and displayed health permit from the San Bernardino County Health Department in violation of county or state law. (2) Items reasonably appear to be unattended or abandoned on public or private property for more than thirty 30 consecutive minutes without moving from the exact spot it was located and reasonable attempts were made to locate the owner or responsible person(s) within the first fifty 50 feet of the items. (3) Items displayed, offered, or made available for

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### County Has Repeatedly Placed Obstacles Before Those Challenging The County Fire Tax *from front page*

and ultimately approved by a 3-to-2 vote of the board of supervisors in October of that year. As in the cases of San Bernardino, Twentynine Palms, Needles and Upland, residents were not given the opportunity to vote on approving the annexation of their community into the assessment zone/service zone. Those transitions were procedurally effectuated by the conducting of a so-called protest process. During a one-month period, those landowners or residents to be annexed into the annexation zone were invited to lodge a written protest against the annexation. If 25 percent of

the residents or voters or landowners in the areas to be annexed had mailed or otherwise delivered a protest letter to the government, then a vote on the formation would have been held. If fifty percent or more had made a written protest, then the annexation would have been nixed outright. Since fewer than two percent of the citizenry offered any protest, the 2018 annexation of the entirety of the county's unincorporated area into FP-5 proceeded without a hitch. Essentially, any resident, landowner or registered voter in one of the districts to be annexed who did not lodge a protest in effect casted a vote in favor of the zone expansion.

Thereafter, the Red Brennan Group, a taxpayer advocacy collective named after World

War II U.S. Navy submariner and governmental accountability crusader Kieran "Red" Brennan, inserted itself into the matter, asserting that the county's blanket annexation of the county's remaining unincorporated county areas other than Helendale and Silverlakes into the FP-5 Assessment District using the protest process was not a vote and was thus unconstitutional, violating that element of the California Constitution that was enacted with the voters' approval of Proposition 218, which requires that any new special tax must be approved by a vote of those who must pay it. The Red Brennan Group set about gathering signatures to place an initiative on the ballot that would ask the voters whether the FP-5 assessment should be ap-

plied to the entirety of the county's unincorporated areas.

In an attempt to derail the Red Brennan Group's effort, the county government's legal representatives in the summer of 2019 imposed on the repeal petitioners a requirement that they obtain 26,184 signatures to qualify the measure for the ballot, a threshold the county would subsequently acknowledge was more than three times the actual number of signatures - 7,353 - needed to qualify the ballot measure. Ultimately, after it had gone to tremendous expense imposed upon it by the county's legal team's application of a standard it knew ahead of time it was not legal to apply, the Red Brennan Group qualified the measure, which was designated as Measure

U, calling for the repeal of the FP-5 assessment from everywhere it was applied other than Helendale and Silverlakes, for the November 2020 ballot.

In the run-up to the 2020 election, the union representing the county's firefighters campaigned vigorously, maintaining that withdrawing the funding that the expanded FP-5's fire service area represented would severely compromise public safety throughout the county's rural areas. The public found that dire warning convincing enough to result in Measure U failing, with 109,483 county residents or 47.97 percent of those participating supporting it and 118,772 or 52.03 percent opposing it.

The Red Brennan Group's leadership, yet convinced that the county

had made misrepresentations about the necessity and validity of the FP-5 expansion and sincerely believing the county board of supervisors' straight out violated the basic tenet in the California Constitution granting taxpayers the right to ratify by a majority vote any taxes they are going to pay with its use of a protest process to expand the boundaries of the FP-5 assessment zone to cover all of the county's unincorporated areas, in 2021 pressed forward with another effort to qualify an initiative for the June 2022 ballot challenging the FP-5 expansion. The group succeeded in gathering a sufficient number of signatures to put another version of Measure U on the June 2022 Primary ballot, one designated as Measure Z,

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## Eventually, Under Ochoa's Management, Ontario Ended Its Diversion Of H<sub>2</sub>O Money, Fiscal Discipline His Political Masters On The City Council Have Not In All Dimensions Appreciated *from front page*

Uncharitable word spread to the effect that Beaver, Duncan and Garner were in the pocket of the development industry and that they were on the take.

Throughout February and into March and then April, a core group of Yucaipa residents who were caught flatfooted in January when Casey's resignation materialized as a fait accompli, began coordinating a response that they were hopeful might reverse the momentum that was threatening to slide the entirety of the city into what was for them a deep and dark abyss.

On April 24, Sherilyn Long representing residents in District 1, Steve Maurer, representing residents in District 3, and George Sardeson, representing residents in District 4, came to Yucaipa City Hall, where they filed a notice of intention to circulate recall petitions against Garner, Duncan and Beaver. George Sardeson, Cheryl Sardeson, Frances Fields, Frances Finely Fields, Debra Wilson, Robert Otto, Daniel Wilson, Bonnie Farris, Edwin Morgan, William Cooper, Sara Cooper, Debra Studley, Dennis Studley, April Klein, William Klein, Jean Kielhold, Jamie Peterson, Kenneth D. Rolf Jr., Janis Waltman, Lori S. Waltman, Jimmy Distler, Jennece Distler, Rickey Chanter, Lawrence Anderson, Helen Anderson, Kent Miller, Lloyd Rekstad, Patricia Smoll, Donald Saenz, Cheryl Saenz, Thomas Powell, Bonita Powell, Katina Mohler, Kristine Mohler, John Mohler, Robert Henderson, Sandra Henderson, Frank Jubala, Patricia Jubala, Thomas Ziech, Timothy Ryan, Elizabeth Grimes, Scott Smith, Lois Crosby, Gayle Crosby, Lyndi Norkin, Sergey Norkin, Valerie Peterson, Margaret Padron, Baltimore Padron Jr, Jim Peterson, Susan Wamsley, David Knopp, Brenda Knopp,

Johanne Dyerly, Stephen Dyerly, Patricia Teeters, Kali Spillmann, Kent Spillmann, Marissa Ryan, Brynn Hoffman and Christopher Hoffman, as residents of District 4, signed the notice of the intention to circulate the recall petition against Justin A. Beaver.

Steven Maurer, Randy Bogh, Chelsey Lauren Bogh, Edmer Salazar, Mana Manasuk, Linda Simpson, Judith Fink, Nelson Fink, Carol Price, Robert Price, Garold Beecham, Robert Montee, Steve C. Martin, Steve A. Martin, Elizabeth Martinez, Telesforo Martinez, Virginia Flores, Willam Crosby Mecham, Quentin Ray Leenstra, Bryan Jovanny Acencio Munoz, Charles Howard Hopson, Patricia Alice Meads, Veronica Anne Carrillo, Vincent Mart Willingham, Lawrence Contla, Brittany Oosterbroek, David Oosterbroek, Joseph Foglio, Ashley Foglio, Marina Ortiz-Corral, Bonnie Hopson, Mark Allen, Gina Allen, Kevin O'Connor, Sabrina Mendel, Bradley Namil, George Ewan, Linda Ewan, Jorge Valenzuela, Elizabeth Corn, Mary Breslin, Robert Andrews Jr, Cheryl Nelson, Kimberly Juarez, Chuck Marrs, Kimberly Marrs, Diana Williams, Amy Gehrke, William Gehrke, Daniel Morales, Mary Sandoval, Nancy Bruins, Seth Bruins, Allison Proffitt, Catherine Proffitt, Kevin Allison, Robert Walker, Pamela Walker, Roberto Corral, Kristen Wheatley, Edward Wheatley, Joseph Phillips, Trevor Miller, Norma Salazar, Wayne Challis, Diane Elmore and Perry Thompson, as residents of District 3, signed the notice of the intention to circulate the recall petition against Bobby Dean Duncan.

Sherilyn Long, David Long, Kathleen Sellers, William Sellers, Robert Huddleston, Wanda Huddleston, Jeanette McKovich, James McKovich, Jay Bogh, Kari Bogh,

Brian Bleyenber, Jennifer Bleyenber, Benjamin Bleyenber, Kenneth Jackson, Mark Etheredge, Ramona Etheredge, Jason Bender, Colleen Wang, Matthew Vanderwood, Lynda Underwood, Mary Marsh, George Marsh, Gwendolyn Waters, Travis Waters, Joshua Waters, Jeffrey Bohner, Barbara Bohner, Gillian Bohner, Pierre Skinner, Pierre Assaf, Ivelisse Assaf, Lynette Hirsch, Phillip Philson, Kendall Taylor, Jean Taylor, Katelyn Taylor, Teri Boon, Suzanne Eshleman, James Eshleman, Rebekah Pedersen, Joe Pedersen, Sherry Todd, Heather Dent, Dwayne Brinks, Lucinda Brinks, Patrick Aguirre, Marlin Feenstra, Victoria Feenstra, Nino Valmassoi, Valerie Aguirre, Ruben Aguirre, Denise Aguirre, Wesley Feenstra, Carol Griffin, Christy Garcia, Donice Griffin, Chris Griffin, Cristobal Garcia, Linda Witham, Douglas Witham, Jamie Hillwig, Alan Hillwig, Paul Bolock and Julie Bolock, as residents of District 1, signed the notice of the intention to circulate the recall petition against Councilmember Matthew Gabriel Garner.

Reasons given for seeking the recall against each of the three were that they had acted to terminate Casey and had violated the Brown Act in doing so.

Initially, city officials were caught off guard by the boldness of the recall effort. A first reaction by Beaver's, Duncan's and Garner's supporters was to warn residents against signing the petition. Statements circulated that those signing the petition ran the risk of having their personal information compromised.

In the aftermath of Casey's departure and the hiring of Mann, Mann replaced the city clerk who had been in place under Casey, Kimberly Metzler, with his own choice, that being Ana Saucedo, whom he had previously promoted to city clerk when she was employed at the City of Canyon Lake.

To protect his political masters on the city council, Mann formulated a strategy of hiring the Los

Angeles-based Sutton Law Firm, which had already established a reputation in San Bernardino County of being able to thwart the expressed will of the electorate when it had filed suit on behalf of the San Bernardino County Board of Supervisors in 2020 to prevent Measure K, which had been passed by a supermajority of the county's residents to convert the board of supervisors into part-time legislators and reduce their \$250,000 total annual compensation positions to ones paying a total of \$60,000 in salary and benefits, an amount the backers said mirrored the average annual income of the county's residents. Ultimately, the State Appellate Court had rejected the Sutton Law Firm's lawsuit, but not before the supervisors were able to use it to postpone the pay reduction aspect of Measure K and substitute another measure reestablishing their approximate quarter-of-a-million-dollar-per-year salary and benefit packages.

Utilizing taxpayer money, Mann arranged to have two of Sutton Law Firm's attorneys, Bradley W. Hertz and Eli B. Love, draw up a lawsuit challenging the recall effort on the basis that the recall proponents could not prove their allegation that a Brown Act violation had occurred with the forced departure of Casey and that the recall proponents' separate accusations against Beaver, Duncan and Garner that each had acted toward terminating Casey and Snow was not true since no single one of them had such authority and that the actions to relieve Casey of his city manager's post and fire Snow were ones taken collectively by the entire city council body. The lawsuit was presented to Saucedo, who consented to acting as the plaintiff in the suit, which referenced her authority as Yucaipa's chief elections officer under the auspices of a recently passed law, AB 2584, allowing her to contest the accuracy of the stated grounds for a recall. Saucedo's suit, was filed against all 194 of the recall proponents.

To augment that effort, Mann had Joseph Pradetto, whom he had hired to serve as Yucaipa's director of governmental affairs and official spokesperson, intensify the intimidation level against the recall proponents. Pradetto, in trumpeting to the Yucaipa community that the recall proponents were being sued by the city clerk, publicly stated, "In addition to the provisions of AB 2584, Saucedo also cautions recall proponents that, 'Per Elections Code section 18600, it is a misdemeanor or offense to circulate or obtain signatures on a recall petition that intentionally misrepresent or make false statements.'"

Faced with the distraction of the lawsuit and stood off by Pradetto's threat to have them jailed for persisting with the recall effort, recall proponents fell far short of gathering, by the August 16 deadline, the minimal 1,826 valid signatures from among District 1's 7,303 registered voters to qualify a ballot item on recalling Garner, the minimal 1,478 valid signatures of the 5,912 registered voters in District 3 to qualify a ballot item on recalling Duncan and the minimal 1,623 valid signatures from among the 6,492 registered voters in District 4 to qualify a vote on recalling Beaver.

Mann's masterful use of the governmental machinery at his command to protect the three members of the city council who had conferred upon him a \$240,000 salary, perquisites and pay add-ons of roughly \$23,000 and approximately \$80,000 in full benefits for a total annual compensation of around \$343,000 was positively perceived, indeed admired, by the establishment and political insiders in San Bernardino County and the Inland Empire.

Among a wide swath of those in Yucaipa, however, Mann is seen as a pariah, a corrupting and corrosive influence who is ushering in an ambiance, era, ethos and principle of pay-to-play politics in which the development industry is buying off politicians and turning the offices at City

Hall intended to protect the city's residents from the avarice of real estate speculators and builders seeking to profit from the destruction of their quality of life and the character of Yucaipa's existing neighborhoods by the imposition of ever denser "stack and pack" housing.

Several residents told the *Sentinel* that Mann, who was elected to the position of Division I representative on Yucaipa Water District Board of Directors in 2016 against a single opponent with 54.2 percent of the vote, returned to the board in 2020 without opposition, served as the board's president from January 2019 to January 2023 and resigned from the water board upon assuming the city manager's post in January, would draw stiff opposition if he were to attempt to return to the board, such that it is virtually impossible that he would be reelected.

In September and earlier this month, scores or even hundreds of Yucaipa residents saw what they perceive to be further evidence of what Mann is up to when, at the urging of Mann, Director of Development Services Fermin Preciado, Deputy Director of Community Development Benjamin Matlock and Associate Planner Madeline Jordan, the planning commission recommended and ultimately the city council passed Ordinance 429, which superseded Ordinance 344. Passed in 2016, Ordinance 344 had set 16 dwelling units per acre as the maximum density permitted on property in the city converted from existing mobilehome parks. Ordinance 429 upped the number of residential units that can be built on such converted property to 24.

At present, 27.8-square mile, 55,495-population Yucaipa has the highest concentration of mobilehome parks of any city in San Bernardino County. The action taken by the city council with the passage of Ordinance 429 applies to seven of the city's 42 mobilehome parks – Westwind, Mountain View, Melo-

*Continued on Page 6*

## Voters Passed Previous Version Of Measure Repealing The Tax, Which County Blocked In Court

from page 3

after the registrar of voters certified that enough valid signatures had been affixed to the petitions seeking the initiative. Thereafter, however, the county and its fire district/fire department sued the county registrar of voters to prevent it from including Measure Z on the ballot.

