

Friday, September 22, 2023 A Fortunado Publication in conjunction with Countywide News Service 10808 Foothill Blvd. Suite 160-446 Rancho Cucamonga, CA 91730 (951) 567-1936

## Sheriff Now Outfitting His SB Central & Hesperia Deputies With Body Cameras

After an interminable delay, the San Bernardino County Sheriff's Department has initiated outfitting its deputies with body cameras.

The move comes a full decade after two San Bernardino County law enforcement agencies – the Rialto Police Department and the Chino Police Department – made body camera's standard gear for their police officers. The San Bernardino and Fontana

departments purchased and deployed them for their officers in 2016. In the years since, a number of other police departments in San Bernardino County as well as throughout Southern California have acquired the devices and put them into routine use. At present, every other sheriff's department in Southern California is utilizing the cameras, which in addition to being capable of video recording can also

pick up sound out to a distance of 33 to 40 feet.

The cameras, worn on the uniforms, belts or eyeglasses of the officers, are distinct from vehicle cameras, which have been in vogue with many police departments for some two decades.

The San Bernardino County Sheriff's Department operates a number of helicopters, most of which have been able to capture video footage for more than three decades.

In 2018, under then-Sheriff John McMahon, the department initiated a pilot program/experiment in which a limited number of deputies were outfitted with body cameras. The deputies and their superiors reported no outstanding problems with the program on their end, although there were what were termed "technological issues" that made the operation of the cameras unreliable in certain circumstances

or areas of the 20,105 square-mile county.

For reasons that remain unclear, McMahon did not take the body-worn camera program beyond that pilot program.

Shortly after the current sheriff, Shannon Dicus, was appointed sheriff in the Summer of 2021, he committed to having his department iron out certain technical glitches that existed with the bodyworn **See P 3**

## State Water Board Orders Arrowhead Water Bottler To Discontinue Unauthorized H<sub>2</sub>O Diversions

(September 19) The California State Water Resources Control Board approved a cease & desist order forcing BlueTriton, the bottler of Arrowhead Mountain Spring Water, to stop the removal of tens of millions of gallons of water annually from a San Bernardino National Forest spring complex that gave the Arrowhead brand its name.

Under the order adopted Tuesday, BlueTriton is required to allow the bulk of the water it currently removes to bypass its collection facilities – a series of tunnels, boreholes and a pipeline that occupy public lands – by November 1, 2023.

Water originating in the San Bernardino Mountains and using the Arrowhead brand in one form or another has been marketed at least since 1909. Questions have long existed, however, as to whether the water rights originally claimed, attributed or granted to Arrowhead Puritas, the corporate predecessor to Arrowhead Spring Water, pertain to the current source of the water drawn at the 5,200-foot elevation level from Strawberry Creek in what is known as Strawberry Canyon rather than water drawn farther down the mountain at around the 2,000-foot above sea level altitude.

In 1929, the California Consolidated Waters Company was formed to merge three Los Angeles-based companies that bottled and **See P 3**

## District Retreats From Full-Fledged Support For Water Importation In The West Mojave

In a deviation of direction that was entirely unanticipated, the central player in the Indian Wells Valley Groundwater Authority is withholding its support of the not-fully-gestated plan to redress the overdraft in the West Mojave's aquifer through the importation of water from Northern California.

Indian Wells Valley lies at the extreme

northwestern end of the Mojave Desert and the confluence of the northwestern corner of San Bernardino County, the eastern end of Kern County and the southwestern extension of Inyo County.

In 2014, then-California Governor Jerry Brown signed into law the Sustainable Groundwater Management Act, mandating water-saving

measures throughout the state and requiring local agencies to draft plans to bring groundwater aquifers into balanced levels of pumping and recharge through the adoption of a groundwater sustainability plan.

In 2015, in the aftermath of a four-year running drought, a determination by the California Department of Water Resources that Indian Wells

Valley overlies one of the 21 water basins throughout the State of California in critical overdraft, the Indian Wells Valley Groundwater Authority was formed, pursuant to a joint exercise of powers agreement involving Kern County, San Bernardino County, Inyo County, the City of Ridgecrest and the Indian Wells Valley Water District as gen-

eral members and the United States Navy and the United States Department of the Interior Bureau of Land Management as associate members.

Given that it is the participating entity most heavily steeped in water-related issues and employed a staff highly knowledgeable with regard to water operations, not to mention **See P 15**

## Yucaipa City Clerk Responds To Angry Citizen Protest Over Her Recall Election-Blocking Lawsuit

By Mark Gutglueck

Preparatory toward next month's court hearing at which Judge Michael Sachs is to make a decision about the continuation or dismissal of the lawsuit Yucaipa City Clerk Ana Sauseda brought which, in essence, prevented 194 Yucaipa residents from pursuing an effort to recall three of their coun-

cilmen, Sauseda offered a free-ranging defense of her action.

Two months prior to her hiring as city clerk by City Manager Chris Mann in March, events played out in the city of 55,495 that have triggered the most contentious chapter in Yucaipa's 34-year history.

On January 9, the newly-formed city coun-

cil coalition of Mayor Justin Beaver, who had first been elected to the council in 2022, Councilman Bobby Duncan, a councilmember since 2012, and Councilman Matt Garner, who had been elected in November 2022 and was sworn in the month before, pressured then-City Manager Ray Casey to tender his res- **See P 2**

## Chino Policy & AG's Suit Sets Off A Chain Reaction Statewide

The Chino Valley School Board, or four of its members to put it more accurately, are under siege from above and below.

At issue is the policy the board passed in July calling on the district's faculty to notify the parents of a child if he or she reidentifies his or her gender, which is defined as occurring if the

child changes pronouns, names or seeks to use a gender-based changing room, locker room or restrooms different than his or her assigned gender at birth.

Some students, the parents of some students, many teachers and the teachers' bargaining unit, the Chino Teachers Association, protested the change. On **See P 3**

## Big Bear Community Services District Taps Eagleson As Director Amid Fire Chief Contretemps

With one of its members abstaining, the four-fifths strength Big Bear Community Services District Board of Directors on Monday, September 18 voted 2-to-1 to appoint Mike Eagleson to fill its ranks.

Eagleson was among five residents of Big Bear City who applied to replace former director John Green, who died July 25.

In addition to Eagleson, JoKay Rowe, Belinda-Joanna Masse Rainwater, Madison Jackson and Brian Erickson had sought elevation to the board.

Instead of holding an election, the board, then consisting of John Russo, Bob Rowe, Larry Walsh and Al Ziegler, on August 7 determined it would, with the guidance of Big Bear Com-

munity Services District General Manager Glenn Jacklin, replace Green by appointment.

Because JoKay Rowe is Bob Rowe's wife, Bob Rowe recused himself from participating in the decision.

The 38.45-square mile Big Bear community is home to 17,784 residents. There is some confusion, however about jurisdictional issues in Big Bear,

as it consists of two entities, the City of Big Bear Lake and Big Bear City. Despite its name, Big Bear City is not a municipality but rather an unincorporated county area and a designated census place. Big Bear Lake is an incorporated municipality. Despite its status as an actual city, Big Bear Lake is smaller than Big Bear City both in terms of land area and

population. The former is 6.42 square miles and has 5,046 inhabitants. The latter is an expansive 32.03 square miles with 12,738 residents. While both qualify as rustic mountain districts, the more compact Big Bear Lake is slightly more urbanized and densely populated.

The Big Bear City Community Services District over-**See P 14**

## In January, A Newly-Formed Ruling City Council Coalition Unleashed Hidden Civic Passion When It Embarked On Unannounced And Substantial Municipal Managerial Change *from front page*

ignation in lieu of being ignominiously fired and outright terminated City Attorney David Snow, an attorney with the law firm of Richards, Watson & Gershon.

Yucaipa's citizenry had been given only the shortest of warnings about what was to take place, with the agenda for the January 9 meeting having been posted 72 hours in advance referencing an item relating to the performance evaluations of both Casey and Snow. Indeed, the overwhelming majority of the city's residents was caught unprepared by the fast-moving developments that manifested with, most notably, Casey's departure.