In that lawsuit, the county/fire district/fire department asserted that the petition used by the Red Brennan Group was factually incorrect and had misled voters who signed it. The Red Brennan's contention that the tax is unconstitutional was false, the county maintained, since in pre-

vious legal sparring over FP-5, San Bernardino Superior Court Judge Donald Alvarez made specific references to court precedent in other jurisdictions in California whereby the language in the California Constitution requiring a two-thirds vote on general or special taxes was held to not apply in circumstances involving annexations into previously existing assessment districts, as is the case with what San Bernardino County did with FP-5, the county claimed.

Judge David Cohn, who considered the case, rejected the Red Brennan Group's contention that the will of the requisite number of voters who had signed the petition had to be complied with, and he ruled in favor of the fire district. On March 29, 2022, Cohn made a finding that the petition

misrepresented the fire tax as unconstitutional. The Red Brennan Group disputed that and filed a petition to a state appeals court. The appeals court, seeing that there was an April 1, 2022 deadline for printing the June 7, 2022 ballots, agreed to hear the matter and ordered that the ballots be printed with Measure Z on it.

The county pushed forward with its challenge of Measure Z. On May 31, 2022, after the appeals court denied the petition from the Red Brennan Group and lifted its earlier stay, Judge Cohn ruled that the imposition of FP-5 using the protest vote process was constitutional. Thus, Judge Cohn ruled, even if the voters on June 7, 2022 passed Measure Z, the rescission of FP-5's applicability to all other unincorporated areas outside of Silverlakes and

Helendale will not stand.

On June 7, 2022, with 27,554 votes or 58.69 percent in favor of it and 19,395 or 42.31 percent opposed to it, Measure Z succeeded democratically at the same time that it was being thwarted legally.

The Red Brennan Group appealed Judge Cohn's decision to the California Fourth District Court of Appeal. Rather than simply waiting for a ruling on the matter, however, the Red Brennan Group reformulated another ballot measure calling for the rescission of Fire Protection District Service Zone Five and set about gathering signatures on a petition to put it on the ballot next year.

Word came this week that the San Bernardino County Registrar of Voters Office, having examined the petition and the signatures, including

doing an in-depth analysis of a sampling of the signatures, has reached the conclusion that the measure qualifies for the ballot.

In a letter dated October 13, 2023 to Robert Cable, David Jarvi, Ruth Musser-Lopez and Albert Vogler, who served as the initiative proponents on behalf of the Red Brennan Group, San Bernardino County Registrar of Voters Stephanie Shea, referencing "the petition entitled 'Initiative To Repeal The Special Tax For San Bernardino County Fire Protection Zone FP-5,'" stated, "The Registrar of Voters has found the petition to be sufficient."

Shea attached to the letter her office's "Certificate of Initiative Petition," dated October 10, 2023. That document states that the raw count of signatures on the pe-

tion totaled 11,255 and that the number of valid signatures needed to qualify the petition was 6,727. According to the certificate, the registrar's office took a sampling of 500 of those signatures selected randomly, determining that 375 of them were valid signatures of registered voters while 125 of them could not be validated. Extrapolating on this sampling showing that 75 percent of the signatures examined were determined to be valid, the registrar's office projects that 8,441 of the signatures submitted are valid, and the petition therefore is sufficient to qualify the initiative for the ballot.

At present, the special FP-5 assessment stands at \$165.83 per parcel and generates \$43.981 million for the county's fire department annually.

-Mark Gutglueck

## Colton Has A History Of Questionable Trash Franchise Arrangements

from front page

ding process. Councilman David Toro in 2015 acquiesced in the extension of CR&R's contract and appears to be leaning toward doing so once again. Councilman John Echevarria has assiduously avoided engaging in any discussion with regard to the franchise extension and his silence on the matter is interpreted by many that he will support foreclosing, as early as later this year, the city's solicitation of bids in 2024 or 2025 for the franchise to run from 2026 to 2036, and instead join with Chastain and Toro in allowing CR&R to retain the exclusive right to haul trash in Colton for another decade.

At stake in whether the city will conduct an open bid on the ten-year franchise is millions of dollars in fees to be paid by customers over the life of the franchise contract as well as the quality of the service to be provided. CR&R, like Republic Industries before it and like Taormina Industries before that, was able to count upon the willing-

ness of Colton's elected officials to take money from its franchised refuse handler in exchange for the city agreeing to terms contained within the franchise contract that financially benefited the company to the disadvantage of the city and its ratepayers.

Founded in 1887 as San Bernardino County's second incorporated city, Colton quickly evolved into being one of the region's most mature civic entities as a full-service municipality, with its own police department, fire department, water division, sewer system, electrical utility, cemetery, landfill and sanitation division. In 1995, under then-Mayor George Fulp, the city undertook to dissolve its sanitation division and privatize trash service, effectuating the conversion the following year.

As part of the privatization process, the city commissioned the R.W. Beck Company, an Arizona-based firm, to conduct a request for proposals from Southern California-based trash haulers and evaluate the fitness of the applicants for taking on Colton's trash hauling assignment. R.W. Beck returned a recommendation that the city bestow the franchise upon Fontana-based

Burrtec Industries after determining it was the most suitable of the seven applicants for the franchise.

Shortly after R.W. Beck delivered that recommendation, however, Mayor Fulp insisted upon the city council holding a closed-door meeting with R.W. Beck principal Richard Tagore-Erwin. During that closed door meeting, outside the view of the public, Fulp, along with then-councilmen Don Sanders and Abe Beltran, strong-armed Tagore-Erwin, pressuring him to alter R.W. Beck's recommendation. After a two-week interim, during which Taormina lobbyist Gil Lara went to work on Tagore-Erwin and the four other members of the city council, R.W. Beck delivered a second evaluation of the competition for the franchise contract, elevating its estimation of the proposal made by Industry-based Taormina Industries, previously ranked third in the competition, to a rough equivalency with the earlier-delivered rating of Burrtec's qualifications. Based upon this second recommendation, Fulp, Sanders and Beltran convinced Councilwoman Deirdre Bennett to join them in supporting Taormina, whereupon Councilwoman Betty

Cook and Councilman David Sandoval moved with the flow, such that by a 6-to-1 margin, with Councilman John Hutton dissenting, the city council on May 16, 1996 voted to confer the franchise contract upon Taormina.

A firestorm of controversy erupted, but shortly thereafter the dismantling of the city's sanitation division was finalized, and Taormina assumed the status of the city's franchised domestic trash hauler. Before the year was out, a successful recall effort against Fulp materialized and he was removed from office and replaced by Karl Gaytan.

Meanwhile, the city's then-police chief, Bernie Lunsford, and then-city attorney, Julie Biggs, referencing irregularities that had occurred in the trash franchise contract bidding competition, persuaded the council to hire former Riverside County Deputy District Attorney Mark McDonald to carry out an investigation into the matter. Ultimately, McDonald delivered his findings, which popularly became known as the McDonald Report, which scathingly identified a rigged bidding process marred by Taormina's provision of inducements, characterized by McDonald as "tantamount to bribes" to Fulp, Bel-

tran and Sanders, as well as conduct on the part of Fulp's hand-picked city manager, Malik Freeman, and then-assistant city manager Daryl Parrish, which resulted in the contract being steered to Taormina despite R.W. Beck's first straightforward determination that its proposal was inferior to that put forth by Burrtec and Waste Management, Inc. McDonald stated in the report that Parrish acknowledged he recognized rigging the awarding of the contract in such a way that the franchise was given to a company that had been outperformed by two of its competitors was highly improper but that he had gone along with what had been done because he had "mouths to feed" and could not afford to lose his job.

The first direct casualty of the McDonald Report was Freeman, who was terminated by the council in an effort to stem the public outrage based upon the report's narrative describing him as taking an active role in carrying out Fulp's, Beltran's and Sanders' bidding in vectoring the contract to Taormina. Parrish, whose transgressions in the matter were acts of omission rather than commission, was suspended but not termi-

nated.

The report, which was provided to the FBI, resulted in investigations into the political situation in Colton and reports of graft, bribery and payoffs at City Hall. Beltran, who had been prosecuted by the district attorney's office in 1996 and voted out of office at the time that Fulp was recalled, was implicated in criminal activity and acts of political corruption tracked by the FBI, as was Sanders and, eventually, Fulp's successor as mayor, Karl Gaytan. Fulp, who departed from California shortly after his political career in Colton ended, was not prosecuted, although there were hints, never confirmed, that he had cooperated with the FBI. The FBI assembled criminal cases against Beltran, Sanders, Gaytan and another Colton councilman, James Grimsby, who came into office in a recall election in 1997 and in short order began tapping into the cycle of graft that ultimately felled Beltran, Sanders and Gaytan. All were convicted and forced to leave office.

While the focus of the McDonald Report and portions of FBI investigation included the illicit inducements to Fulp, Sanders and Beltran that led

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## In Certain Cases, Mann Asserts, He Is Being Excoriated For What Casey Did In Managing The City Before Him

from page 4

dy Lane, Hide-A-Way, Hitching Post, Las Casitas and Holiday Mobile Rancho. Some residents of those facilities, many of whom are elderly, retired and living on fixed incomes, have expressed their belief that Mann has embarked on a program by which the lion's share of the mobilehome parks will be supplanted by residential housing, primarily condominiums and apartments, within the next generation, activity which will make land speculators and developers spectacularly wealthy.

A recurrent expression among Yucaipa residents is that Mann's focus is not on managing – i.e., planning, organizing, directing and controlling – operations at Yucaipa City Hall to benefit the city's current and future residents but rather to advance the fortunes of the development industry, which is his actual constituency.

Mann this week told the *Sentinel* that those who are critical of his stewardship of municipal operations in Yucaipa have it all wrong, that there is no conflict whatsoever between his role as city manager and his ownership of Mann Communications and status as an advocate for the building industry and development community and that the criticisms and attacks against him are built upon misinformation, misrepresentations, dishonesty and outright lies.

“Let's start from the beginning,” Mann said. “Prior to the city council elections in November of last year, a group of residents from a particular area of the city had formed a group to oppose a proposed residential development project.”

Mann's reference was to the Serrano Estates project.

“This group supported a candidate in that election who shared their views, but that candidate was not successful,” ac-

ording to Mann. His reference was to Sherilyn Long, who was one of the four candidates and the second-place finisher in the 2022 First District race won by Garner.

“As a result of the outcome of that election, a shift occurred on the city council and a new majority was formed,” according to Mann. “Distrustful of the new council majority, this group of residents began attacking members of the city council during public comment at council meetings and in letters to the editor in the local weekly newspaper. When the previous city manager suddenly retired and I was hired, this group made some incorrect assumptions as to the reasons for the change and as to my motivations. They incorrectly assumed that I was part of a grand conspiracy to usher in a new era of intense development in the city. Unfortunately, this group decided to not just voice their opinions on development projects and city policies, but also to launch vicious personal attacks on members of the council and on me. When Mr. Casey resigned and I was hired, a small number of city insiders, including several former city councilmembers, who had close personal relationships with Mr. Casey and were upset with his departure, joined with this group in criticizing the city council and me. The attacks against me began immediately upon my appointment, before even starting in the position, have been entirely inaccurate or misleading, and have only served to divide the community. It appears that this group formed their inaccurate theories by misinterpreting information gained primarily through Google searches. They then presented their speculations as facts, without being able to present a single shred of evidence. They have submitted complaints based on these unsupported theories and speculations to any and every government entity they could think of, including the San Bernardino District Attorney's Office, the civil grand jury, the Fair Political Practices Com-

mission, County Supervisor Dawn Rowe's office, State Senator Rosilicie Ochoa Bogh's office, etc. Not even one of these complaints has resulted in a determination that wrongdoing occurred. There is no evidence to back up their accusations because their conspiracy theories are simply inaccurate. While this group represents a fraction of 1 percent of the 55,000 or so residents of the city, they have been so loud and persistent that their efforts have caused turmoil, have attracted media attention, and have negatively impacted the professional reputations of council members and staff. Some of their very public attacks have been so intentionally dishonest and malicious that they may rise to the level of defamation, even though that is a high bar when applied to public figures; a question that a court may ultimately have to answer.”

Mann maintains that he is being scapegoated, unfairly and maliciously, for developmental trends set into motion by Casey, well before his advent as Yucaipa city manager.

“Ironically, all of the projects and policies this group has opposed were initiated by the previous city manager and city council,” Mann asserted. “Examples include the Serrano Estates single family residential project, the Fallbrook apartment project, the Wine Country Specific Plan, the 6<sup>th</sup> Cycle Housing Element Update, which included the streamlined process for mobile home park conversions. Despite this fact, the integrity and motives of the previous city manager were never called into question by this group; nor was the previous city council accused of being in the pockets of developers. Even though I had nothing to do with these projects/policies being brought forward, some in this group have disingenuously attempted to attribute them to me.”

The public's perception of him as advocate for aggressive development is wrong, Mann said.

“I flatly deny accusations that I have in any

way pushed for increased housing density,” he proclaimed. “Again, all of the projects and policies pointed to as examples of this by critics were inherited by me from the previous administration.”

Moreover, he said, he and the city are caught up in the State of California's push to have the state's cities accommodate denser and denser residential subdivisions to overcome the ongoing housing shortage.

“Unfortunately, future residential projects that seek to increase density will have to be evaluated based on current state law, which in many ways ties the hands of cities when it comes to the development of housing,” Mann said. “I do not have the ability to block these projects from going through the process and having their day at the planning commission and/or city council. However, I will look for every way possible to encourage projects that will enhance the community, while discouraging the approval of projects that would adversely impact the current feel of the community.”

Mann went so far as to suggest he represents a bulwark against intensified growth.

“In reality, I am incredibly particular about the types of development that I'd like to see in Yucaipa,” he claimed. “In fact, I have received feedback from multiple applicants that I am quite a bit tougher on developers than was my predecessor.”

In marshaling evidence to that effect, Mann latched onto his efforts to eighty-six certain types of commercial projects in the city.

“For instance,” Mann said, “in April I asked the city council to adopt a moratorium on certain types of development, including car washes and gas stations. Developers were not happy about this, but it is what I thought was best for the community.”

He is particularly partial to Yucaipa, where he lives, he said, and he is not about to foul his own nest.

“Why am I so picky about how our commu-

nity develops?” Mann asked. “Because my family and I live here. We love Yucaipa and want nothing but the best for it. I want my 2-year-old son and soon-to-be-born baby, due November 1<sup>st</sup>, to grow up in a Yucaipa that is safe and friendly and that has maintained its rural, small-town feel.”

His critics and the *Sentinel*, with its patented fourth-rate journalism, have, Mann said, “publicly misrepresented my professional background and motives. I believe the reasons for this can be almost exclusively attributed to a misunderstanding of my former public relations consulting business, Mann Communications. The *Sentinel*, in several stories now, has falsely published that I concurrently serve as a city manager and consult for developers or perhaps am a developer myself. This is factually inaccurate and printing it as fact is irresponsible. Even the slightest investigative journalism would have revealed the truth, which is that I have not consulted for developers or any other private business interests since well before becoming city manager in the City of Canyon Lake in 2019. It would absolutely be a conflict of interest for me to consult for a client doing business in a city where I am serving as city manager. Thus, I have never done so. A simple look at my financial reportings, which are public record, and readily available for all to see, would have dispelled this false accusation.”

Mann said, “It is true that I once ran a public relations company specializing in helping businesses interface and do business with local government, and helping local government agencies more effectively communicate with the public. It is also true that I had real estate development companies as clients, along with public agencies, non-profits, community organizations, labor unions, political action committees, etc. I even once represented a grassroots community group in opposition to development and helped that

group expose corruption in a city in Riverside County. However, that is only one part of my professional background, which is quite diverse. In addition to running a successful public relations company for many years, I have been a mayor, city councilman, water board director, deputy chief of staff and analyst for a member of the board of supervisors, and now a city manager. I have never hidden from my professional background, evidenced by the fact that I have not taken down my old Mann Communications website. I am proud of it, and I believe it is what has made me an effective city manager.”

Mann said, “[T]here have been multiple stages to my career. I now devote my professional time entirely to the vocation of city management. When I became a city manager for the first time in 2019, it was the realization of long-held career goal of mine. The city council in the City of Canyon Lake was looking for someone who was well-versed in local government, but who came primarily from the private sector. I was chosen for that position from a field of approximately 35 applicants. From that point forward, I committed myself entirely to the profession. With the exception of providing limited logistical support to one remaining small client, not related to development or any other private business, I ceased all other business activity. My annual financial reporting forms will verify this. In fact, I am so committed to the profession and to the concept that a city manager should be impartial in the provision of public services to all within the community, that less than a year after becoming a city manager I changed my voter registration to ‘no party preference.’ I truly believe that I am now doing what I was called to do professionally. My professional reputation is incredibly important to me, as is my ability to serve out the rest of my career in the city management profession. Therefore, I continually strive to

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## With Its Risky Design & Upland's History Of Placing Dangerous Industrial Uses Near Homes, The Gridstor Project Is Opening A Can Of Worms from front page

North Upland.

GridStor is a Portland, Oregon-based company focusing exclusively on large-scale, standalone battery energy storage projects.

In September 2018, then-Governor Jerry Brown's put his signature onto Senate Bill 100, which was passed by both houses of California's legislature the previous month. That legislation required California to meet 50 percent of its energy needs with clean power by 2025 and 60 percent by 2030 before reaching the goal of 100 percent of the state's energy coming from renewable, non-fossil fuel sources by 2045. In May 2023, despite the state not being anywhere near on track to meet those goals, Governor Gavin Newsom renewed the commitment for the state to reach the 100 percent carbon-free energy threshold by 2045.

Standalone battery energy storage projects are intended to play a central role in assisting the State of California in meeting, if not the ultimate goal of becoming 100 percent reliant upon renewable energy, then progressing toward that ideal. What large scale energy storage facilities are intended to do is serve as a repository for the energy being produced by day by solar power – in all of its forms from single roofs covered with panels to medium-sized solar farms using hundreds of solar panels to industrial-size solar plants utilizing thousands of photovoltaic panels or solar-to-thermal energy conversion plants in which concentrated heat from the sun is used to convert water to steam to run turbines producing electricity by the megawatt. Battery stored energy, produced during times of peak solar energy generation, can enhance the reliability of California's electri-

cal grid. During periods of peak energy demand, the batteries can be discharged directly into the grid to prevent brown-outs, rolling blackouts or outright blackouts. Alternatively, at night, late at night when the electricity demand has dropped because air conditioners and household appliances are dormant and most nighttime lights have been turned off or severely dimmed as the vast number of people are asleep and fossil fuel power plants are passive or sidelined, the energy from those batteries can be loaded onto the state power grid.

In June 2021, the California Public Utilities Commission issued an order directing load-serving entities like Southern California Edison and Pacific Gas & Electric to procure additional energy sources. A number of companies, including GridStor, are moving to create the temporary energy storage capacity that will allow the state mandates and the Public Utilities Commission orders to be met.

With technical progress, however, come challenges. Those challenges include hazards from battery storage facilities.

Illustrations of that hazard occurred in two separate incidents in Arizona, one on April 19, 2019 in Surprise and another three years and two days later in Chandler on April 21, 2022. The battery systems involved in those mishaps are similar in design but on the order of about one-tenth the size of what is planned for Upland. The failures with both resulted in explosions and fires of near-catastrophic proportion.

The battery system in Surprise that exploded in 2019 was storing energy for Arizona Public Service Company, and exploded when it was smoldering and fire crews opened a door to ventilate the facility.

The facility in Chandler had been constructed beginning in 2018 and held electricity in reserve for the Arizona Power Grid, with a capacity to store four hours of electricity with an output of 10 megawatts of power, enough to power 2,500

homes.

Safety issues with the current design of standalone battery energy storage facilities are manifold. The three primary concerns are explosiveness, excessive heat resulting in fire and consequent soil and groundwater contamination that can occur when the ingredients of the lithium-ion batteries used in such power vaults pour out and onto the concrete floors and either migrate through the concrete or wash out of the facilities and onto bare land or ground when they are propelled by massive amounts of water used to douse fires.

In Upland, the GridStor 120-megawatt Upland Reliability Project to be located on the property tied up by Upland Reliability Project Holdings, LLC in the Sycamore Hills district is on a trajectory to be considered and rubberstamped by the Upland City Council without a hitch.

A problem, however, is that many homeowners in that neck of the woods – stretching from San Antonio Heights in the unincorporated area north of Upland, down through the neighborhoods in Upland below 24<sup>th</sup> Street, which is the demarcation between the county and Upland, and further south through many of Upland's grandest and most established neighborhoods and ultimately into the still-upscale but newer and not-yet-fully-completed Sycamore Hills District just north of 16<sup>th</sup> Street and east of Benson Avenue – have had difficulty getting, or in many cases cannot purchase at any price, fire insurance. The entirety of that area which is not part of San Antonio Heights lies in Upland's First District. The prospect that the Upland Reliability Project, one that is to consist of batteries that are demonstrably prone to explosions and fire, which are at the same time something on the order of ten times the size of the batteries that exploded and caught fire in Surprise, Arizona and Chandler, Arizona, has alarmed those residents. In particular, those who have no fire insurance

and no prospect of getting it, are concerned that if a disaster hits and their residences burn to the ground, they will be left homeless and without any recompense for the million-dollar homes they will have lost.

The residents of Upland's Sycamore Hills District, closest to the proposed project, find themselves in a particularly bad way.

Upland Reliability Project Holdings, LLC, a Delaware Corporation, exists for one reason and one reason only, which is to ensure that land for the location of the Upland Reliability Project is secured. Upland Reliability Project Holdings, LLC has settled on that location being in the Sycamore Hills District. Situated in Upland's 1<sup>st</sup> District, Sycamore Hills, pursuant to a decision made by the Upland City Council as it was then composed in 2016, has only a single representative on the city council other than the mayor, who is elected at large to represent everyone in the city and all of its districts. In 2016, Malibu-based attorney Kevin Shenkman, using provisions of the California Voting Rights Act that would pay him \$45,000 for alleging racially polarized voting had occurred in Upland historically, threatened the city with a lawsuit if it did not switch from at-large elections for its council members to electing them by district. The city, in response, responded by agreeing to go to a ward representation and electoral system and paying Shenkman the \$45,000, at which point he went away. The city created the four wards using the relatively straight formula of bifurcating the city north and south generally along Foothill Boulevard and then bifurcating each of those north and south halves east and west, generally, with a few deviations, along San Antonio Avenue. Thus, the city has come to exist and be divided into the northwest quadrant 1<sup>st</sup> District, the northeast quadrant 2<sup>nd</sup> District, the southwest quadrant 3<sup>rd</sup> District and the southeast quadrant 4<sup>th</sup> District.

Traditionally, the area of Upland above Foothill Boulevard – Historic Route 66 – has been the most affluent section of the city, indeed, one of the more upper-scale districts in the entirety of San Bernardino County, consisting primarily of residential neighborhoods involving, for the most part, high quality homes built, in most cases, on quarter-acre or larger lots. The commercial areas of north Upland confine themselves, generally, to the northwest corner of 16<sup>th</sup> Street and the mercantile district along Campus Avenue near the 210 Freeway at the city's northeastern-most extension. That portion of the city below Foothill Boulevard is a mixture of commercial and industrial uses intermixed with residential sections that are decidedly less impressive than the resplendent homes, estates, mansions and occasional manors to the north. The neighborhoods on the south side of the city in many spots involve apartments and in others densely-packed, compact abodes on much smaller or minuscule lots, in some cases teeming with denizens of Upland's underbelly yearning to be free of the poverty that envelopes them. Many of those in the less comfortable circumstance below Foothill have come to envy, resent and despise the more fortunate Uplanders who live further upland, closer to the mountains.

Earlier this year, controversy broke out when the Tesla dealership that has been established in Upland's 2<sup>nd</sup> District at 1018 East 20<sup>th</sup> Street, just west of the confluence of the 210 Freeway and Campus Avenue along the northern periphery of the Colonies Crossroads commercial subdivision, with the collusion of city officials and without any public disclosure entered into a silent lease agreement with the city for 2.07 acres of city-owned property in the Sycamore Hills District, where it began constructing an open-air parking storage lot for its vehicles. The land in question, comprising a 300-foot by 300-foot square ap-

proximately 80 feet east of Park View Promenade and set back from the residential dwellings to the south by approximately 145 feet and within the vicinity of other residential dwellings to the west, was zoned as open space. To many Sycamore Hills residents, the unannounced parking lot project which had not yet been given formal official approval by the city seemed to involve city officials in what appeared to be a bootleg operation. This, they feared, presaged the transformation of the open area around their homes into a semi-industrialized/semi-commercialized zone, which they considered to be incompatible with their neighborhood. The contretemps that ensued resulted in the city canceling the lease with Tesla and making arrangement with the company to lease acreage at its corporate yard to store the cars.

Now, with the land in the Sycamore Hills area being considered as the site of the Upland Reliability Project, nearby residents sounding objections to that proposal and their representative on the Upland City Council, First District Councilwoman Shannan Maust, find themselves isolated.

Second District residents are doing their part in the effort to make a conversion from reliance on fossil fuels to the use of renewable energy by hosting the Tesla dealership. Residents in the Sycamore Hills District, specifically, and the First District more generally rejected the Tesla dealership's parking lot and are now turning their noses up at the Upland Reliability Project. Residents of the 3<sup>rd</sup> and 4<sup>th</sup> districts for generations have put up with factories and foundries and other industrial uses proximate to their homes. Many of those are asking why 2<sup>nd</sup> District Councilman James Breitling and 3<sup>rd</sup> District Councilman Carlos Garcia and 4<sup>th</sup> District Councilman Rudy Zuniga should assist Maust in trying to protect Sycamore Hills residents from what they say will be an onerous land use when the residents of the 3<sup>rd</sup>

*Continued on Page 14*

## He Has Been Vic- timized By Misrep- resentations & Lies From Misinformed Residents Which Are Then Published By Fourth-Rate Weekly Newspa- pers, Mann Says *from page 6*

conduct myself ethically, with integrity, and in the best interests of the community.”

Mann was unable to give a comprehensive justification for, or explanation of why, the city council – or more accurately three of its members – had jettisoned Casey in favor of him.

As to how it was that Beaver, Duncan and Garner worked themselves and the city into a position where the city’s residents are paying for two city managers while receiving the services of just one, Mann said, “Much has been made of the fact that Mr. Casey’s contract was amended and extended just a few months prior to his departure, and that two of the councilmembers who ended up voting to accept his resignation had also voted in favor of his contract amendment/extension. I cannot go into the reasons for Mr. Casey’s resignation. However, I can speculate with some level of certainty that the two members of the council in question likely voted in favor of the contract amendment/extension because they were, at that point, in the minority on the issue and saw no reason to rock the boat by publicly voting against someone with whom they would then have to continue working. When Mr. Casey resigned, he and the city council negotiated and entered into a separation agreement. Section 8 of that agreement reads, ‘Employer and employee will work together to prepare a joint press release announcing employee’s retirement. Employee shall provide an initial draft for employer’s review. Employer and employee agree that no member of the city council or city management shall make any written, or electronic statement to any member of the public

or the press, concerning employee or employee’s separation from employer, except as contained in the press release. The substance of the press release may be repeated in response to any inquiry.’ As a result of this clause in the agreement, the city council has been legally bound not to discuss or explain the circumstances/reason behind Mr. Casey’s resignation. I understand that this is frustrating for some members of the public, and it has been frustrating for me as well. I would like nothing more than to be able to publicly discuss the issue and thus ease any concerns. That being said, this is a common clause in separation agreements.”

Mann did not explain why he was willing to come into such a situation in which the circumstances surrounding his hiring was fraught with so many negative implications and insinuations relating to his new employers and the prospects and expectations with regard to the assignment he was taking on.

Mann offered a justification for the way in which he had stacked City Hall with his own loyalists. He suggested, without stating explicitly, that it was Casey’s choice to abruptly resign as city manager in January, just two-and-a-half months after he had agreed to a contract that was to keep him in place for at least 20 months.

“Also exceedingly common in municipal government is for a newly seated city council majority to bring in a new city manager who shares their vision and desired approach,” he said. “Examples of this can be seen multiple times after every election cycle in cities throughout California and the United States. It just happens to be something new for the City of Yucaipa, which has historically enjoyed long-tenured city managers. Mr. Casey had served as city manager for over 14 years and had publicly been flirting with retirement for at least the last two years of his tenure. The average tenure for a city manager is just under five years. Mr. Casey served almost three times

the average term. Thus, what is unusual is not the change in city managers, but that the change did not happen sooner. That being said, it is admittedly my hope that the trend of long tenures in Yucaipa continues.”

Mann controverted the widespread perception of impropriety in the way he was sprung on the community as the new city manager without any warning or effort to openly invite applications from candidates as part of a recruitment drive to find someone to succeed Casey and conduct a competition to find a pool of qualified contenders to select from.