Not even three months previously, on October 24, 2022, the Yucaipa City Council as it was then composed had extended Casey's contract as city manager at least until June 30, 2024, conferring upon him a 3 percent salary increase that would jump his annual salary to \$299,420, such that he would be making, when his benefits and perquisites were considered, \$422,901.50 in total annual compensation, putting him among the 25 highest-paid city managers among California's 482 municipalities.

The Princeton-educated Casey had begun with the city in 2003 as the city engineer/director of public works and was elevated to the position of city manager in 2008. During that time, he had become something of an institution in Yucaipa, which qualifies as San Bernardino County's fifteenth largest or tenth smallest of 24 municipalities in terms of population and, at 28.27-square miles, the sixteenth largest or ninth smallest of the county's 24 cities and incorporated towns land-wise, making it either the fourteenth most dense or the tenth least dense of the county's municipali-

ties. Yucaipa stands as a relatively rare blend of Old West, worldly, agricultural, mercantile, semi-rural and urban influences, ones that are much prized by its residents and which Casey had labored, mostly successfully, to keep in balance. As a celebrated cattle town at one point in its history prior to its incorporation, Yucaipa still encompasses some agricultural operations consisting mostly of farms and groves. Over the years, as the town of Yucaipa grew, with its 1989 incorporation, to become the City of Yucaipa, the community adhered to a simple, and by some people's reckoning, an ideal and logical, model of expansion. The commercial district has continued to confine itself to a relatively narrow corridor around Yucaipa Boulevard, which winds from the 10 Freeway at the south end of the city and makes its way toward the San Bernardino Mountains. With only a few exceptions, the rest of the city has remained as a rustic agricultural district or residential neighborhoods. It also became something of a retirement community, as a good number of older residents flocked to live in a host of mobile home parks that came to dot the landscape. Yucaipa is one of six cities and one unincorporated community in San Bernardino County which hosts an accredited college or university, that being Crafton Hills College, built on 484 acres of ground donated by the Finkelstein Brothers in 1972, while Yucaipa was still an unincorporated community. In addition, the city is home to the Yucaipa Performing Arts Center, a significant regional cultural events venue.

Casey had a depth of experience prior to coming to Yucaipa which included having been employed in the private sector with Manitou En-

gineering in Escondido as a consulting engineer, a stint with the City of Temecula as its land development department's principal engineer, more than five years as the highway engineer and traffic manager with the Isabella County Road Commission in Michigan and serving as the deputy director for development services and city engineer with the City of San Bernardino. A partial outgrowth of that experience was that he 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, one way or another by either the developer or the city's taxpayers. He was thus 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.

In October 2022, when Casey's contract had been extended through June 2024, Greg Bogh, who had been in office since 2010; David Avila, who was first elected in 2014; and Jon Thorp, who had been on the council since 2020, were members of the city council, as were Duncan and Beaver. Bogh and Avila had opted out of running for reelection and were not on the following month's ballot. Ultimately, in the November 8, 2022 election, Matt Garner managed to finish first in the race to represent Yucaipa's First District and he was sworn in to replace Avila. Chris Venable captured first place in the Second District contest, and he supplanted Bogh on the council in December.

Thus, when Beaver, Duncan and Garner combined forces to cashier Casey on January 9, this represented a 180-degree reversal of the vote Beaver and Duncan had

made on October 24. For an overwhelming number of observers, there were troubling aspects to the way the Casey' and Snow's exodus had been effectuated.

That night, more than two dozen alarmed and agitated residents showed up for the council meeting because they had caught wind that Casey and City Attorney David Snow were about to be axed. Despite efforts by multiple anxious members of the crowd to talk the council out of the action those residents were led to believe its members were going to take, they were met with the assertion that Casey had tendered his resignation, that in that evening's closed session preceding the public session Beaver, Duncan and Garner had accepted that resignation and the entire city council had voted to give Snow the heave-ho.

During that closed session, the council was accompanied not by Snow but by another attorney, Stephen Graham. In the course of that closed session, the council voted to 5-to-0 to hire Graham as city attorney, effective immediately, and voted 4-to-1, with Thorp dissenting, to hire Chris Mann, the chairman of the Yucaipa Valley Water District Board of Directors, to serve as city manager, effective March 1. There had been no previous indication, in that evening's meeting agenda or in any other forum or posting, that the Mann and Graham hirings were to take place.

Mann and Graham were at that point also the city manager and city attorney with the municipality of Canyon Lake. With Graham on hand for the meeting and Mann in the City Hall parking lot during the initial portion of the meeting, there were immediate accusations of a violation of The Ralph M. Brown Act, California's open public meeting law.

The Brown Act prohibits a quorum of an elected governmental body or an appointed governmental body with decision-making author-

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ity from meeting, discussing any matter to be decided or voted upon or coming to a consensus in any way about the matter to be voted upon or holding that vote 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.

The Brown Act also requires that any action an elected or appointed governmental decision-making body is to take be agendized and posted for public scrutiny at least 72 hours before the meeting at which the action to be voted upon takes place.

Residents who were opposed to what they saw as Casey's forced departure 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 on the civic center grounds, in anticipation of the action the council ultimately took.

It appears that Beaver, Duncan and Garner anticipated no or only mild objections among the public to jettisoning Casey or that if there was to be any protest over that action, they would be able to ride it out. In

that respect, they grossly miscalculated. And once the intensity of outrage at Casey's firing manifested, it did not, as Beaver, Duncan and Garner initially hoped, abate over the next several weeks. Indeed, it intensified as many residents who were not initially aware of what happened learned of the events of January 9.

For a good number of Yucaipa residents, the most alarming element of the developments consisted of the public and professional orientation of Chris Mann, one that was in stark contrast to the approach toward municipal management that Casey had embodied.

In welcoming Mann to the city manager's post, Beaver, Duncan and Garner had similarly emphasized that Mann was himself a Yucaipa resident, one involved in a number of civic affairs, most notably as the president of the Yucaipa Valley Water District Board of Directors. The community would reap the benefit of employing a city management professional who had sharpened his skills in the capacity of serving as the top administrator of Canyon Lake and who, as someone who had invested himself in Yucaipa by purchasing his home there, would have a personal stake in maintaining the local quality of life.

The council troika, however, did not mention that in addition to having been the Canyon Lake city manager, Mann is the principal in Mann Communications, *Continued on Page 4*

## Disarray Over How The Indian Wells Valley Groundwater Authority Will Defray The Cost Of Constructing A Pipeline To The California Aqueduct *from front page*

its control over the lion's share of facilities pertaining to local water storage, conveyance and management, the Indian Wells Valley Water District from the outset essentially served as the staff for the Indian Wells Valley Groundwater Authority.

Don Zdeba, the general manager of the Indian Wells Valley Water District, was in many ways the prime mover in ushering the Indian Wells Valley Groundwater Authority toward meeting the state requirements through the planning for the eventual implementation of the Indian Wells Valley Groundwater Sustainability Plan.

Based upon a survey of water usage patterns undertaken by an engineering consultant, Carlsbad-based Stetson Engineers, the authority and the Indian Wells Valley Water District sought to derive a strategy for both reducing

water use in the valley and increasing groundwater recharge to reach a balance of both that will end the overdraft.

Achieving that balance has taken on an urgency based upon a California State mandate, growing out of the Sustainable Groundwater Management Act, that depletions of the valley's groundwater cease by 2042.

According to the surveys completed to provide the data needed to formulate the Indian Wells Valley Groundwater Sustainability Plan, the average natural annual recharge in the basin is 7,650 acre-feet while the annual draftability of groundwater in the region by all entities is three to four times that amount.

Any realistic assessment of the existing population, industrial, agricultural and commercial operations in the area and the decreases in the drafting of wa-

ter from the regional aquifer that could be achieved through efficiency, conservation, increased recycling of water and perhaps the minimization of evaporation demonstrated that it would not be possible to achieve use/recharge balance by 2042.

Accordingly, staff and the board of the Indian Wells Valley Groundwater Authority long ago concluded that the sought-after goal of bringing the region's water table out of a state of overdraft can only be achieved by the importation of water from outside the valley and then injecting it deep into the ground to avoid evaporation and replenish water lost from excessive production.

The groundwater sustainability plan for Indian Wells Valley that was formulated by Stetson Engineers and staff with the Indian Wells Valley Groundwater Authority that was on track toward eventual implementation as recently as a month ago called for obtaining water from the California State Water Project on an annual or continu-

ous basis to make up the difference between the amount of water being used in the valley and the amount of annual rainfall that recharges the valley's aquifer.

In order to tap into the state's aqueduct, officials said, the authority will need to construct 50.8 miles of pipe from California City to Ridgecrest, consisting of 40.6 miles of 24-inch pipe and 10.2 miles of 18-inch pipe, of which 22.8 miles will consist of steel pipe, 27.5 miles of PVC [polyvinyl chloride] pipe and a half-mile of HDPE [high density polyethylene] pipe for trenchless drainage crossings; three pump stations; one 240,000-gallon regulating tank at peak elevation in the El Paso Mountains along Highway 395; and a million-gallon terminus tank at the Indian Wells Valley Water District Ridgecrest Heights Tank Facility.

In order to execute on the project, the governing board and staff of the Indian Wells Valley Groundwater Authority this summer began an effort toward determining how much of a financial

burden the landowners and water users within its jurisdiction will need to assume in covering the cost of completing a water pipeline project to replenish the region's dwindling water supply.

The preliminary project cost estimate for completing the groundwater sustainability plan as projected in January 2020 was \$177,975,000, including a 20 percent contingency add-on. The original cost estimate was adjusted downward to \$165,740,000, including a 30 percent contingency add-on, when an alignment study for the project was completed in April of this year. Just four months later, however, in August, the cost estimate had jumped to \$200,536,000, including a 20 percent contingency add-on.

Those estimates, however, did not include land acquisition, permanent easements, temporary construction easements, and fee property, construction administration, permitting fees or credits on existing conservation easements for sensitive species mitigation.

Of tremendous moment for the authority is the means availability to pay for the project. Under the Groundwater Sustainability Act and related federal laws and regulations, the authority can qualify for five potential options for federal funding of construction activities associated with the interconnection pipeline project, which are administered through four separate agencies.

Under the Water Resources Development Act, the project qualifies for two programs, one being as a water resources project and the other an environmental infrastructure project, both administered by the Army Corps of Engineers. The Indian Wells Valley Groundwater Authority's share of the cost of project completion if it were to be done as a water resources project would be \$15 million. If it were to be done as an environmental infrastructure project, the authority's share of the project completion cost would be \$53 million.

Under the National *Continued on Page 3*

## County Paying \$6.5 Million To Outfit The Sheriff's Department's Sworn Officers With Body Cameras & Record The Data For Five Years *from front page*

camera systems that the county had invested in so that all of the department's deputies would be videoing from their perspective their activity in the field and their encounters with the public in general and both criminal suspects and arrestees specifically in short order. Dicus said

that the bodyworn camera system would be up and running no later than December 2021.

It is not clear what delayed the implementation of the program along the timeline Dicus specified.

At its February 28, 2023 meeting, the San Bernardino County Board of Supervisors

signed off on a \$6,561,335 contract with Scottsdale, Arizona-based Axon Enterprises for the period of March 1, 2023 through February 29, 2028 to equip roughly two-thirds of the sheriff's department's 2,007 deputies with body cameras. The contract specified the county spending \$1,312,267 yearly to phase the program in and maintain it over the five-year life of the deal, with the option to extend the contract for one addi-

tional two-year period or two additional one-year periods.

According to information available to the *Sentinel* at that time, the county is to pay Axon Enterprises \$399 for each camera along with a \$79 per month fee for unlimited data storage and retrieval from each device.

Ultimately the goal is for the cameras to be worn by all of the department's deputies and detectives. In Febru-

ary, when the *Sentinel* researched the issue, it had not been determined whether the department's sergeants and lieutenants would also routinely sport the devices. The concept, the *Sentinel* was informed, consisted of having all department personnel who interact with citizens in the field on a routine or daily basis to be required to wear the cameras. The department's captains, while occasionally coming in contact with residents

and commonplace citizens, are not in the field on a constant basis and spend far more of their time in indoor settings at department facilities. Sergeants and lieutenants divide their time, in most circumstances, between office work and field work, and generally do not involve themselves in activity in which controversy over citizen contact has played out, although there are exceptions.

In March, there was *Continued on Page 9*

## Without Any Established Right To The Water, BlueTriton's Corporate Predecessor In 1930 Drilled Boreholes & Tunnels Into The Bedrock At 5,600-Foot Elevation Strawberry Canyon To Begin An Unauthorized Diversion Of H<sub>2</sub>O That Continued For More Than 90 Years *from front page*

distributed "Arrowhead Water," "Puritas Water" and "Liquid Steam." The property, bottling operations, water distribution and administration of Arrowhead Springs Company, Puritas of

California Consumers Company and the water bottling division of Merchants Ice and Storage were all administered by California Consolidated Waters Company. In August 1930, Califor-

nia Consolidated Waters, on the basis of a single pipeline permit that was not based on any water rights and without having obtained a diversion permit or any further valid authorization or rights, started diverting spring water from a single "bedrock crevice" spring in the San Bernardino National Forest along Strawberry Creek at an elevation of 5,600 feet. Subsequently, in 1933 and 1934, the com-

pany put in place tunnels, ultimately accompanied by holes and horizontal wells at or near the headwaters of Strawberry Creek in Strawberry Canyon. Strawberry Creek was noted in maps and springs studies prior to the diversion to be a perennial stream which was fed by abundant flowing headwaters springs.

The Arrowhead Water Bottling Company, under various names

and corporate configurations, including divisions of Standard Oil of California and Rheem Manufacturing, continued to operate, drawing water from Strawberry Canyon throughout the 20<sup>th</sup> Century. In 1969, the Arrowhead Water Bottling Company was acquired by the Coca Cola Bottling Company of Los Angeles and in 1978, Chicago-based Northwest Industries acquired Arrowhead Puri-

tas when it bought Coca Cola Bottling of Los Angeles. In 1982, Northwest Industries unloaded Coca-Cola Bottling of Los Angeles to Beatrice Foods. BCI subsequently acquired Beatrice in a leveraged buyout. While under BCI's control, the U.S. Forest Service-issued Arrowhead Puritas water drafting permit in Strawberry Canyon expired, and the BCI-Arrowhead Drinking *Continued on Page 9*

## After The Yucaipa City Council, As Composed In October 2022, Extended Casey's Contract As City Manager Until June 2024, The Reconstituted Council, In A Backroom Arrangement, Forced His Resignation In January 2023 *from page 2*

which according to the company's own 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' specialty was, according to the firm's website, 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." Furthermore, according to the company website, "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."

At the time of Mann's hiring, only a handful of city residents knew that he was the owner and operator of Mann Communications and that the company was a primary lobbying/promotional arm of the building industry. Within a very short span, however, those residents began spreading the word about the past activities of the city's new city manager and what his overarching goals appeared to be.

To many Yucaipa residents, it was highly troubling that Mann had been brought in to oversee the operation of City Hall, including the city's land use decision-making and planning

functions, while he was simultaneously working for and accepting money from developmental interests, the very entities he was supposed to be regulating. Nor was it lost on a wide cross section of Yucaipa residents that Duncan was a real estate agent. While previously, allowing the real estate industry to have a seat on the city council as long as having that representation was balanced by four other individuals embodying a variety of professional classes was not perceived as problematic, many had the impression 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 further appeared that Garner was front-ending for the real estate industry. Previously, Beaver had been able to convince his constituents that his priority was maintaining a balance of growth and tradition that would preserve the city's quality of life. His embrace of Mann, however, triggered widespread reevaluations of previous assumptions, and some were openly speculating that Beaver, Duncan and Garner were ushering Yucaipa toward a developmental frenzy in which they all stood to profit in some way. There arose a perception that Beaver, Duncan and Garner had ditched Casey 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

dozens or indeed scores of other cities in Southern California that are now composed, practically, of wall-to-wall houses.