“Also not uncommon is the manner in which the city council selected me as their new city manager,” Mann said. “While extensive search processes are sometimes utilized, that is certainly not always the case. Examples can be found close to home. Mr. Casey was hired in a similar manner. There was not an extensive search, nor was public input in the decision sought. Then-Mayor Dick Riddell decided that he wanted Mr. Casey and was successful in convincing his colleagues on the council. While Mr. Casey was an internal hire, he was not the assistant city manager, and was therefore not the presumed successor. As the public works director, Mr. Casey was appointed over then-Assistant City Manager Greg Franklin. This was apparently quite controversial within City Hall at the time. Fortunately, Mr. Franklin’s response was professional and he did not attempt to rile up the community over the council’s decision. Other examples may be found at the County of San Bernardino. While admittedly different in that it was an internal hire, the county’s new CEO Luther Snoke was recently hired without a search. Former CEO Greg Devereaux was an external hire and was the only candidate interviewed for the job. In all of these examples, and I could give many more, the council/board knew who they (sic) wanted and so they proceeded with hiring that individu-

al without going through the motions of an extensive search and without seeking direction from the public. Many would argue that, if a council/board knows who they (sic) want, it would be a waste of taxpayer dollars and applicants’ time, not to mention a little dishonest, to go through the motions of a search, just to say that a search was conducted.”

Mann propounded, “It is also important to point out that the city council has every right to determine who to hire as city manager and city attorney, and to use any process they (sic) so desire. The city manager and city attorney work directly for the city council. In fact, these are the only two positions that the council gets to hire and that report directly to the council. All other employees and consultants are hired by and report to the city manager. The only requirement for the job is that a majority of the council wants that person to work for them (sic) in the position. Thus, it is not a decision in which most cities involve the public. The public elects the members of the city council, thus the members of the council answer to the public. The council hires the city manager, who then answers to the council. All other staff report to the city manager. If the city manager and/or his staff are not effective, then public services will suffer, and ultimately the public may hold the council accountable, but the public is not typically involved in the hiring of the city manager or other city staff. I believe that some members of the community have not fully understood this.”

Despite there having been no mention whatsoever of either him or Graham on the agenda for the January 9 city council meeting, Mann offered a somewhat different personal recollection of what occurred that evening from those of dozens of Yucaipa residents and the official record as it was originally memorialized by then-City Clerk Metzler. He said, many Yucaipa “have mistakenly believed that they were somehow robbed of

the opportunity to take part in the hiring process. They were, however, given numerous opportunities to speak to the matter during the public comment portion of three separate city council meetings, at which the item was property agendaized.”

Mann offered a refutation of the assertion that Beaver, Duncan and Garner had engaged in a violation of the Brown Act.

“One of the false accusations that has consistently been made since January 9<sup>th</sup> is that there must have been a violation of the Brown Act,” he said. “After all, how could a majority of the city council, at its first full meeting after new councilmembers were sworn-in the previous month, have the votes to accept Mr. Casey’s resignation and already have his successor picked out and famously waiting in the parking lot to be called into closed session? The Brown Act prohibits a majority of the elected body from discussing city business outside of properly agendaized public meetings. So, in the case of Yucaipa, which has a five-member city council, no more than two city councilmembers may privately discuss any issue that will come before the council for a vote. What I think the critics are missing is that the Brown Act applies to seated elected officials. It does not apply to candidates for office. It is a legal gray area whether or not it applies to a candidate who has won election but has not yet been sworn-in. In an abundance of caution, it may be wise for successful candidates to assume that Brown Act restrictions apply as of the date of the election, once it becomes apparent that they will be on the city council. Thus, two members of the city council would be entirely within their legal rights to seek out and support candidates who share their views, and to discuss actions the council might consider taking should those candidates succeed in their elections and ultimately be seated on the city council. As long as such discussions do not take place after the election, they are

clearly not in violation of the Brown Act. This happens frequently and is common practice at all levels of government. It is not remotely unusual for elected officials of cities, counties, the state legislature or Congress, to support candidates who share their views in an effort to gain a majority and effect change.”

Essentially, what Mann was asserting was that both Beaver and Duncan were free to discuss at any time prior and up to January 9 shedding Casey and Snow as city manager and city attorney and that any discussions of the same either or both had with Garner before he was elected in November were absolutely permissible under the Brown Act.

Mann did acknowledge that discussion, at the least involving Beaver and Duncan and possibly involving Beaver, Duncan and Garner prior to Garner’s election, pertaining to Casey’s exit as city manager and his hiring to replace him took place.

“As to why I was at City Hall waiting to be called in to closed session on the night of January 9<sup>th</sup>, I was there at the request of the mayor,” Mann said. “The mayor had asked me to be available in case the city council wanted to bring me in to discuss the city manager position. I would also like to point out that the vote to appoint me city manager was 4-1, and my contract would later be approved by a unanimous 5-0 vote. Thus, this was not a decision made by a slim three-vote majority of the council.”

The closest Mann came to explicating why the council majority in January felt it necessary to force Casey out as city manager consisted of his explanation of “why... the council was interested in hiring me as their next city manager” and his listing of issues he had been tasked to address by the city council.

“First, it was an opportunity to have a city manager who is incredibly invested in the community, because I live here,” Mann said of the

*Continued on Page 14*

## With Those On One Side Accusing Their Opposites Of Being “Transphobic,” And Their Rivals Responding With Characterizations Of “Perverts” & “Mentally Ill,” A Civil And Rational Resolution Of The Child Transgender Issue In Chino Valley Appears Beyond Reach *from page 6*

to Taormina’s success in achieving the trash hauling franchise in Colton, no prosecutorial authority charged Taormina or its officials with a crime. A Colton community activist, the Reverend Steve Anderson, lobbed charges that the company had used “mob tactics,” including bribery and intimidation, in obtaining the franchise contract. Taormina filed legal action against Anderson, which ultimately served to ward off any further public outcry over the circumstances that had led to the awarding of the franchise contract to Taormina.

Because of the constant need for refuse handling and the consideration that Taormina had a lock on the franchise, early talk about rescinding the council’s vote that conferred the franchise on Taormina ended and no serious effort was ever made by the council to rebid the contract. Eventually, owners William and Vincent Taormina agreed to merge Taormina Industries Inc. with Republic Industries, Inc. in exchange for 6.5 million shares of Republic stock, which was then valued at \$250 million. Republic Industries is the second largest non-hazardous solid waste management company in the United States after Waste Management, Inc.

In 2005, with the ten-year anniversary of the trash franchise approaching, Republic was able to coax then-Mayor Deirdre Bennett, one of Fulp’s protégés, and the rest of the city council, consisting at that point of Councilman Ramon Hernandez, Councilman Richard DeLaRosa, Councilwoman Kelly Chastain, Councilwoman Helen Ramos, Councilman John Mitchell, and Councilman Isaac Suchil, out of considering conducting an open bid process on the city’s refuse-handling arrangement. This was effectuated, in large

measure through generosity in endowing the city leaders respective campaign funds.

By 2014, Republic Industries and its corporate predecessor had held the Colton trash-hauling franchise contract, serving essentially as the City of Colton’s privatized sanitation division, for 18 years. With the franchise due to elapse in 2016, the concept of putting the franchise out to bid surfaced in that year’s election. Frank Gonzales, Colton’s longtime mayor who had been defeated by Fulp in 1994 election, had made a comeback as a city official in 2010, when he was elected to the city council. Four years later, in 2014, he again sought election as mayor, facing Richard DeLaRosa, who had served two terms on the city council from 2002 until 2010. During his campaign, Gonzales sought to make an issue of the city’s automatic renewal of the trash franchise. He called for putting out a request for proposals to as many regional trash hauling companies as the city could, to effectuate a competitive bid process for the refuse hauling contract. Consequently, Republic Industries threw its support behind DeLaRosa in his mayoral campaign.

Simultaneously, in August 2014, Republic Industries pledged a \$40,000 donation to the city to secure an exclusive opportunity to open negotiations with the city on the extension of the franchise contract. At the behest of Public Works Director Amer Jakher, who at that point had been elevated into the position of acting city manager, the city council accepted the money, with most council members stating that the city could still go out to bid.

In November of that year, Gonzales lost the 2014 mayoral election to DeLaRosa.

In the immediate aftermath of his election

victory, DeLaRosa began pressing the city council to bypass any sort of competitive bid process as the council began a progression toward addressing the 2016 expiration of the trash hauling franchise contract.

In rejecting the opportunity to compare bids upfront, Colton put Jakher into a weak bargaining position. Other companies were prepared to offer Colton terms that substantially bettered anything Republic put on the table. Representatives of other companies told the *Sentinel* they were anxious to bid on the Colton contract and that they were aware of the terms under discussion in Colton and were prepared to provide better service at lower cost than Republic had committed to. They also said they made this clear to Colton officials.

Among those companies was Athens Services, which in 2013 had been awarded the contract with the County of San Bernardino to operate county landfills. Athens was particularly interested in establishing service areas in San Bernardino County and was prepared to underbid and outservice Republic to the point that it would have been willing to operate at close to cost to achieve the Colton contract. Colton never entertained any overtures from companies other than Republic.

Previously, refuse from Colton had been deposited into a landfill within Colton and the city received a host “tipping fee” from San Bernardino County, which owned the landfill, for accepting trash into the landfill within its borders. But the county shuttered the Colton landfill, ending that revenue stream to the city. In 2012, as Republic was looking ahead to ensure that it kept its Colton contract, the company offered to provide Colton \$140,000 per year to replace the lost tipping fees from the Colton landfill closure. In addition, it offered to forego annual consumer price index increases for the last three years of the contract. This offer was predicated on Colton allow-

ing Republic to haul the trash to its own landfill in Brea, which provided Republic with substantial savings. At that time, the council rejected Republic’s offer and decided to continue Colton’s waste disposal agreement with San Bernardino County, resulting in the trash being taken to the county’s Mid-Valley Landfill.

From the time the Colton City Council voted against Republic’s 2012 offer until 2015, Colton ratepayers experienced three separate Consumer Price Index increases, including a 4.25 percent increase in 2014. Inexplicably, in its 2015 negotiations with Jakher, Republic kept the Consumer Price Index rate hikes totaling almost 8 percent while convincing the city to allow Republic to take the trash to its preferred landfill in Brea.

In its negotiations with Republic, Colton also lost \$140,000 in yearly waste disposal fees, which Colton had been receiving from the county. This money was provided as a consequence of the county’s waste disposal agreement with 14 of the cities in the county that use county landfills. For using the county’s landfills, those cities are given a discounted rate less than the gate fee haulers bringing trash in from outside the county are required to pay. The difference between the regular gate fee and the negotiated waste disposal agreement rate is referred to as the waste disposal agreement rebate. While some cities in the county receive the entire waste disposal agreement rebate, the arrangement arrived at between Colton and Republic in 2015 provided Colton with only \$4.24 of the \$8.19 per ton rebate when Colton trash was repositied into a county landfill, and Republic kept the rest. Moreover, the contract extension allowed Republic to divert Colton’s trash to a landfill operated by Republic, depriving Colton of the \$140,000 rebate altogether.

Ultimately, pursuant to the 2015 agreement, Republic offered, and Jakher and the city council accepted, an offer

which provided Colton with \$210,000 for “street sweeping” and \$80,000 for “tree trimming” and \$30,000 per year in “host city” fees, along with a small increase in the administrative fee, estimated at between \$15,000 and \$20,000 yearly that Colton received for handling residential billing for Republic and now for CR&R. Republic further agreed to return five percent of its revenue – quantified at roughly \$360,000 in 2015 dollars – to the city for street repairs to make up for the damage caused by its trash trucks.

In July 2015, Mayor DeLaRosa, Councilman David Toro and councilwomen Deirdre Bennett and Summer Jorin voted to extend the trash hauling franchise agreement with Republic Industries for ten years, into 2026, with councilmen Frank Navarro, Isaac Suchil and Luis Gonzalez (no blood relation to Frank Gonzalez) dissenting.

Comparisons with deals closed elsewhere showed the degree to which Jakher and the city had been outnegotiated. In Fullerton, for example, customers were paying 78 percent of what customers in Colton were paying per month for trash service. In Cypress, where the city invited proposals from trash companies, five companies bid on the project and the end result was that homeowners there, in 2015, paid \$12.97 monthly for collections, or 54.5 percent of the \$23.79 monthly for weekly trash pick-up. Colton residents were paying in 2015 for the same service.

In reality, the one-time \$540,000 Republic offered to return to Colton in the form of street sweeping, tree trimming service, road repair and host fees was dwarfed by what other cities obtained in exchange for their trash franchises. Athens paid West Covina \$2 million plus \$100,000 in additional yearly community contributions for an additional 25-year extension. In Covina, Athens paid \$2 million plus a \$200,000 annual contribution for a 20-year deal. In Chino Hills, where residents in 2015

paid a \$17.38 per month rate for trash service compared to the \$23.79 residents in Colton paid, the residential rates were guaranteed to escalate to not more than \$21.59 by the end of the contract in 2021. In 2010 Republic paid the city of Chino Hills \$500,000 to lock in that contract for an additional five years, even though that extension wasn’t scheduled to begin until 2016.

Colton missed the boat with the deal it closed with Republic in 2015 in another way, as well. It was known at that time that Republic was in separate negotiations with CR&R, Inc., another waste hauling and recycling company, for the sale of its Colton operations. This rendered Republic into a very vulnerable and delicate position in its negotiations with Colton, in that if it did not maintain the Colton franchise, it would have nothing to sell to CR&R. Thus, Colton could have pressed for a host of concessions from Republic, such as reductions in the rates to be paid by either or both domestic and business customers or a limitation on the per year maximum percentage increase in those rates over the life of the contract. The city could have also, had it chosen to do so, insisted upon an ownership transfer clause in the contract that would have required a one-time payment of anywhere from, for example, \$100,000 to \$500,000 to \$1 million, if Republic were to sell off its Colton operation. Despite that opportunity, neither Jackher nor the mayor and city council insisted on any of those provisions or similar one being put into the contract.

Even more notably, Jackher and the mayor and council failed to ask for what Frank Gonzalez had suggested during his 2014 mayoral run, which was a million dollars in an upfront franchise fee and another \$250,000 per year more in pass-through franchise revenues going forward.