Rumors 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 group of Yucaipa residents 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 Hall, where they filed a notice of intention to circulate recall petitions against Garner, Duncan and Beaver. In District 4, 62 residents signed the notice of intent to qualify a recall election against Beaver. In District 3, 67 residents signed the notice of intent to qualify a recall election against Duncan. In District 1, 64 residents signed the notice of intent to qualify a recall election against Garner.

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. Others were told the recall could not possibly succeed and that those sponsoring it and backing it would find themselves at odds with some very powerful people.

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 Sauseda.

Sauseda already owed

much to Mann for advancements in her municipal career. In 2018, she had been a city clerk records management analyst in the Rancho Cucamonga city clerk's office making \$40,952 annually before benefits. In 2018, she was hired to serve as deputy city clerk in Canyon Lake. In 2020, Mann promoted her to city clerk, with her annual salary before benefits increasing to \$72,978.28. In 2021, her salary before benefits jumped to \$82,845 and in 2021, Mann arranged to increase her salary to \$103,807 before benefits.

When Mann in March brought Sauseda over from Canyon Lake, he installed her as both the city clerk and the director of general services at an annual salary of \$163,858.63 before benefits.

In Sauseda's capacity as city clerk, the processing of the intent to recall documents fell to her. Mann, meanwhile, was able to avail the city of the services of the Los Angeles-based Sutton Law Firm. Between Mann and the Sutton Law Firm's attorneys Bradley W. Hertz and Eli B. Love, they found what they said might be some factual errors: Despite all appearances on the evening of January 9 when Graham was available to serve as city attorney even before a vote on firing Snow took place and Mann was waiting in the wings at City Hall in anticipation of the council confirming the acceptance of Casey's resignation, an actual violation of the Ralph M. Brown couldn't be and hadn't been proved, they asserted. Nor was it true that Casey had been terminated, they pointed out. He had resigned of his own volition. Moreover, Mann, Hertz and Love noted, the recall papers were worded against each of the three councilmen separately, asserting each had taken the action on January 9 for which they were being criticized. In actuality, Mann, Hertz and Love averred, no single council member had the authority to take action.

Such action as the trio was accused of individually could only be taken with no fewer than three members of the council coming together to vote as a majority of the body. Thus, the grounds cited for the recall were invalid, they said.

Sauseda adopted the position set out for her by Mann, Hertz and Love. Shortly thereafter, represented by Hertz, Love and the Sutton Law Firm, Sauseda, as Yucaipa city clerk and the city's election officer, filed suit in San Bernardino Superior Court in the form of a writ of mandate naming all of the proponents of the recall against Beaver, all of the proponents of the recall against Duncan and all of the proponents of the effort to recall Garner.

The writ of mandate relied upon Assembly Bill 2584, which went into effect on January 1 and enables city clerks to combat what are alleged to be "abuses of the recall process and to ensure that voters are not misled by false and misleading statements on recall petitions."

The suit's upshot was that there were false and misleading statements contained in the recall petitions which should invalidate the recall effort altogether.

Mann, with the backing of Beaver, Duncan and Garner, used city funds to pay for Hertz's, Love's and the Sutton Law Firm's filing on behalf of Sauseda.

In March, the same month that Mann had brought Sauseda to Yucaipa, he had hired Joe Pradetto to serve as Yucaipa's director of governmental affairs. Pradetto, who had run in many of the same circles as Mann, has been a planning commissioner with the City Of Palm Desert since February 2015. He was a supervising deputy assessor with the County of Riverside from April 2017 until November 2021, at which point he was hired by Riverside County Supervisor Chuck Washington to serve as his chief of staff. Pradetto stayed in

that post for one year and four months, departing from Washington's office in February 2023 to take the Yucaipa job.

From January 2010 until April of 2017, Pradetto had been a legislative assistant with the County of Riverside. From September 2014 until December of 2018, he was a board member and then the president of the Coachella Valley Resource Conservation District.

Pradetto put out a press release announcing Sauseda's suit, referencing Assembly Bill 2584 and offering the somewhat dubious assertion that the city clerk had carried out an independent and impartial analysis of the recall notices, coming to a conclusion on her own "that many of the statements were objectively false, and others, while perhaps technically true, were clearly misleading."

Pradetto then upped the ante, stating, "In addition to the provisions of AB 2584, Sauseda also cautions recall proponents that, 'Per Elections Code section 18600, it is a misdemeanor offense to circulate or obtain signatures on a recall petition that intentionally misrepresent or make false statements.'"

The filing of the suit, the cost of having to make a legal response and the threat of arrest being made against the recall proponents was intended, and succeeded, in spreading fear and dissension within the ranks of the recall proponents.

More than a fourth and approaching a third of the recall proponents, faced with the prospect of being arrested, jailed and prosecuted for having participated in the recall effort, headed for, or attempted to reach, the tall grass. They in relatively short order agreed to withdraw their names from the petition.

Sauseda, however, represented by Hertz, Love and the Sutton Law Firm, declined to allow them to do so, extending their discomfiture, perpetuating the prospect that they would yet need

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## Parents Want Access To Their Children's Personifications At School, While Students Who Want To Change Their Gender & Their Supporters Say Those Who Brought Them Into The World Should Be Excluded From That Aspect Of Their Offsprings' Lives

from front page

July 20, when the board's four Republican members – Board President Sonja Shaw and trustees James Na, Andrew Cruz and Jon Monroe – voted to begin implementation of the policy, they heard first from California Superintendent of Public Schools Tony Thurmond, who had sojourned from Sacramento that day to be on hand at the Don Lugo High School Auditorium where the board met to accommodate the over-capacity crowd. Thurmond, a Democrat, inveighed against the guideline, stating that “nearly half of students who identify as being LBGTQ+ are considering suicide.” He said the policy would put transgender students who have parents unwilling to accept their gender identification at risk.

That 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. On August 28, Bonta in his capacity as state attorney 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 in-

formed 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

of the policy and the attorney general's lawsuit were relatively straightforward, the language contained within the lawsuit itself, was inflammatory. In it, Bonta 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

ment, and abuse, mental, emotional, and physical.” Bonta, California's highest ranking law enforcement authority, said the “board's plain motivations in adopting Policy 5020.1 were to create and harbor animosity, discrimination, and prejudice towards these transgender and gender nonconforming students, without any compelling reason to do so.”

Advocates for transgender youth piled on,

majority was being out-muscled politically and legally, outmaneuvered in terms of the presentation of its position to the public at virtually ever turn. On Wednesday, September 6, the district board majority's fortunes seemingly reached their nadir when during the first hearing on the lawsuit, San Bernardino County Superior Court Judge Thomas Garza granted the State of California a tempo-

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 that string of setbacks, the Chino Valley Unified School District Board majority in recent weeks and days has seen what appeared to be its eroding political position spontaneously shored up by a multitude of developments from disparate areas around the Golden State.

Despite the succession of legal and political buzzsaws the Chino Valley Unified School District ran into, a multitude of California school boards have replicated what was done in the Chino Valley in July, and the elected members of those school boards have been bold and open in their defiance of Bonta, the attorney general's office, Thurmond and his state office, as well as their Democrat colleagues in Sacramento. A few dared Bonta to file suit against their individual districts, just as he had against Chino Valley Unified. To date, no fewer than six 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 and Temecula Valley Unified School District – have passed policies identical or essentially indistinguishable from the one in Chino Valley. There is a report that 20 other districts are in the discussion phase about adopting similar policies subject to a vote of their boards. The *Sentinel* was able to verify seven such discussions are taking, or have taken, place.

While LGBTQ community activists have turned out en masse at those local school board meetings where parent

## For Second Time This Year Redlands Says No To Flying Gay Pride Flag At City Hall

For the second time this year, the Redlands City Council has turned back requests that city premises be used as a forum for promoting gay pride. In a 3-to-2 vote at the September 5 council meeting, the five council members replicated their rejection, by a similar margin, not to display the rainbow flag, considered to be a symbol of pride and affirmation among those within the lesbian, gay, bisexual, trans and queer (LGBTQ) community.

In May 2019, the Redlands City Council, inspired by Denise Davis, whose openly celebrated lesbianism was a central tenet of her successful 2018 campaign for city council, officially declared June as “Pride Month” for the LGBTQ element of the city's population.

Davis was reelected in 2022, but has developed a somewhat testy relationship with three of her council colleagues, those being Mayor Eddie Tejada and councilmen Paul Barich and Mario Saucedo, particularly because of her continual emphasis on social issues traditionally beyond the focus of local government rather than the land use, financial and municipal operational matters the council typically deals in. In some measure because of the Davis's targeting of the gay rights recognition issue and the tactic of driving others supporting local government's prioritization of explicit references to lifestyle tolerance, former Councilman Mick Gallagher and now Tejada, Barich and Saucedo have adopted the view that such social commentary is beyond the purview of local government, bordering on being a political stance. That attitude played into the 3-2 vote in early May to have the city opt out of flying the Pride Flag this year during June, which is designated as “Gay Pride Month.”

That item had been originally introduced at the March 21 council meeting in the form of a “Flag Display Policy,” which called for designating municipal property as a “limited public forum” rather than the previously designated “nonpublic forum,” thereby clearing the way for the Redlands Civic Center and City Hall to be used as a venue for members of the public /community to express their sentiments.

to strike it down.”

In a state dominated by Democrats, wherein every statewide political office from governor on down is held by a Democrat and both houses of the state legislature have Democratic supermajorities, the four-fifths Republican Chino Valley School Board was at a distinct disadvantage. While general media accounts of the passage

action were, Bonta said, “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, harass-

Tejada, Barich and Saucedo came to the conclusion in May that it was proper to fly the U.S., California, Redlands and military flags such as those relating to soldiers missing in action on city property and that all other types of flags carried with them political statements that implied either official city endorsement or called for a counterbalancing display of standards of contrasting or dissenting sentiment, which could potentially lead to an impractical strain upon available space, not to mention unwanted expositions of hostility between differing political factions. Davis and Councilwoman Jenna Guzman-Lowery in May voted in favor of having the rainbow flag fly at City Hall.

On August 18, Laura Ann Carleton, who had worked in the fashion industry in Los Angeles and Hollywood during the 1970s, 1980s, 1990s and early 2000s before moving to the outskirts of the Lake Arrowhead Community of Cedar Glen in the San Bernardino Mountains where she opened a clothing store, was shot and killed by Travis Ikeguchi, allegedly after Ikeguchi made what were termed “homophobic” remarks to her based upon a rainbow flag she had displayed in front of her store.

Davis seized upon what had occurred to Carleton, noting she was an indefatigable ally of the LGBTQ community, and called upon those in Redlands to stand in solidarity with her by making an exception to the decision against flying the rainbow flag in May by flying the rainbow flag outside of Redlands City Hall for one week. Doing so would align with Priority C relating to equity and inclusion contained in the Redlands Strategic Plan, Davis asserted.

Mayor Tejada, Barich and Saucedo, however, say what Davis was asking for as a back-door or side-door attempt to compromise the principle established in the May vote of excluding political statements from city premises. After a show of support for Davis's proposal by members of the LGBTQ community, the item failed to gain passage with Tejada, Saucedo and Barich in opposition and Davis and Guzman-Lowery voting yes.

characterizing the majority members of the school board as “homophobic” and “transphobic” and “bigots.”

Tony Hoang the executive director of Equality California, an LGBTQ civil rights group, stated that the district's policy was increasing the “anti-LBGTQ+ hate we are experiencing.”

The Chino Valley Unified School Board

rarely restraining order prohibiting the Chino Valley Unified School District from enforcing the policy. In doing so, Judge Garza telegraphed that the court was favorably predisposed toward Bonta's position by his remarks in which he seemed to suggest the rights with regard to gender transitioning were as basic to the U.S. and California

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**City Manager's Forced Departure By A Ruling Majority On The Yucaipa City Council Engendered A Head Of Steam For An Unprecedented Recall Effort The Subsequently-Hired City Clerk Derailed With Legal Action from page 4**

to undergo an expensive legal process, at the end of which they would be subjected to up to six months in jail for having unjustifiably maligned Yucaipa's political leadership.

More than half of the recall proponents, however, remained steady in the face of the counteroffensive that Mann, Sauseda and Pradetto had mounted on behalf of Beaver, Duncan and Garner with the assistance of Hertz and Love.

Recall proponents asserted that Sauseda, Hertz and Love were dealing in semantics with the writ. While it was true that Casey resigned, he did so with a figurative gun pointed at his head, the proponents pointed out, such that he was for all intents and purposes terminated. They stood by their assertion that a Brown Act violation occurred on January 9. "How was it that both Mann and Graham were on hand to take over as city manager and city attorney if there was no Brown Act violation?" they asked, collectively.

Some recall proponents said they would be willing to redraft the recall papers to address Sauseda's assertions of inaccuracies. Sauseda refused to allow a new submission to be substi-

tuted for the original.

The recall proponents retained Jim Penman of the Milligan Beswick Law Firm, who was for more than 20 years the city attorney in San Bernardino, to represent them in their effort to contest the writ.

Penman asserted the recall proponents' rights to withdraw the intention to circulate a recall petition filing, even while some Yucaipa residents were contemplating a second filing utilizing language that would withstand Hertz's and Love's withering scrutiny.

Under California law, to qualify a recall against a city council member wherein the number of registered voters eligible to vote for that position total between 1,000 and 10,000, as is the case in all of Yucaipa's council districts, the valid signatures of 25 percent of the current registered voters must be obtained. Because Yucaipa switched from an at-large voting system to a by-district system in 2016, qualifying a recall effort against a council member in that city is now one-fifth as formidable as it was previously.

Given that District 1 in Yucaipa has 7,303 registered voters, to qualify a vote on recalling Garner, recall proponents

had to gather the signatures of at least 1,826 registered voters in his district by August 16.

Given that there are 5,912 registered voters in District 3, to qualify a vote on recalling Duncan, recall proponents were required to gather the signatures of at least 1,478 registered voters in District 3 by August 16.

Given that District 4 has 6,492 voters, to qualify a vote on recalling Beaver, recall proponents needed to garner the signatures of at least 1,623 registered voters in his district by August 16.

Distracted by the legal action and unsure of whether the legal action would invalidate their effort in any event, the recall proponents failed to coordinate the gathering of signatures over the four months they had to do so.

The recall proponents, who had begun with so much enthusiasm and intensity for the task of getting the recall question before Yucaipa's voters, had not considered the signature-gathering requirement to be a daunting one at all. Few or none had anticipated that the city's administrative and legal authorities would elevate the effort to a one in which the stakes of participating would entail a seemingly interminable battle in court compounded with each recall advocate facing criminal charges. The collective focus by which each of the 64 recall advocates in District 4 on average

would need go out to obtain at least 26 valid signatures of voters in their district other than their own to qualify the recall question against Garner, the 67 recall advocates in District 3 on average would need go out to obtain at least 22 valid signatures of voters in their district beyond their own to subject Duncan to facing a recall election and the recall advocates in District 1 would need go out to obtain at least 28 valid signatures of voters other than their own to put Mayor Beaver's political future in the hands of the voters did not materialize.

On August 16, nowhere approaching the 1,826 registered voters' valid signatures on the petition targeting Garner, nor the 1,478 registered voters' valid signatures on the petition targeting Duncan, nor the 1,623 registered voters' valid signatures on the document relating to Beaver had been gathered. Consequently, the recall effort officially drew to a close. On August 31, Sauseda filed a motion with the court proposing a settlement of the suit she had lodged in which either side would pay its own legal fees and go their separate ways.

The recall proponents seized upon that settlement offer as a confirmation that Sauseda's intent was not to, as she, Hertz and Love had asserted, protect the integrity of the electoral process,

but rather to prevent the recall effort from going forward.