In the summer of 2015, after the deal with Republic was finalized, Mayor DeLaRosa was

*Continued on Page 13*

**Public Notices**

FBN 20230009740  
The following entity is doing business, primarily in San Bernardino County, as:

JOSEPH W. BRADY, INC., 12402 INDUSTRIAL BLVD., SUITE B-6 VICTORVILLE, CA 92395 [and] BARSTOW PROFESSIONAL REAL ESTATE GROUP [and] BARSTOW REAL ESTATE GROUP [and] BARSTOW REAL ESTATE SERVICES [and] BRADCO COMMERCIAL LEASING GROUP [and] THE BRADCO COMPANIES [and] BRADCO DEVELOPMENT [and] BRADCO DIVERSIFIED [and] BRADCO HIGH DESERT REPORT [and] BRADCO REAL ESTATE GROUP [and] HIGH DESERT COMMERCIAL REAL ESTATE GROUP [and] MOJAVE RIVER VALLEY COMMERCIAL REAL ESTATE GROUP:

JOSEPH W. BRADY, INC., 12402 INDUSTRIAL BLVD., SUITE B-6 VICTORVILLE, CA 92395  
Mailing Address: PO BOX 2710 VICTORVILLE, CA 92393-2710 This Business is Conducted By: A CORPORATION registered with the State of California as number 1564782

BY SIGNING BELOW, 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 17913) I am also aware that all information on this statement becomes Public Record upon filing. S/ JOSEPH W. BRADY, President

This statement was filed with the County Clerk of San Bernardino on: 9/25/2023

I hereby certify that this is a correct copy of the original statement on file in my office. Began Transacting Business: DECEMBER 4, 1989 County Clerk, Deputy J2523

NOTICE- This fictitious business 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 name in violation of the rights of another under federal, state, or common law (see section 14400 et seq. Business & Professions Code).

Published in the San Bernardino County Sentinel on September 29 and October 6, 13 & 20, 2023.

**ORDER TO SHOW CAUSE FOR CHANGE OF NAME CASE NUMBER CIVSB 2323256**

**TO ALL INTERESTED PERSONS:** Petitioner: ANTHONY JASON VAZQUEZ filed with this court for a decree changing names as follows:

ANTHONY JASON VAZQUEZ to JASON ANTHONY VAZQUEZ

THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.

Notice of Hearing: Date: 11/14/2023 Time: 08:30 AM Department: S27

The address of the court is Superior Court of California, County of San Bernardino, 247 West Third Street, San Bernardino, CA 92415

IT IS FURTHER ORDERED that a copy of this order be published in the SBC Sentinel in San Bernardino County California, once a week for four successive weeks prior to the date set for hearing of the petition.

Dated: 09/26/2023  
Judge of the Superior

**Public Notices**

Court: Brian S. McCarville  
Published in the San Bernardino County Sentinel on September 29, and October 6, 13 & 20, 2023.

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Dated: 09/26/2023  
Judge of the Superior Court: Brian S. McCarville  
Published in the San Bernardino County Sentinel on September 29, and October 6, 13 & 20, 2023.

**NOTICE OF PETITION TO ADMINISTER ESTATE OF: Alicia Gamboa Case NO. PROVA2300006**

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both of Alicia Gamboa A PETITION FOR PROBATE has been filed by Alexis Gamboa in the Superior Court of California, County of San Bernardino.

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

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

A hearing on the petition will be held in Dept. F3 at 09:00 AM on 11/01/2023 at Superior Court of California, County of San Bernardino, 17780 Arrowhead Blvd, San Bernardino District-Probate Division

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

**Public Notices**

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.

Alexis Gamboa: 11433 Mountain View Dr. #45 Rancho Cucamonga CA 91730

Telephone No: 909.346.8934

Published in the San Bernardino County Sentinel Rancho Cucamonga on: 10/06/2023, 10/13/2023, 10/20/2023

**NOTICE OF PETITION TO ADMINISTER ESTATE OF: Pete Macias Case NO. PROSB2300918**

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both of Pete Macias A PETITION FOR PROBATE has been filed by Gricelda Ramirez in the Superior Court of California, County of San Bernardino. THE PETITION FOR PROBATE requests that Gricelda Ramirez be appointed as personal representative to administer the estate of the decedent.

THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority. A hearing on the petition will be held in Dept. F1 at 09:00 on 01/29/2024 at Superior Court of California, County of San Bernardino, 17780 Arrow Boulevard, Fontana, CA 92335, Fontana District-Probate Division

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.

Michael Ortiz:

**Public Notices**

2741 Hamner Ave #202 Norco CA 92860 Telephone No: 9512894143 Published in the San Bernardino County Sentinel Upland on: 10/13/2023, 10/20/2023

**NOTICE OF PETITION TO ADMINISTER ESTATE OF: GEORGE WILLIAM BUTLER CASE NO. PROVA2300098**

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both of GEORGE WILLIAM BUTLER has been filed by BARBARA TURNER in the Superior Court of California, County of SAN BERNARDINO. THE PETITION FOR PROBATE requests that BARBARA TURNER be appointed as personal representative to administer the estate of the decedent. THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority. A hearing on the petition will be held NOVEMBER 2, 2023 at 9:00 a.m. at San Bernardino County Superior Court Fontana District Department F2 - Fontana 17780 Arrow Boulevard Fontana, CA 92335 Filed: SEPTEMBER 13, 2023 AMY REYES, Deputy Court Clerk.

IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney. IF YOU ARE A CREDITOR or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under Section 9052 of the California Probate Code. Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.

YOU MAY EXAMINE the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk. Attorney for Valerie Eastman: R. SAM PRICE SBN 208603 PRICE LAW FIRM, APC 454 Cajon Street REDLANDS, CA 92373 Phone (909) 328 7000 Fax (909) 475 9500 sam@pricelawfirm.com Published in the San Bernardino County Sentinel on October 6, 13 & 20, 2023.

FBN 20230009381

The following entity is doing business primarily in San Bernardino County as BASKET CASE [and] GIGI'S BLESSED BASKET 35231 AVENUE C YUCAIPA, CA 92399: GEORGEANN HANNA 35231 AVENUE C YUCAIPA, CA 92399 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/ GEOREGANN HANNA Statement filed with the County Clerk of San Bernardino on: 09/15/2023 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 J55748 Notice-This fictitious name statement expires five years from the

**NOTICE OF PETITION TO ADMINISTER ESTATE OF: MARY MINNIE THORN CASE NO. PROVA2300081**

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both of MARY MINNIE THORN has been filed by VALERIE EASTMAN in the Superior Court of California, County of SAN BERNARDINO.

**Public Notices**

THE PETITION FOR PROBATE requests that VALERIE EASTMAN be appointed as personal representative to administer the estate of the decedent. THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority. A hearing on the petition will be held NOVEMBER 2, 2023 at 9:00 a.m. at San Bernardino County Superior Court Fontana District Department F2 - Fontana 17780 Arrow Boulevard Fontana, CA 92335 Filed: SEPTEMBER 13, 2023 AMY REYES, Deputy Court Clerk. IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney. IF YOU ARE A CREDITOR or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under Section 9052 of the California Probate Code. Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law. YOU MAY EXAMINE the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk. Attorney for Valerie Eastman: R. SAM PRICE SBN 208603 PRICE LAW FIRM, APC 454 Cajon Street REDLANDS, CA 92373 Phone (909) 328 7000 Fax (909) 475 9500 sam@pricelawfirm.com Published in the San Bernardino County Sentinel on October 6, 13 & 20, 2023.

FBN 20230009381

The following entity is doing business primarily in San Bernardino County as BASKET CASE [and] GIGI'S BLESSED BASKET 35231 AVENUE C YUCAIPA, CA 92399: GEORGEANN HANNA 35231 AVENUE C YUCAIPA, CA 92399 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/ GEOREGANN HANNA Statement filed with the County Clerk of San Bernardino on: 09/15/2023 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 J55748 Notice-This fictitious name statement expires five years from the

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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 October 6, 13, 20 & 27, 2023.

FBN 20230009328

The following entity is doing business primarily in San Bernardino County as P & C MORTGAGE 8047 DAY CREEK BLVD, SUITE 200 RANCHO CUCAMONGA, CA 91739: LYNN M PERRY 8626 BUGGY WHIP ROAD ALTA LOMA, CA 91701 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/ LYNN M. PERRY, President Statement filed with the County Clerk of San Bernardino on: 9/12/2023 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 J2523 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 October 6, 13, 20 & 27, 2023.

FBN 20230009992

The following entity is doing business primarily in San Bernardino County as V NAIL SALON 275 E 9TH STREET STE F SAN BERNARDINO, CA 92410: KHOA Q NGUYEN 27458 CYPRESS STREET HIGHLAND, CA 92346 Mailing Address: 27458 CYPRESS STREET HIGHLAND, CA 92346

The business is conducted by: AN INDIVIDUAL.

The registrant commenced to transact business under the fictitious business name or names listed above on: SEPTEMBER 15, 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/ KHOA Q NGUYEN, Owner Statement filed with the County Clerk of San Bernardino on: 10/02/2023

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 J6733

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 October 6, 13, 20 & 27, 2023.

**NOTICE OF PETITION TO ADMINISTER ESTATE OF: DENISE MARIE VOSS CASE NO. PROSB2300229**

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both of DENISE MARIE VOSS has been

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filed by CARLOS VOSS in the Superior Court of California, County of SAN BERNARDINO.

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

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

A hearing on the petition will be held DECEMBER 7, 2023 at 9:00 a.m. at

San Bernardino County Superior Court Fontana District

Department F1 - Fontana 17780 Arrow Boulevard Fontana, CA 92335 Filed: MAY 5, 2023 BRITTNEY SPEARS, Deputy Court Clerk.

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

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

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

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

Attorney for Carlos Voss: R. SAM PRICE SBN 208603 PRICE LAW FIRM, APC 454 Cajon Street REDLANDS, CA 92373 Phone (909) 328 7000 Fax (909) 475 9500 sam@pricelawfirm.com Published in the San Bernardino County Sentinel on October 13, 20 & 27, 2023.

**NOTICE OF PUBLIC AUCTION OF PERSONAL PROPERTY REMAINING ON VACATED PREMISES OF FORMER TENANT**

[Civil Code §1988] NOTICE IS HEREBY GIVEN that on November 2, 2023 at 10:30 a.m., at 10350 Baseline Rd., Space 96, Rancho Cucamonga, CA 91701, the undersigned will sell at public auction the personal property left by Edward A. Mathews and Lisa Y Villarreal when they vacated the premises commonly known as 10350 Baseline Rd., Space 96, Rancho Cucamonga, CA 91701. This property consists of: two (2) couches, one (1) flat screen television, two (2) iPads two (2) iPod speaker sound systems, two (2) coffee makers, four (4) vacuums, one (1) dining room table with four (4) chairs, one (1) dryer, one (1)

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queen size bed frame with mattress and box spring, one (1) credenza, one (1) portable A.C Unit, one (1) coffee table, one (1) side table, miscellaneous tools, miscellaneous small tool boxes, miscellaneous pillows, miscellaneous blankets, miscellaneous laundry baskets with clothes, miscellaneous socks, miscellaneous electrical wires/cables throughout home in boxes and drawers, closet full of clothes and shoes, miscellaneous cans of paint, two (2) air mattresses, one (1) blue cooler, one (1) barbecue, one (1) brown bean bag, miscellaneous rugs, miscellaneous pictures on walls, miscellaneous decor on walls, miscellaneous personal memorabilia, eleven (11) old baseballs, five (5) watches, three (3) gold plated Pokémon cards, four (4) fans, miscellaneous lamps, miscellaneous dishes, pots and pans, two (2) 1996 Coca Cola sealed bottles, one (1) gold chain bracelet, one (1) printer, one (1) computer monitor, two (2) clothes racks, one (1) bike, two (2) nightstands, one (1) television stand, one (1) wooden DVD case, miscellaneous books, box of DVDs, box of CDs, five (5) televisions outside home (unknown if they are broken) This auction will be made in accordance with the provisions of Civil Code § 9888. Dated: October 10, 2023 GREGORY BEAM & ASSOCIATES, INC. By: Gregory B. Beam Authorized agent for Alta Vista Mobile Home Park (TS# 2381-024 SDI-27984) Published in the San Bernardino County Sentinel on 10/20/2023, 10/27/2023

ORDER TO SHOW CAUSE FOR CHANGE OF NAME

CASE NUMBER CIVSB 2324814

TO ALL INTERESTED PERSONS: Petitioner GALINA MEDVEDEV on behalf of her son ARTUOM IDIMECHEV REZAYEV filed with this court for a decree changing names as follows:

ARTUOM IDIMECHEV REZAYEV to ARTUOM DANILOVICH IDIMECHEV THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.

Notice of Hearing: Date: 12/5/2023 Time: 08:30 AM Department: S17

The address of the court is Superior Court of California, County of San Bernardino San Bernardino District-Civil Division 247 West 3rd Street, San Bernardino, CA 92415-0210

To appear remotely, check in advance of the hearing for information about how to do so on the court's website. To find your court's website, go to www.courts.ca.gov/find-my-court.htm

IT IS FURTHER ORDERED that a copy of this order be published in the San Bernardino County Sentinel in San Bernardino County California, once a week for four successive weeks prior to the date set for hearing of the petition. Judge Gilbert G. Ochoa Dated: 10/10/2023 Paola Iniquez, Deputy Court Clerk

Galina Medvedev, In Pro Per Phone: (909) 374-8100 rock.nstyle@aol.com Published in the San Bernardino County Sentinel on October 13, 20, 27 and November 3, 2023

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ORDER TO SHOW CAUSE FOR CHANGE OF NAME

CASE NUMBER CIVSB 2321839

TO ALL INTERESTED PERSONS: Petitioner SELINA LIZABETH MORENO filed with this court for a decree changing names as follows:

SELINA LIZABETH MORENO to SELINA LIZABETH CISNEROS

THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.

Notice of Hearing: Date: 11/20/2023 Time: 08:30 AM Department: S33

The address of the court is Superior Court of California, County of San Bernardino San Bernardino District-Civil Division 247 West 3rd Street, San Bernardino, CA 92415-0210

To appear remotely, check in advance of the hearing for information about how to do so on the court's website. To find your court's website, go to www.courts.ca.gov/find-my-court.htm

IT IS FURTHER ORDERED that a copy of this order be published in the San Bernardino County Sentinel in San Bernardino County California, once a week for four successive weeks prior to the date set for hearing of the petition.

Judge Gilbert G. Ochoa Dated 9/26/2023 Priscilla Saldana, Deputy Court Clerk

Selena Lizabeth Moreno, In Pro Per Phone: (909) 477-0189

Published in the San Bernardino County Sentinel on October 13, 20, 27 and November 3, 2023

FBN 20230008921 The following entity is doing business, primarily in San Bernardino County, as:

KAUSA PERUVIAN RESTAURANT 8880 ARCHIBALD AVE UNIT E RANCHO CUCAMONGA, CA 91730: ADELA LUNA 7531 EXBURY PLACE RANCHO CUCAMONGA, CA 91739

This Business is Conducted By: AN INDIVIDUAL Began Transacting Business: SEPTEMBER 1, 2023

BY SIGNING BELOW, 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 17913) I am also aware that all information on this statement becomes Public Record upon filing.

S/ ADELA LUNA, Owner This statement was filed with the County Clerk of San Bernardino on: 9/01/2023

I hereby certify that this is a correct copy of the original statement on file in my office. County Clerk, Deputy J7550

NOTICE- This fictitious business 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 name in violation of the rights of another under federal, state, or common law (see section 14400 et seq. Business & Professions Code).

Published in the San Bernardino County Sentinel on October 13, 20, 27 and November 3, 2023.

NOTICE OF PETI-

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TION TO ADMINISTER ESTATE OF: STELLA CARDENAS MORENO

CASE NO. PRO-VA2300119

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

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

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

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

A hearing on the petition will be held in Dept. F-1 at 9:00 a.m. on November 15, 2023

San Bernardino County Superior Court Fontana District

Department F1 - Fontana 17780 Arrow Boulevard Fontana, CA 92335

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.

Attorney for Armida Cabral:

ANTONETTE JAUREGUI (SB 192624) 1894 S. COMMERCE CENTER WEST, SUITE 108 SAN BERNARDINO, CA 92408 Telephone No: (909) 890-2350

Fax No: (909) 890-0106 ajprobate@gmail.com

Published in the San Bernardino County Sentinel on October 20 & 27 and November 3, 2023.

NOTICE OF PETITION TO ADMINISTER ESTATE OF: WILLIE C. HARRIS aka WILLIE CALVIN HARRIS

CASE NO. PROSB2201656

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may

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otherwise be interested in the will or estate, or both of WILLIE C. HARRIS aka WILLIE CALVIN HARRIS has been filed by MARY E. TURCOTTE in the Superior Court of California, County of SAN BERNARDINO.

THE PETITION FOR PROBATE requests that MARY E. TURCOTTE be appointed as personal representative to administer the estate of the decedent.

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

A hearing on the petition will be held NOVEMBER 27, 2023 at 9:00 a.m. at

San Bernardino County Superior Court Fontana District

Department F1 - Fontana 17780 Arrow Boulevard Fontana, CA 92335

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.

A hearing on the petition will be held in Dept. F-1 at 9:00 a.m. on November 15, 2023

San Bernardino County Superior Court Fontana District

Department F1 - Fontana 17780 Arrow Boulevard Fontana, CA 92335

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.

Mary E. Turcotte, In Pro Per

P.O. Box 3292 Landers, CA 92285 Phone (760) 886-0852

Published in the San Bernardino County Sentinel on October 20 & 27 and November 3, 2023.

ORDER TO SHOW CAUSE FOR CHANGE OF NAME

CASE NUMBER CIVSB 2325595

TO ALL INTERESTED PERSONS: Petitioner CYRUS ANTHONY MELCHOR filed with this court for a decree changing names as follows:

CYRUS ANTHONY MELCHOR to CYRUS ANTHONY BARRAZA

THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should

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not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.

Notice of Hearing: Date: 11/30/2023 Time: 08:30 AM Department: S33

The address of the court is Superior Court of California, County of San Bernardino San Bernardino District-Civil Division 247 West 3rd Street, San Bernardino, CA 92415-0210

To appear remotely, check in advance of the hearing for information about how to do so on the court's website. To find your court's website, go to www.courts.ca.gov/find-my-court.htm

IT IS FURTHER ORDERED that a copy of this order be published in the San Bernardino County Sentinel in San Bernardino County California, once a week for four successive weeks prior to the date set for hearing of the petition.

Judge Gilbert G. Ochoa Dated: 10/19/2023

Abriana Rodriguez, Deputy Court Clerk

Cyrus Anthony Melchor, Pro Per

11620 Mount Miriah Dr Rancho Cucamonga, CA 91737

Phone: (747) 256-2458 cyrusbarraza@icloud.com

Published in the San Bernardino County Sentinel on October 20 & 27 and November 3 & 10, 2023.

AMENDED ORDER TO SHOW CAUSE FOR CHANGE OF NAME

CASE NUMBER CIVSB 2325280

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

— WILLIAMS to TROY LAMONT JOHNSON JR

THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.

Notice of Hearing: Date: 11/29/2023 Time: 08:30 AM Department: S31

The address of the court is Superior Court of California, County of San Bernardino San Bernardino District-Civil Division 247 West 3rd Street, San Bernardino, CA 92415-0210

To appear remotely, check in advance of the hearing for information about how to do so on the court's website. To find your court's website, go to www.courts.ca.gov/find-my-court.htm

IT IS FURTHER ORDERED that a copy of this order be published in the San Bernardino County Sentinel in San Bernardino County California, once a week for four successive weeks prior to the date set for hearing of the petition.

Judge Gilbert G. Ochoa Dated: 10/18/2023

Matthew Stutle, Deputy Court Clerk

Troy Johnson, In Pro Per 16605 Terrace Lane Apartment D

Fontana, CA, 92335 Phone: (909) 401-6177 msbilliewilliams76@gmail.com

Published in the San Bernardino County Sentinel on October 20 & 27 and November 3 & 10, 2023.

ORDER TO SHOW CAUSE FOR CHANGE OF NAME

CASE NUMBER CIVSB 2325169

TO ALL INTERESTED PERSONS: Petitioner GALINA MEDVEDEV on behalf of her son ALEKSANDR DANILOVICH REZAYEV filed with this court for a decree changing names as follows:

A L E K S A N D R DANILOVICH REZAYEV to ALEKSANDR DANILOVICH IDIMECHEV

THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should

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not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.

Notice of Hearing: Date: 12/06/2023 Time: 08:30 AM Department: S29

The address of the court is Superior Court of California, County of San Bernardino San Bernardino District-Civil Division 247 West 3rd Street, San Bernardino, CA 92415-0210

To appear remotely, check in advance of the hearing for information about how to do so on the court's website. To find your court's website, go to www.courts.ca.gov/find-my-court.htm

IT IS FURTHER ORDERED that a copy of this order be published in the San Bernardino County Sentinel in San Bernardino County California, once a week for four successive weeks prior to the date set for hearing of the petition.

Galina Medvedev, In Pro Per 9613 Enclave Dr. Rancho Cucamonga, CA 91737

fromusa777@gmail.com Phone: (909) 374-8100

Published in the San Bernardino County Sentinel on October 20 & 27 and November 3 & 10, 2023.

AMENDED ORDER TO SHOW CAUSE FOR CHANGE OF NAME

CASE NUMBER CIVSB 2325280

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

— WILLIAMS to TROY LAMONT JOHNSON JR

THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.

Notice of Hearing: Date: 11/29/2023 Time: 08:30 AM Department: S31

The address of the court is Superior Court of California, County of San Bernardino San Bernardino District-Civil Division 247 West 3rd Street, San Bernardino, CA 92415-0210

To appear remotely, check in advance of the hearing for information about how to do so on the court's website. To find your court's website, go to www.courts.ca.gov/find-my-court.htm

IT IS FURTHER ORDERED that a copy of this order be published in the San Bernardino County Sentinel in San Bernardino County California, once a week for four successive weeks prior to the date set for hearing of the petition.

Judge Gilbert G. Ochoa Dated: 10/18/2023

Matthew Stutle, Deputy Court Clerk

Troy Johnson, In Pro Per 16605 Terrace Lane Apartment D

Fontana, CA, 92335 Phone: (909) 401-6177 msbilliewilliams76@gmail.com

Published in the San Bernardino County Sentinel on October 20 & 27 and November 3 & 10, 2023.

ORDER TO SHOW CAUSE FOR CHANGE OF NAME

CASE NUMBER CIVSB 2325169

TO ALL INTERESTED PERSONS: Petitioner GALINA MEDVEDEV on behalf of her son ALEKSANDR DANILOVICH REZAYEV filed with this court for a decree changing names as follows:

A L E K S A N D R DANILOVICH REZAYEV to ALEKSANDR DANILOVICH IDIMECHEV

THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should

Notice of Hearing: Date: 12/06/2023 Time: 08:30 AM Department: S29

The address of the court is Superior Court of California, County of San Bernardino San Bernardino District-Civil Division 247 West 3rd Street, San Bernardino, CA 92415-0210

To appear remotely, check in advance of the hearing for information about how to do so on the court's website. To find your court's website, go to www.courts.ca.gov/find-my-court.htm

IT IS FURTHER ORDERED that a copy of this order be published in the San Bernardino County Sentinel in San Bernardino County California, once a week for four successive weeks prior to the date set for hearing of the petition.

Galina Medvedev, In Pro Per 9613 Enclave Dr. Rancho Cucamonga, CA 91737

fromusa777@gmail.com Phone: (909) 374-8100

Published in the San Bernardino County Sentinel on October 20 & 27 and November 3 & 10, 2023.

Public Notices

ing business as: 279 MOBILE REPAIR. 9532 EVERGREEN LN FONTANA, CA 92335 COUNTY OF SAN BERNARDINO DAMIAN C MENDEZ EVERGREEN LN FONTANA, CA 92335. The business is conducted by: AN INDIVIDUAL. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A

By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing.

s/ DAMIAN C MENDEZ, OWNER Statement filed with the County Clerk of San Bernardino on: SEPTEMBER 26, 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 10/06/2023, 10/13/2023, 10/20/2023, 10/27/2023 CNBB40202301MT

FBN 20230009836

The following person is doing business as: FAST QUALITY LUMPERS SERVICE. 18584 8TH ST BLOOMINGTON, CA 92316 COUNTY OF SAN BERNARDINO NORMA G FARIAS 18584 8TH ST BLOOMINGTON, CA 92316. 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/ NORMA G FARIAS, OWNER Statement filed with the County Clerk of San Bernardino on: SEPTEMBER 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 10/06/2023, 10/13/2023, 10/20/2023, 10/27/2023 CNBB40202302MT

FBN 202300010013

The following person is doing business as: SANTIAGO'S APPLIANCE. 273 WEST ST COLTON, CA 92324 COUNTY OF SAN BERNARDINO FILIBERTO RODRIGUEZ 273 WEST ST COLTON, CA 92324. AGUSTIN RODRIGUEZ JIMENEZ 273 WEST ST COLTON, CA 92324. 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/ NORMA G FARIAS, OWNER Statement filed with the County Clerk of San Bernardino on: SEPTEMBER 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



## Students' Rights To Gender Privacy Trump Parents' Rights To Know What Their Kids Are Up To At School, State Attorney General Says *from front page*

District Board met to accommodate an over-capacity crowd intent on weighing in on the policy. Thurmond, a Democrat, inveighed against the guideline, stating that “nearly half of students who identify as being LGBTQ+ are considering suicide.” He said the policy would put transgender students who have parents unwilling to accept their gender identification at risk.

That same day, just prior to the meeting, California Attorney General Rob Bonta, another Democrat, dashed off a letter to the school board

in which he offered his opinion that the notification policy might intrude on students' privacy rights and otherwise interfere with educational access. Students individually have the right and discretion to determine under what circumstances and when they should make disclosure of their gender identity and to whom, Bonta insisted. He vowed that his office would act to see that right is upheld.

Over those objections, the school board approved the policy.

On August 28, Bonta in his capacity as state at-

torney general filed suit against the Chino Valley Unified School District to stop enforcement of the mandated notification policy. Bonta asserted that the need to prevent “mental harm, emotional harm and physical harm” to those students who are products of families who are not accepting of their choice to deviate from their birth or biological gender trumps the right of all parents to be informed of their children's identity choice. “This policy is destructive,” he said. “It's discriminatory and it's downright dangerous. It has no place in California, which is why we have moved in court to strike it down.”

The suit, filed in San Bernardino County Su-

perior Court, asserted that the policy “has placed transgender and gender nonconforming students in danger of imminent, irreparable harm from the consequences of forced disclosures.” Transgender students, as a consequence of the school district action were, according to Bonta, “under threat” and “in fear,” facing “the risk of emotional, physical, and psychological harm from non-affirming or unaccepting parents or guardians.”

Bonta charged that the policy “unlawfully discriminates against transgender and gender nonconforming students, subjecting them to disparate treatment, harassment, and abuse, mental,

emotional, and physical.”

On September 6, San Bernardino County Superior Court Judge Thomas Garza granted the State of California a temporary restraining order prohibiting the Chino Valley Unified School District from enforcing the policy. In doing so, Judge Garza signaled that the court was favorably predisposed toward Bonta's position when he suggested the rights with regard to gender transitioning were as basic to the U.S. and California constitutions as religious freedom when he analogized changing from one gender to another to making a religious conversion, while stating that under his analysis, Chino Valley Unified's Policy

5020.1 qualified as being “too broad, too general” while lacking “clear purpose or reference of parental support and involvement.”

Despite the Chino Valley Unified School Board majority being outmuscled politically and legally, as well as being outmaneuvered in terms of the presentation of its position to the public within the popular media at virtually every turn, there were developments to suggest the policy might withstand the efforts to resist it.

Judge Garza acknowledged on September 6 that it was not likely that the matter would be resolved in San Bernardino County Superior Court *Continued on Page 15*

## Colton Has Repeatedly Rolled Trash Franchise Contract Over

*from page 9*

confronted about the less than resolute fashion in which his administration had negotiated on behalf of the city and its ratepayers, which provoked a curious response in which he sought to justify the terms of the agreement to extend the franchise contract while suggesting that its less-than-ideal terms were a product of the previous mayoral administration of Sarah Zamora, under whom the negotiations with Republic had been initiated.

“The prior council had acted to start the negotiations with the current hauler and that put us in the position where we had to negotiate with the current hauler first,” he said. Nevertheless, he insisted, “From the dais, we on the council did our best. We did our due diligence. Over the more than a year it took to negotiate this contract including right up to the very last meeting where we approved it, we told them [Republic] we wanted more. We asked for changes several times, for them to put different things on the table. I don't know how much more you can negotiate or who else you can put in place to negotiate beside the city manager and the public works director. Those two people were in place. It is hard

to say whether by being more hardnosed we would have gotten more. Everything the council asked for they gave us. There is no concrete or tangible number we can look at to compare what we could have gotten. We could have gotten a better rate. We could have gotten a worst rate. It goes both ways. I believe we kept the rates low.”

DeLaRosa said Colton had not responded to overtures from other trash hauling companies offering rates and terms that were more favorable than those provided by Republic in large measure because “The tone of these negotiations was set last year prior to me being on the council. The agreement was we would not enter into negotiations with other companies while we were considering contract proposals from Republic. We could not hold formal discussions with other companies because we had an agreement to look at the current hauler first. We could not formally look at any other numbers. The previous council accepted that in 2013 and 2014.”

Asked if he considered going three decades without a bid process wise, DeLaRosa said, “At least four of us on the council felt there was not a need to go out for a request for proposals because they met what our expectations were. What we asked for is what we

got, including host fees and money coming in for other purposes. I don't regret the decision.”