Penman pointed out that the recall proponents he represents made an offer early on to withdraw the recall. Sauseda had refused and he believes she, meaning the city, should now cover the legal fees of those residents who sought the early dismissal of the case. In this sense, according to Penman, "the city's conduct against them was more political than legal. That means the court now needs to determine whether or not the city should be required to reimburse them for their legal fees if the court determines the city should have accepted the offer of the recall proponents to withdraw the recall papers and put a halt to the legal expenses going back to May 24. As of now, the taxpayers of Yucaipa and the Yucaipa citizens, who lawfully exercised their right to recall their elected officials, have been forced to pay unnecessary legal fees for the city's lawyers and for the recall proponents' lawyers. The city had the opportunity to stop those costs from accumulating a mere 7 days after the city clerk commenced her lawsuit. The city, however, which is controlled by the three council members who are the subjects of the recall, deliberately chose to needlessly continue a lawsuit which became legally moot one week after it was filed."

Penman accused Bea-

ver, Duncan, Garner, Mann and Sauseda of "misusing the legal process to punish citizens for exercising their legal rights as Americans, as has been happening in this case since the beginning."

On October 12, Superior Court Judge Michael Sachs will consider competing motions from Hertz and Love on one hand and Penman on the other that the case should simply be dismissed or that the Sauseda and the city should bear the cost of the recall proponents' defense of their efforts to participate in the political process.

This week, Sauseda, with assistance from Mann, Pradetto, Hertz and Love, responded to a set of questions the Sentinel had originally sought to pose to Sauseda in a telephonic contact on September 7 and which was provided to her in writing on September 12.

In her email, Sauseda said of the controversy attending the Yucaipa recall effort, "There are at least two sides to every story. Transparency is central to my profession."

With regard to the recall proponents' contention that she did not carry out her own independent analysis of the recall filing language but instead relied on the analysis provided to her Mann, Hertz & Love, Sauseda said, "Upon submission of the [intention to circulate recall petition]

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## California Attorney General's Challenge Of The Chino Unified School District's Notification Policy Likely To Come Down To A Determination Over Conflicting Claims Of Privacy Vs. Parental Rights *from page 5*

notification policies have been voted on to go on record as being in opposition to the requirement or otherwise lodge protests, many are recurrent visitors who live outside those jurisdictions. It appears that among the local residents who have attended such public hearings prior to those votes, a decided majority of those are parents or individuals supporting the notification policies.

Professionally conducted polls using modern statistical methods show that parents put a premium on their traditional rights to be kept apprised of all aspects of their children's education. 84 percent of California voters support local laws that require parents to be notified of changes in a child's health.

A non-scientific poll conducted by the *Sentinel* since the beginning of the month indicates that more than 88 percent or eight-ninths of Republicans of the age of majority in San Bernardino County surveyed support the right of parents to be notified about any changes in their gender identification, that more than 71 percent of Democrats of voting age in San Bernardino County support the right of parents to be notified about any decisions their children make with regard to their gender status and 100 percent of those without any specified political affiliation residing in San Bernardino County surveyed by the *Sentinel* supported informing parents about any gender identification alteration their children make within the context of their school attendance.

While very vocal LGBTQ community advocates have loudly condemned the districts that have pushed ahead with the parent notification requirement, saying the policy of "forced outing" is damaging to the learning environment and a

socially repressive and discriminatory measure, that reasoning is running head on into parents and students willing to reject those characterizations, who insist that if an individual is determined to identify himself or herself as a gender other than that one assigned to him or her at birth in the public setting of a school, the expectation of confidentiality is not only unrealistic but untenable.

Moreover, Bonta's assertion that a constitutional right to privacy extends to keeping such information from parents simply does not stand up to exacting legal scrutiny, parental rights advocates maintain. They pointed out that the actual court decision by U.S. District Court Judge John Mendez in a case brought against the Chico Unified School District by a parent who alleged the district had violated her constitutional rights by failing to tell her that her child had asked to use a different gender pronoun did not, as LGBTQ advocates and even Bonta have implied, reach a determination that students have privacy rights under the California and United States constitutions that prohibit disclosure of their gender identity to their parents. Judge Mendez's ruling was that the parent did not have a constitutional right to that information rather than that the child had a constitutional right to withhold it.

Those supporting the concept of parental notification, after initially being intimidated by the ferocity of the reaction against the Chino Valley Unified School District's policy, have gradually gotten their sea legs and have become less reticent in expressing their views, indeed have become quite bold in insisting that the rights of parents in raising their children take precedence over the children's trepi-

datation at having their parents learn about any of hundreds of variations in their evolving orientation to the world.

At the same time, advocates of parental notification have come to realize that their rights of expression remain in the face of whatever procedural actions or legal decisions that are made with regard to the matter. They recognize that while Bonta is in a position to take the Chino Valley Unified School District to court to contest its policy, his authority as attorney general does not extend to muzzling them or preventing them from expressing their belief that parents have a right to remain involved in the education and raising of their children and that the state does not have the power to prevent them from engaging in such involvement.

"People are telling Bonta, basically, 'Screw you. We're not afraid of you,'" Erin Friday, a lawyer whose daughter previously assumed a male gender identity after being introduced to the concept of transgenderism in a comprehensive seventh grade sex-education class she was enrolled in at a public school and who has since resumed her female identity, told the *Daily Caller* News Foundation.

Friday has taken a lead in advocating against schools maintaining secrecy with regard to student's health or sexual identity issues when that involves preventing parents from having access to information.

The *Sentinel* has obtained a recorded interview with Friday in which she said, "Parents should know that their child is being called another name at school. Parents should know if the child is going to school and going into a trans closet and changing clothes at school. That happens in California. Parents should know that schools are giving out trans tape so that girls can tape down their breasts and boys can tape down their genitals and girls can ball it up

and create a fake genital. Parents should know this and parents should have the right to stop it. California has just funded 10,000 new school counselors. That sounds like a good thing. In my former life, I would have been like 'That's great because mental health is such a problem for our kids.' But I know that those 10,000 new school counselors are 10,000 new indoctrinators. They are 10,000 new secret-keepers. Once a child goes to a school counselor, parents don't even know, they don't have a right to know, that their child is going to a counselor every single day."

Though the four-member Republican majority on the Chino Valley Unified School Board remains at something of a disadvantage in Democrat-dominated California, particularly as applies if the progressive Democrats decide to press the advantage the Democrats have in both houses of the state legislature and pass into law a bill that outright prevents school districts, schools, school administrators and teachers from informing parents about the on-campus gender identification of their children, that advantage is not absolute. In July, when the Chino School Board passed the parental notification policy, that development played out in a relatively limited venue, without too many people paying attention. Over the last two months, however, the issue has garnered more and more publicity, and not only in the Chino Valley, but San Bernardino County, Southern California, the State of California as a whole, as well as nationwide. If both formal and informal polls are anywhere near accurate, somewhere in the neighborhood of 75 to 80 percent of California's voting population is in favor of parental notification. If members of the Democrat-dominated California Legislature embark on creating laws to disenfranchise parents throughout the state from the education of

their own children, large numbers of Democrats could see themselves paying an unenviable political price for doings so.

More telling still is that within the last two weeks in the court system, or more specifically the federal court system, the legal theory that minor students have privacy rights that preclude their parents from learning about their gender identity – the central premise in the lawsuit Bonta filed against the Chino Valley Unified School District – has been soundly rejected.

In April, Elizabeth Mirabelli and Lori Ann West, middle school teachers in the Escondido Union School District, 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 them to dissemble and outright mislead parents when they face a situation in which students have assumed a gender at a variance with their natural sex.

The lawsuit states teachers are required 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.

In his ruling 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 in-

terests that Americans enjoy. However, if a school student expresses words or actions during class that may be the first visible sign that the child is dealing with gender incongruity or possibly gender dysphoria, conditions that may (or may not) progress into significant, adverse, life-long social-emotional health consequences, would it be lawful for the school to require teachers to hide the event from the parents?"

Judge Benitez concluded that the teachers' religious beliefs and free speech rights were violated by the Escondido Union School District's policy, and 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 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."

The court granted Mirabelli and West a preliminary injunction against the district policy.