In the years since, however, DeLaRosa's perspective may have changed, as the terms contained in the city's trash hauling franchise contract – ones that are tangibly and demonstrably inferior to those contained in virtually all such contracts among municipalities in San Bernardino County and Southern California – are widely considered to be a black mark upon DeLaRosa and his mayoral administration. By the early spring of 2017, Republic Industries had sold its Colton operation – lock, stock and barrel – to CR&R, Inc. In very short order, ratepayers throughout the city, including domestic and business customers, noted a diminution in the quality of service. The perception was that DeLaRosa was primarily responsible for the state of affairs as many recognized that he had come into office with the financial support of Republic Industries, and that he had then refused to utilize his gravitas and authority as mayor to insist on a competitive bidding process on the refuse handling franchise, resulting in Republic retaining the contract and then rapidly moving to sell its Colton assets and operation at a tremendous profit.

In 2018, amid sugges-

tions that he had sold his constituents out in return for campaign money from Republic to enable him to defeat Frank Gonzales in 2014 and that his vote on the city council in 2005 to extend Republic's franchise contract was equally suspect, DeLaRosa opted out of seeking reelection as mayor, stating he was departing “to make way for new visions.”

At present, CR&R is seeking to preemptively preclude any discussion of an open bid process for Colton's trash franchise taking place with regard to the decade after the current contract expires in 2026. Corporate officials are hoping they can do so by having the current city council, which was reduced from seven to five members last year, quietly undertake a consideration of the contract extension and, with as little warning to Colton's residents as possible, hold a brief public hearing and conduct a vote to extend the franchise contract until 2036, effectively allowing Taormina and its corporate successors Republic and CR&R, to monopolize the city's trash franchise for 40 years without any open competitive bid process beyond the original one, tainted by the graft documented in the McDonald Report, that took place in 1996.

That action could take place as early as November 1, when the city coun-

cil is scheduled to convene a specially-called meeting. The agenda for the November 1 meeting has not been released. According to a well-informed source at City Hall, however, that meeting is intended as a council/general public workshop at which the trash franchise situation beyond the current contract period is to be the sole topic of discussion. Word is that CR&R is looking to stack the meeting with at least a dozen and perhaps more than a score of city residents and business owners, including those paid to lobby on behalf of the company, to provide the city council with sufficient “political cover” to vote on the spot to extend CR&R's Colton trash hauling franchise to 2036.

Remarkably, three of the current city council members, comprising a majority vote of the panel, appear to be primed to support the franchise contract extension.

Councilwoman Kelly Chastain, who, following a 12-year absence, was reelected to the council last year after a ten-year run as councilwoman between 1996 and 2006 and four years as mayor from 2006 to 2010, has come out in favor of extending the franchise contract. Chastain has seized upon CR&R's offer to waive the rate adjustment the company would be due in 2024 if the city foregoes a competitive bid process

and confers the 10-year franchise extension on CR&R. CR&R and both of its corporate predecessors, Taormina and Republic, have proved to be major donors to Chastain's electioneering fund over the course of her political career.

David Toro was first elected to the city council in 2006 and reelected in 2010. He was maintained in office in 2014, 2018 and again in 2022 without opposition. In 2015, he was one of the four votes to extend Republic's trash franchise without a competitive bid process. He is known to be familiar with complaints about the poor quality of CR&R's service that have surfaced over the last five years. Nevertheless, he has given indication that he will go along with ratifying its contract extension without a competitive bidding process if two other votes on the council manifest to that effect.

A third probable vote in favor of CR&R appears to be that of Councilman John Echevarria, who was first elected to the council in 2020 to represent District 5 when the council was yet composed of four council members and the mayor. He was reelected to the council in 2022, to the that of District 4 Councilman as the body made its transition to a five-member panel, consisting of four councilors and the *Continued on Page 16*

## He Is Running Yucaipa With The Backing Of The City Council, Mann Insists from page 7

council's rationale for his hiring. "Members of the council expressed excitement at the fact that there was someone with city management experience living and raising a family right here in Yucaipa. Second, I believe the council was impressed with what I was able to accomplish in my previous position as city manager for the City of Canyon Lake. Third, I believe the council placed a high value in the fact that I had spent six years serving on the board of directors of the Yucaipa Valley Water District, most of that time as board president. Fourth, as was the case with the Canyon Lake City Council, I believe the Yucaipa Council found value in having someone as the administrative head of the city who has significant public sector experience, but who spent much of his career in the private sector and thus brings a business-minded approach to local government. Lastly, I believe that the city council felt that I understand, and share a devotion to, the things that make Yucaipa unique, and that we have a common vision for protecting and enhancing quality of life here."

Mann said, "Upon my appointment, members of the city council identified a number of areas that were of concern to them and on which they wanted me to focus. Many of these are reflected in the city council goals, which were adopted in April. At the top of that list were bolstering public safety and tackling the city's growing homeless problem. Next in importance was to take a more aggressive approach to road maintenance. There were also concerns about looming budget challenges, the practice of loaning general fund dollars to development impact fee accounts, and possible overspending on large capital projects. Micro-management within City Hall and low staff morale were also mentioned as areas that needed to be

turned around. Once on the job, many more issues became apparent. The city's municipal code is terribly outdated, in many cases no longer in compliance with state law. The city's development code is vague and does not clearly define expectations and guidelines for projects; it also requires far too many routine applications to go to the planning commission that in most other cities are handled administratively. Development projects were given too much leeway if the project was supported by the previous administration. For example, planning department staff had been instructed to push through a project that was submitted as senior housing, presumably to avoid triggering traffic mitigation, but the proposed project contained only a few designated

senior units and therefore did not meet the legal requirements to be considered a senior project. City committees were being classified as, and treated like, ad hoc committees, although in practice they were actually standing committees and should have been publicly noticed accordingly. Transparency was not where it should have been for a public agency; prime examples being that city council meetings were not broadcast in video and some documents that are legally required to be posted on the city's website were not there. In many cases, basic requests from members of the city council were ignored."

Mann said, "Since March 1<sup>st</sup>, staff has been working hard to correct all of these issues."

As for the city council's selection of Graham

as city attorney, Mann said, Graham's status as city attorney in Hemet, Canyon and Indio and as general counsel for the Idyllwild Fire Protection District and the Yucaipa Valley Water District impressed them.

"Thus, when two members of the city council separately asked me for a city attorney reference late last year, I could think of no one better than Mr. Graham," Mann said. "My understanding is that Mr. Graham was interviewed by two members of the council initially, and then by the entire council on January 9<sup>th</sup>. At the time I entered closed session that evening, Mr. Graham had already been appointed to the position of city attorney. I should also note that the council's dissatisfaction with their previous city attorney was well known.

The vote to terminate that contract was 5-0, as was the vote to contract with... and appoint Mr. Graham. Conspiracy theories aside, engaging the services of a city manager and a city attorney who have a built-in relationship and a history of success working together is a rare opportunity and one that provides tremendous benefits to the city."

Omitting reference to Snow, Mann said, "Although no city employees were terminated as a result of the transition, there was a slight restructuring and a number of vacant positions were filled. It is not at all unusual or inappropriate for a newly appointed city manager to restructure the organization in order to prepare it for new tasks ahead. Newly appointed city managers regularly bring in professionals they know and trust to

fill senior management positions, as this provides a level of certainty that those jobs will be performed satisfactorily. I have hired three such individuals, two of which worked for me in Canyon Lake. This is a small percentage of the city's 83 full-time employees. As the city manager will ultimately be held accountable by the city council for the successes and failures of the organization, the city manager has every right to build and organize the team as he/she sees fit. I will not discuss the reasons for any particular staffing changes, as they pertain to confidential personnel matters. Suffice it to say that, upon evaluating the organization following my appointment, it was clear to me that there were a number of deficiencies in critical areas."

-Mark Gutglueck

## Upland To Build High-Density Energy Storage Facility from page 7

District and the 4<sup>th</sup> District are not being afforded any such protection.

Mayor Bill Velto, it so happens, is a resident of the 1<sup>st</sup> District. Whether, however, he is inclined to come to the assistance of the residents of Sycamore Heights who are objecting to having the Upland Reliability Project camped down in their midst, remains to be seen.

For Upland's mayor, the relative merits of allowing the Upland Reliability Project to proceed to completion outweigh any liabilities. Velto lives more than a mile from the site where the Upland Reliability Project is to be located, such that any fire that might break out at the facility would need to progress through the entirety of two residential subdivisions and jump two major streets to present a threat to him and his family. By endorsing the project and seeing to its approval by the council, he will put himself and Upland into synchronicity with the state's clean energy goals and priorities and undo some of the damage he did to himself and Upland when last year he publicly called for San Bernardino

County to secede from California, by so doing landing himself on Governor Gavin Newsom's political hit list. Velto's advocacy against Sacramento's mandates, while popular with at least a portion of his constituency and useful in securing from a subset of Republican donors funding for his future elective efforts, has burned the city's bridges with key members of the Democratic delegation in the Democrat-controlled California Legislature, in addition to alienating Newsom. Welcoming the Upland Reliability Project would begin to lay the foundation for his rehabilitation as a representative of the state's 111<sup>th</sup> most populous city among the controlling powers in Sacramento, clearing the way for funding that has been cut off from Upland in the last state budgetary cycle to be restored. Velto's willingness to saddle the 1<sup>st</sup> District with a land use some of its residents find undesirable might also be of assistance to him closer to home. Those in the city's 2<sup>nd</sup> District who are doing their part to bring about energy independence for California by hosting the Tesla showroom and dealership would be heartened to know that another section of the city is joining with them in what

many believe should be a concerted collective effort toward achieving a worthwhile goal. And the residents of the 3<sup>rd</sup> and 4<sup>th</sup> districts, who have had to live with not one but dozens, indeed scores of commercial, semi-commercial/industrial, light industrial and even medium industrial uses in the midst of their neighborhoods, might experience some measure of social justice and satisfaction in seeing that the wealthy residents of Sycamore Hills, ones capable of plunking down \$800,000, \$900,000, \$1 million or \$1.1 million to purchase a home, are not immune from having the city and its zoning and development codes intrude upon the tranquility and livability of their neck of the woods. And while Velto might lose some votes from those in the Sycamore Hills District by presiding over a decision-making panel that approves placing a high-intensity energy storage facility in their midst, he is likely to gain as many votes from elsewhere in the 1<sup>st</sup> District further removed in distance from the site.

1<sup>st</sup> District Councilwoman Shannan Maust is for those opposed to the project their last and best hope that the project can be arrested in its tracks. Still, that Maust

will go to bat for them is by no means certain. She could elect to jump on the Upland Reliability Project bandwagon.

Even if Maust leaps into the breach, preventing the project from coming to fruition remains a dicey prospect. She prevailed in May by having Tesla's car storage lot moved to the city's corporate yard, but this will be the second time she has come to the well, asking her colleagues to spare her constituents the inconvenience of having to put up with a facility intended to assist in promoting a carbon-free energy model. Given all the considerations relating to the issue, that may prove a tall order.

Of paramount importance is Maust's political status. For many months, there have been recurrent reports that she will not seek reelection in 2024. This is the problematic, at least from the standpoint of the project opponents.

Going into that battle as a lame duck – a councilwoman who will not be around beyond her current term – would not auger well for her or the cause. If her council colleagues recognize that they will not need to put up with her presence among them beyond November of 2024, they will have no reason to listen to Maust's entreaties on

behalf of the residents of Sycamore Hills and the other areas of the First District who have reason to be concerned about the explosiveness of those massive batteries and the fire hazard they represent. If Maust is to take a stand against the Upland Reliability Project, it is important that she maintain a position of strength on the council, remain as someone who is there to stay, and remain beyond the term she was elected to in 2020.

Perhaps the best argument to be made against the project is that, given the current state of the science when it comes to large-scale, standalone battery energy storage facilities, the most prudent thing to do is to delay the project until design improvements on such voltage repositories are made.

Something quite similar has been ongoing in Santa Fe Springs. Twice city officials in that Los Angeles County city were scheduled to consider a standalone battery energy storage facility in their jurisdiction. Twice that proposal was removed from the council's agenda at the last minute over concerns that the hazard of such a facility is an unacceptable risk to that community.

Instead of rushing for  
*Continued on Page 16*

## Federal Court Ruling Seems To Uphold Parental Notification Policy

*from page 13*

and that whatever ruling came about at the trial court level would be appealed to the appellate court, the California Supreme Court and possibly to the U.S. Supreme Court.

While Bonta and other California officials had hoped that the legal challenge would force the district, which is in large measure dependent upon the state for its funding, to expend money to defend against the suit and would therefore simply rescind the policy to avoid having to make hefty outlays to employ lawyers in making that legal defense, the Chicago-based Liberty Justice Center has agreed to represent the district for the nominal fee of \$1. That has eliminated the financial burden the district would have to bear, which allows it to concentrate fully on defending the policy on the basis of the policy alone and not against the artificial charge that it is squandering money that would otherwise be spent

on education.

The Chino Valley Unified School District board majority has received support from other district boards, as well.

To date, no fewer than seven other districts – Dry Creek Joint Elementary School District, Rocklin Unified School District, Orange Unified School District, Murrieta Valley School District, Anderson Union High School District, Temecula Valley Unified School District and Placentia-Yorba Linda Unified School District – have passed policies identical or essentially indistinguishable from the one in Chino Valley. At least eight other districts in California are in the discussion phase about adopting similar policies, subject to a vote of their boards.

Perhaps most significantly, a ruling handed down in a federal court case in Southern California relating precisely to the issue of parental notification with regard to students involved in transgenderism appears to favor the district policy.

In April, Escondido Union School District middle school teachers

Elizabeth Mirabelli and Lori Ann West filed suit in the U.S. District Court for the Southern District of California against the Escondido Union School District Board of Education, the California State Board of Education, the California Department of Education and State Superintendent of Schools Tony Thurmond over a district policy which requires teachers to use “any pronouns or a gender-specific name requested by the student during school, while reverting to biological pronouns and legal names when speaking with parents in order to actively hide information about their child’s gender identity from them.”

Mirabelli and West contend in the suit that their First Amendment rights were violated by the district in its requirement that they lie to parents.

Mirabelli and West presented evidence to show that that school staff and teachers at the school where they taught were provided with lists of students that essentially revealed which students at the school had changed gender, as those lists provided the names

and pronouns teachers should use when dealing with the students in the educational setting and the other names to use when communicating with parents. This demonstrated that the district itself, through its policy, was violating the principle of confidentiality and privacy that the district said was the rationale for the policy. While teachers were being freely and openly informed of the student’s gender identification, the lists showed many, or most, parents were unaware of their students’ preferred names and pronouns.

In a ruling with regard to Mirabelli’s and West’s suit issued September 14, Senior United States District Judge Roger Benitez wrote, “A parent’s right to make decisions concerning the care, custody, control, and medical care of their children is one of the oldest of the fundamental liberty interests that Americans enjoy” before concluding that Mirabelli’s and West’s free speech rights were violated by the Escondido Union School District’s policy. Judge Benitez wrote that students in the position of being caught between

attending school using one gender identity while maintaining a different gender identity at home would be harmed by the district’s nondisclosure policy because they need “parental guidance and possibly mental health intervention to determine if the incongruence is organic or whether it is the result of bullying, peer pressure, or a fleeting impulse. Parental involvement is essential to the healthy maturation of schoolchildren. The Escondido Union School District has adopted a policy without parent input that places a communication barrier between parents and teachers.”

Judge Benitez granted Mirabelli and West a preliminary injunction against the district policy.

Yesterday, Judge Michael Sachs ruled the policy’s first two provisions calling for parents to be informed of their gender reidentification were discriminatory based on sex, and thus violated the Constitution’s equal protection clause.

Emily Rae, senior counsel with the Liberty Justice Center and the lead attorney representing the district, asserted that the third provision of

the policy, that pertaining to parental disclosure with regard to a student seeking mental health services or protection from violence, related to information parents had an indisputable right to.

“It’s not a matter of discriminating based on gender,” Rae said. “It’s a matter of notifying parents when a student asks a government entity, or a school district, for treatment.”

Judge Sachs concurred on that singular point.

With respect to the third provision of the policy relating to informing parents about a student’s seeking of mental health or suicide prevention counseling, the information in question qualifies as being, in Judge Sachs’ terminology, “neutral facing” since it applies to all students, not just those seeking accommodations to comply with their proclaimed gender transformation.

Judge Sachs’ ruling is not permanently binding, and the matter is yet on a trajectory to advance to trial. The date of that trial will likely be set at a hearing to be held on February 26, 2024.

*-Mark Gutglueck*

## Fontana Passes Sidewalk Vending Restriction Ordinance

*from page 3*

sale by a sidewalk vendor who does not possess a valid applicable sidewalk vending permit and a city business license. (4) Items displayed, offered, or made available for sale by a sidewalk vendor who... refuses or fails to provide identification. (5) Operation in violation of this article and refusal or failure by a sidewalk vendor to remove items from public or private property within 30 consecutive minutes after being instructed to do so by a city official. (6) Items displayed, offered, or made available for sale by a sidewalk vendor who vends in a manner that blocks or obstructs the free movement of pedestrians on sidewalks and fails to maintain a minimum of forty-eight inches (48") of accessible path of travel, without obstruction, along the

sidewalk upon which the vendor is vending so as to enable persons to freely pass while walking, running, or using mobility assistance devices, and/or in violation of the Federal Americans with Disabilities Act of 1990 (Public Law 101-336) and other disability access standards. (7) Items displayed, offered, or made available for sale in violation of any applicable federal, state, county, or city laws, ordinances, and regulations, including, but not limited to, illegal or counterfeit merchandise, alcohol, tobacco, cannabis, smoke or vaping products, adult-oriented material, live animals, weapons, and/or pharmaceuticals. (8) Items creating an imminent and substantial danger or environmental hazard to the health, safety, or general welfare of the public or property at the location of the vending cart such as, but not limited to, discharge of oil, grease, or other slippery substances on the street

or sidewalk without any effort to maintain best management practices; using unapproved portable cooking equipment, heating element, gas-fueled appliance, generator, or any open flame; during an urgent or emergency public safety event or incident; lack of a fire extinguisher; using any luminaire, flashing lights, or any other animated devices or sign; or using, operating, or permitting any radio, loudspeaker, or other machine or device for the producing or reproducing of sound. (9) Items displayed, offered, or made available for sale by a sidewalk vendor who has, within a 24-month period, been issued three or more administrative citations for violations of this article. (10) Items impounded as evidence of a crime or booked as property after an arrest of any sidewalk vendor involving any city, county, state, or federal law or regulation excluding this article.”

The ordinance states

that the city “may immediately conduct a forfeiture impoundment of items from a sidewalk vendor who has been found responsible for engaging in sidewalk vending activities in violation of this article two or more times within a 24-month period (herein identified as a repeat offender) after being contacted by a city official who issued a notice of violation. An aggrieved repeat offender may appeal a city forfeiture impoundment action.”

The ordinance confers upon the city “disposal authorization,” stating, “The city may immediately dispose of impounded items that are perishable and/or cannot be safely stored. The impoundment of any sidewalk vendor’s items, excluding any items that were immediately disposed of because they were perishable and/or could not be safely stored, may be held by the city for not less than 30, nor more than 60, cal-

endars days from the date of impoundment.”

Upon passing the ordinance, Mayor Acquafredda Warren and councilmen John Roberts, Jesse Sandoval, Phil Cothran Jr. and Pete Garcia voted unanimously to approve a six-month \$598,224 contract with 4Leaf Inc. for the provision of “additional contracted code compliance inspectors to address non-permitted street vendors.”

Fontana officials maintain that they are fed up with unlicensed street

vendors who openly defy the law. In particular, city officials have said, they are particularly motivated to shut down vendors who are selling food from carts or vehicles which are unlicensed and in which unsanitary conditions proliferate.

The new ordinance carries with it the prospect that unlicensed food vending trucks that are cited more than a single time in any 24-hour period will be confiscated.

*-Mark Gutglueck*

## High Density Energy Battery Storage Facility Slated For Northwest Upland

*from page 7*

ward and allowing GridStor to build the facility as it is proposing and allowing the residents of Sycamore Hills to serve as guinea pigs, Maust may simply suggest that Upland hold off and wait, wait until the design flaws in standalone

battery energy storage facilities are addressed and corrected. Velto and the other members of the council might prove amenable to such an appeal. After all, they are Uplanders themselves.

If Maust indeed intends to stand and fight, to wage a dual-pronged battle in which she seeks to halt the Upland Reliability Project and to remain in office past 2024, she should expect some

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## A Majority Of The Colton Council Is Leaning Against Putting The City's Trash Franchise Out To Bid *from page 3*

mayor.

Echevarria was not on the council during either of the two previous votes to extend Republic's franchise. Curiously, he has avoided being engaged on the subject of the franchise, what the terms and conditions of the franchise should be, what performance criteria CR&R should meet and what concessions CR&R should make with regard to rates for the city to consider extending the franchise contract without conducting a competitive bid. This week, when the *Sentinel* contacted him by email in an effort to get him to lay out his position with regard to the franchise and whether he supported carrying out a competitive bidding process or, in the alternative, was willing to have CR&R maintain the franchise through a negotiated arrangement with the city, Echevarria declined to comment, directing the *Sentinel* to "reach out to our city appointed public information officer, Debra Farrar." Farrar was not available for any response.

Mayor Frank Navarro, who at that time was a councilman, and Councilman Luis Gonzalez in July 2015 were two of the three votes in opposition to extending Republic's franchise without engaging first in a competitive bid process. Both remain adamantly opposed to allowing CR&R to maintain its exclusive trash hauling franchise with the city without being subject to an exacting comparison of what other refuse handlers will offer as an alternative.

The most cursory examination of the terms in Colton's franchise contract in comparison to the service provided to residential, commercial and industrial customers in other cities demonstrates that Colton's residents are at a distinct disadvantage to virtually ev-

ery other municipality in San Bernardino County and practically all of the county's unincorporated communities, as well.

An examination of just a handful of particulars illustrates this reality. One consideration is the automatic rate increase that Colton residents and businesses are subject to in their trash collection service bills. Most cities allow their franchised hauler to impose an annual increase not to exceed 3 percent. In Colton, that increase is tied to the consumer price index, with no maximum, such that rates have escalated in recent years by as much as 8 percent.

Commercial and industrial businesses in Colton pay more for trash service than those in any other city or town in the county.

As was the case in 2015, Athens Services, is yet seeking to establish trash pick-up contracts in San Bernardino County. Eight years ago, after having obtained the contract to operate the County of San Bernardino's landfills, it was hoping to expand its trash hauling operations to include any of a number of cities in the county. At that time, Athens was willing to seriously underbid Republic in an effort to capture the Colton account. Because of the DeLaRosa-led council's decision not to bid in 2015, however, city officials were never given a glimpse of the financial savings Republic would offer the city's ratepayers or the franchise fees it would be willing to pay the city.

Similarly, Burrtec, which previously had the county landfill managing contract and is San Bernardino County's most prolific trash hauler, was itching to put its best foot forward in seeking to gain the Colton trash hauling franchise it lost when the underhanded tactics described in the McDonald Report were brought bear to steer the franchise to Taormina.

Burrtec at present has plum franchises in the six largest of San Bernardino County's 24 cities – San Bernardino, Fontana, Ontario, Rancho Cucamonga, Victorville and

Rialto. The company also has franchises in ten of the county's other municipalities – Apple Valley, Twentynine Palms, Yucca Valley, Yucaipa, Adelanto, Upland, Grand Terrace, Redlands, Montclair and Barstow. Additionally, it is the franchised garbage handler in the unincorporated San Bernardino County communities of Amboy, Angeles Oaks, Yermo, Victorville, Valley of Enchantment, Twin Peaks, Arrowbear, Baker, Barton Flats, Bloomington, Blue Jay, Skyforest, Silver Lakes, Cedar Glen, Cedarpines Park, Cima, Crestline, Daggett, Del Rosa, Devore, Dumont Dunes, El Rancho Verde, Forest Falls, Fort Irwin, San Antonio Heights, Running Springs, Nippon, Oak Glen, Newberry Springs, Mount Baldy, Mountain Pass, Halloran, Helendale, Hinkley, Kelso, Lake Arrowhead, Lenwood, Landers, Lucerne Valley, Ludlow and Mentone.

Both Athens and Burrtec will compete for the Colton franchise as will Waste Management, Inc., which currently is the franchise trash hauler in Chino Hills, Chino and in the six of San Bernardino County's Western Mojave Desert communities: Trona, Kramer Junction, Red Mountain, Boron, Windy Acres and Four Corners.

In February 2015, William Smith, who had been Colton's community service director for nearly 11 years, was elevated to the position of

city manager on a narrow 4-to-3 vote. At that time, discussion with regard to what was going to be done about the city's trash hauling franchise, set to expire the following year, was ongoing behind closed doors. His instincts, professional judgment and experience told him that the city should be putting the contract out to bid. The political reality, however, was that the mayor, DeLaRosa, had been elected with the backing of Republic Industries and he was militating, quietly in the back channels of City Hall, toward perpetuating that company's hold on the franchise. As had been articulated by one of Smith's predecessors as city manager, Darryl Parrish, to Mark McDonald some 18 years previously, he knew that the machinations in favor of Republic Industries were improper, but he had mouths to feed and he couldn't afford to lose his job. Instead of forcefully advocating on behalf of putting the franchise contract out to bid, Smith allowed the council to steer its own course, which resulted, ultimately, in the 4-to-3 vote to rollover Republic's franchise contract.

Eight years later, Smith is caught up in a sense of *deja vu*. Last time, three members of the council – Navarro, Gonzalez and Suchil – were committed to putting the contract out to bid, DeLaRosa and Bennett were equally committed to preventing a competitive bid-

ding process from taking place and two others on the council could have gone in either direction but seemed to be leaning in favor of letting Republic get what it wanted. Now, with the council reduced from seven to five, Navarro and Gonzalez remain in favor of subjecting the city's trash hauling franchise to a competitive process and Chastain wants to allow CR&R to have its way with the city and its ratepayers and two of the council members could go either way.

A city official this week told the *Sentinel*, "Bill [Smith] is in favor of carrying out competitive bidding for the franchise, but he can't risk making that recommendation. He doesn't know where David [Toro] and John [Echevarria] stand on this. They just might be going right down the line with CR&R. If he calls for putting this out to bid, he could end up fired."

According to the official, "Everyone knows where Kelly Chastain is on this. CR&R owns her. It's hard for me to believe that David has taken money under the table from CR&R or before that, Republic. He's a good guy, but naive sometimes. And John? He's a police lieutenant, for Christ's sake. You would never think that he's getting greased. But there's no denying Taormina had a formula. Look at it: The company was outperformed in the original competition, and

it still got the franchise. We know that was because people were paid off. Ten years later, it got the franchise again, without having to compete. Ten years after that, the franchise was renewed with no competition. They've got a formula. They hand out money and they get what they want. It's hard to believe people are being paid off. No one wants to think people are being paid off. But something isn't right. Ask yourself: 'Why haven't they put this out to bid?' It's a no-brainer. The worst that could happen is we go through the process, and it comes back that CR&R is the best deal, and we stay with them. The upside is we open it up to a fair contest and we can cut millions of dollars, literally millions of dollars, off of what we will pay for trash pick-up for the upcoming ten years. The city could ask for an increase in its franchise fee and almost be guaranteed to get it. Why didn't the council do that before? Why don't they want to do it now? Is somebody getting paid off? Who? That's why Bill can't publicly come out and say that this should go out to bid. He probably can't even say that privately. If Bill gets in the way or if he embarrasses someone by doing the right thing, he could be out the door tomorrow."

Neither Smith nor Toro nor Chastain responded to *Sentinel* invitations to discuss issues relating to the city's trash franchise.

## Company Has Money to Make A Political Statement In Upland *from page 15*

opposition. If such a scenario plays out and a resident of the First District challenges Maust, that candidate will likely be heavily backed by GridStor and Upland Reliability Project Holdings, LLC.

Prime movers with GridStor are its CEO, Chris Taylor; its vice president of finance, Anna Astretsova; its project development manager, Corey Barnes; its executive assistant and office

manager, Maylin Brennan; its vice president for policy and strategy, Jason Burwen; its senior manager for procurement and contracts, Nicole Carrigan; its controller, Steve Caspell; its manager of finance, Joshua Chandy; its project finance associate, Michaela Copenhagen; its engineering, procurement, construction and technical operations manager, Daniel Dedrick; its vice president for business operations, Anne Emig; its program development manager, Matrell Everett; its transmission and interconnections manager, Ayesha Fareedi; its senior financial planning

and analysis manager, Nathan Fjeldahl; its director of development, Matthew Gilliland; its engineering, procurement and construction project manager, Adam Horvath; its director of analytics, Will Jolley; its solutions architect, Alex Krall; its general counsel and chief compliance officer, Ben Lackey; its project development manager, Jarred McGhee, its vice president of development, Kathryn Meyer, its vice president of mergers and acquisitions, Jack Murray; its senior manager of market analytics, Brett Rudder; its vice president of transmission and interconnection, Esteban San-

tos; its project engineering manager, Kaushik Seshadri; its vice president of marketing, Jacob Steubing; its vice president for human resources, Patricia Wortham; its senior associate for commercial and business operations, Tony Ye; its vice president for asset management, Paul Zovesoff; and its director of market operations, Zhechong Zhao.

Upland Reliability Project Holdings, LLC has taken advantage of its status as a Delaware Corporation to refrain from publicly disclosing its ownership and management.

-Mark Gutglueck