What was revealed during the course of Mirabelli's and West's litigation was that school staff and teachers at the school where they taught were sharing with one another 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. One exhibit, a 2022 email, demonstrated many parents were unaware of their stu-

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## Sauseda Says Recall Documents Made False Assertions & Her Legal Challenge Of Them Reflects Her Professionalism from page 6

notices, I reviewed the statements and came to the conclusion that they contained false and misleading information.”

Sauseda added, “I take pride in staying up to date on the most recent law changes affecting the office of the city clerk and was aware of recent legislation that allowed a voter or elections official to challenge false and/or misleading information in a notice. I approached other city clerks to get their take on this new provision of the Elections Code. As this was new law, and I was therefore in uncharted waters, I reached out to the city attorney who suggested that I engage the services of special counsel with expertise in elections law. I interviewed multiple law firms, and ultimately chose the Sutton Law Firm and Mr. Bradley Hertz.”

In response to the assertion that her dispute with the recall filing language is one of semantics rather than substance and that a violation of the Brown Act involving Mayor Beaver and Councilmen Duncan and Garner did take place on January 9 and that collectively by their action on January 9 Mayor Beaver and Councilmen Duncan and Garner did terminate Mr. Snow and force the resignation of Mr. Casey, Sauseda wrote, “I take exception to the assertion that I would pursue a frivolous lawsuit with political motivations. As a certified municipal clerk, I am committed to upholding the law in a neutral and impartial manner. My challenge to the allegations in the notices is about upholding the law to ensure the voters of the city are not misled on official election documents. It was my hope that I would have an expeditious court hearing so that a judge could rule on the merits of the case,

and it is unfortunate that the process has taken so long because I believe I would prevail on the merits.”

According to Sauseda, “The assertion that a Brown Act violation occurred is one of the central misleading statements from the recall proponents and has been deemed unfounded by an independent investigator. Upon Mr. Mann’s hiring, the council commissioned an investigation into the allegations by critics of the council’s decision to hire him. One of those allegations that the investigator looked into was that of a Brown Act violation. The investigator acknowledged that Mr. Mann had conversations with councilmen Beaver and Duncan before his hiring and with Garner before his election. As Mr. Mann is not a council member, he could not have committed a Brown Act violation by talking to the three, especially since Garner had not yet been elected and was not subject to the Brown Act’s prohibitions. There has been absolutely no evidence to suggest that three or more members of the city council met, conducted serial meetings, or otherwise violated the Brown Act.”

Asserting her “lawsuit is about much more than semantics,” Sauseda referenced the first two statements on the notice filed regarding Beaver, which stated “Abuse of Power: Behind closed doors, Justin Beaver removed the city attorney and forced City Manager Casey into retirement without warning, despite a favorable review and 2-year contract extension – leaving taxpayers on the hook for severance pay” and “Self Serving: Immediately replaced city manager and attorney with political cronies without public scrutiny, input or transparency in the selection process.”

Sauseda quibbled with the recall proponents’ characterizations, saying “There are both false and misleading statements contained in the document filed by

the intended recall petitioners. ‘Abuse of Power’ in close proximity to ‘Behind Closed Doors’ implies illegality, even though the actions on January 9, 2023 were done in conformity with the Brown Act,” she asserted. “Voters in Mayor Beaver’s district, reading this statement in official election documents, would be misled to believe that Mayor Beaver singlehandedly removed the city attorney. This is factually inaccurate. No single member of the council, including the mayor, has this authority. The legal services contract of Richards, Watson & Gershon was terminated by a unanimous vote of all five members of the city council.”

Sauseda asserted, “It is factually inaccurate to state that Mr. Casey was forced into retirement. I am prepared to produce evidence to the court that proves this.”

She did not produce that evidence to the Sentinel, however, implying Casey’s departure was in some fashion made of his own volition, without fully explicating how it was, roughly two-and-a-half months after he had acceded to a 20-month contract extension, that he felt compelled to tender his resignation.

“It is factually inaccurate to state that taxpayers were left on the hook for severance pay,” Sauseda said. “As Mr. Casey’s employment was not terminated by the city council, there was no severance payment. While there was a payment made to Mr. Casey based on the terms of a negotiated separation agreement, he was not paid severance.”

Sauseda further wrote, “Neither the city manager [Mann] nor city attorney [Graham] were close personal friends of the mayor [Beaver], and therefore do not meet the definition of ‘cronies.’ This statement misleads voters by implying impropriety or illegality in connection with the appointment process. The truth is that appointments were properly agendized and effected in the manner

required by the Brown Act.”

Sauseda, who was not in January employed in Yucaipa nor involved in the unfolding events, asserted, “There was tremendous public scrutiny and input leading up to the hiring of Mr. Mann and Mr. Graham. This scrutiny was only possible because the city council was, in fact, transparent. The discussions in closed session about the removal of the city manager and city attorney, as well as the appointment of a new city manager and city attorney, were properly agendized for the January 9, 2023 meeting. As a result, extensive public comment/input was given prior to the city council going into closed session that night. Further, Mr. Mann was not officially hired until his contract was approved on January 30, 2023. Extensive public comment/input on the matter was given at agendized City Council meetings on January 23, 2023 and January 30, 2023, prior to Mr. Mann’s contract being approved by a 5-0 vote of the city council.”

Sauseda wrote, “[T]hese are just the first two statements made against just one of the councilmembers who had been the subject of a recall effort. Almost all of the statements made on the notices for each of the three councilmembers are either objectively false or clearly misleading.”

Sauseda did not offer an explanation of how it was that Mann was present at the Yucaipa Civic Center on the evening of the January 9 meeting nor square his presence with her assertion that he was not hired, officially, by the city council until January 30, which remains a central tenet to the recall petitioners’ contention that a Brown Act violation took place. Nor did she explain how the Brown Act was not violated by Graham’s spontaneous hiring on January 9 without any notice.

Sauseda reacted to the recall petitioners’ contention that her loyalty to

the residents of Yucaipa had been compromised by the degree to which her municipal career had been advanced by Mann when she was working with Canyon Lake, where her annual salary of \$72,978.28 in 2020 dwarfed the \$40,952 annual salary she had received in her previous municipal assignment in Rancho Cucamonga and where, under Mann’s leadership in 2021 her salary increased to \$82,845 and to an annual salary of \$103,807 before benefits in 2022. Moreover, according to the recall petitioners, Sauseda’s independence has been further compromised by the consideration that Mann had brought her to Yucaipa from Canyon Lake, conferring upon her the dual appointments of city clerk and the director of general services at an annual salary of \$163,858.63 before benefits.

Sauseda wrote that a previous Sentinel article which “said that Mr. Mann ‘plucked’ me from Rancho Cucamonga... could not be further from the truth, and I request that you correct the misinformation. I began working for the City of Canyon Lake in September of 2018 and was hired by then City Manager Aaron Palmer. Mr. Mann was hired in March of 2019. As the city clerk [of Yucaipa], my responsibility is to the nearly 55,000 residents and more than 34,000 registered voters here in the city, and I take that responsibility very seriously. I take exception to any allegations to the contrary. These allegations undermine and diminish my hard work and dedication to furthering my career, including my efforts to earn the prestigious certified municipal clerk designation, taking a pay reduction for a position with more upward mobility, and earning my degree while working full-time and being a mom.”

According to Sauseda, “The salary numbers you provide are inaccurate. When I accepted

the position of records management analyst in the Rancho Cucamonga City Clerk’s office in 2017, my starting pay was \$56,000 per year. I applied for a deputy city clerk position at the City of Canyon Lake in 2018 and was hired by the city manager at the time, Aaron Palmer. I took a pay cut to take that job, [at] \$48,000 per year, because it provided additional responsibility and the ability to develop my resume and career. While at Canyon Lake, I earned my certified municipal clerk designation and proved my skill and competence in the city clerk profession. I was promoted from deputy city clerk to city clerk in March of 2020. My promotion to the city clerk position upon receiving my certified municipal clerk designation had been discussed and was already on the table prior to Mr. Mann being hired as city manager. However, Mr. Mann honored that arrangement and approved the promotion. The 2020 salary you found reflects 9 months at the higher salary of city clerk. In 2021, I moved up a step in the salary schedule. And in 2022, the [Canyon Lake] City Council conducted a classification and compensation study that led to raises across-the-board.”

Sauseda wrote, “Joining the City of Yucaipa represents another promotion in my career for which I have spent more than 17 years preparing and for which I am well qualified. I am thankful to Mr. Mann for the opportunity but take exception to any allegation that my career advancement is based on anything but merit and proven competence.”

Sauseda sought to controvert the assertion that her intent in petitioning for the writ challenging the recall filing was to prevent the recall effort from proceeding.

“Nothing I, or anyone at the city, have done has in any way prevented anyone from exercising their right to pursue a recall,” she wrote.

*Continued on Page 15*



### More Than One Issue Has Delayed The Implementation Of Sheriff's Department Body Camera Program *from page 3*

some confusion as to whether Axon was to provide all 2,007 of the department's sworn personnel with the cameras or merely two-thirds of them, i.e., 1350 deputies, detectives, sergeants and lieutenants. Though the primary bottleneck in fully implementing the program was said to consist of Axon's ability to manufacture the requisite number of devices for the county while meeting its production quotas for other clients, it was stated that substantial numbers of deputies working the streets would have them by August or September, and that after those working in the field had been completely outfitted by late October or early November, deputies working in the county's detention facilities in Rancho Cucamonga, Glen Helen, San Bernardino and Adelanto would be equipped next, to be followed by the department's detectives.

As it stands, the department at present is now in the course of providing the cameras to its deputies working out of the Hesperia station, as well as the deputies assigned to the department who work out of the sheriff's department's San Bernardino headquarters.

The sheriff's department has patrol responsibility for the entirety of the county's unincorporated areas as well as the 14 cities in the county that do not have their own municipal police departments and which contract with the sheriff's department for police services. Those contract cities include Chino Hills, Rancho Cucamonga, Grand Terrace, Loma Linda, Highland, Big Bear, Hesperia, Apple Valley, Victorville, Adelanto, Yucaipa, Yucca Valley, Twentynine Palms and Needles.

It thus appears that it will be the sheriff's deputies patrolling Hesperia and Oak Hills as well as Grand Terrace, Loma Linda and the county areas surrounding the county seat of San Bernardino – Muscog, Reche Canyon and Mentone – who will first

make use of the cameras.

One report had it that the hold up in the delivery of the devices had been driven by the dearth of cell towers and amplifiers that existed in the more remote portions of the 20,105-square mile county, such that video and audio data transmitted from them was not being received by the department's communications division. The department does not want to be explicit about the technical fixes applied to cure this problem, since doing so could compromise the security of the system or otherwise leave it vulnerable to hackers. Indications were, however, that a means of superseding the shortcomings in the system has been formulated and is being applied.

Another issue for Dicus and the department's command echelon is the balance between transparency and vulnerability toward exposure of some of the department's less attractive attributes that must be struck.

For more than a half century, the department has burnished a well-deserved reputation for employing deputies who

do not hesitate to utilize brutality and excessive force as a law enforcement tool. In recent decades, this issue has been complicated by a significant number of deputies who make use of anabolic steroids, testosterone supplements and testosterone precursors in their efforts to beef up. Such chemicals can trigger what is referred to as 'roid rage, i.e., angry and



aggressive behavior. Law enforcement agencies in general, and the San Bernardino County Sheriff's Department in particular, encourage their sworn officers to maintain in the field command presence, which can be effectuated by a threatening demeanor. Even though exhibiting 'roid rage can be useful to carrying out the department's mission, the anger and brutality issues brought on by steroid and testosterone use can, and have, on occasion created legal issues for the depart-

ment, particularly when sheriff's deputies have channeled that anger into excessive force incidents.

A strategy the department and its command structure has used in attempting to harness the aggressiveness of its chemically-enhanced deputies is to assign them to its Operation H.O.P.E. (Homeless Outreach and Proactive Enforcement) and Operation Shelter Me programs, which are aimed at the county's un-housed population to convince them to leave the county or at least those portions of the county patrolled by the sheriff's department, such that the dispossessed steer clear of the cities which contract with the sheriff's department for law enforcement services. It is generally thought that the political leadership in Chino Hills, Rancho Cucamonga, Grand Terrace, Loma Linda, Highland, Big Bear, Hesperia, Apple Valley, Victorville, Adelanto, Yucaipa, Yucca Valley, Twentynine Palms and Needles will approve of the department ridding them of the unsightly blight of the persistently destitute in their jurisdictions and that homeless

individuals will not have the wherewithal to take any sort of legal action when the deputies unleash their pent up fury on them by roughing them up or beating them. In this way, arming all of the department's deputies with bodyworn video cameras could prove a double-edged sword that might redound to the detriment of the department's reputation in a wider context.

While it is unlikely that San Bernardino County District Attorney Jason Anderson, who is Dicus's political associate and considers himself his friend, would utilize his authority to prosecute a law enforcement officer who was using his discretion and whatever tools are in his arsenal to redress vagrancy issues, a video of a deputy administering summary punishment on a denizen of the streets that falls into the hands of the media might prove problematic for the department. By limiting the department's bodyworn camera program to a pilot program, Dicus has avoided, as did McMahon before him, any such contretemps so far.

—Mark Gutglueck

### It Appears One Rock Capital & Metropolis Purchased Arrowhead Bottling From Nestlé Not Fully Recognizing The Water Rights Circumstance In The San Bernardino Mountains *from page 3*

Water Company applied to extend the permit. In 1987, while that application was still pending, Perrier purchased the BCI-Arrowhead Drinking Water Company.

The then-pending water extraction permit renewal required a U.S. Forest Service review of the water drafting arrangement and its environmental/ecological impact, which the U.S. Forest Service then did not have the immediately available resources to carry out. In a gesture of compromise, Perrier was allowed, pending the eventual Forest Service review, to continue to operate in Strawberry Canyon by simply continuing to pay the \$524-per year fee to perpetu-

ate the water extraction under the terms of the expired permit. In 1992, when Nestlé acquired the Arrowhead brand from Perrier, it inherited the Strawberry Canyon operation and continued to pay the \$524 annual fee without renewing the permit, which at that time existed under the name of the "Arrowhead Mountain Spring Water Co," one that was never listed legally in corporate filings, but which operated under Nestlé Waters of North America, Inc. until it was acquired by BlueTriton Brands

Nestlé's intensive water-drafting activity, which has long been decried by environmentalists, came under increas-

ing fire as a statewide drought, which lasted for more than five years after it first manifested in 2011, advanced. In 2015, environmental groups were gearing up to file a lawsuit claiming the U.S. Forest Service had violated protocols and harmed the ecology of the mountain by allowing Nestlé Waters North America to continue its operations in Strawberry Canyon for 28 years after its permit expired. At that point, the Forest Service moved to make an environmental review. In the meantime, Nestlé continued its water extraction, pumping an average of 62.56 million gallons of water annually from the San Bernardino Mountains. Environmentalists lodged protests with the water rights division of the California Water Resources Control Board, alleging Nestlé was diverting water without rights, making unrea-

sonable use of the water it was taking, failing to monitor the amount drawn or make an accurate accounting of the water it was taking, and wreaking environmental damage by its action.

Following a two-year investigation, state officials arrived at a tentative determination that Nestlé could continue to divert up to 26 acre-feet of water (8.47 million gallons) per year. Nestlé had gone far beyond the water drafting limit the company was entitled to, the State Water Resources Control Board said, and was actually drafting 192 acre-feet (62.56 million gallons), such that 166 acre-feet (54.09 million gallons) the company was taking on an annual basis was unauthorized, according to a report released on December 21, 2017.

In March 2021, Nestlé's parent company, Nestlé S.A., a corporate conglomerate

headquartered in Vevey, Vaud, Switzerland, sold its Nestlé Waters North America division, with the exception of its bottling rights to Perrier, to One Rock Capital Partners, LLC, in partnership with Metropoulos & Company.

Nestlé Waters North America existed as Nestlé's operations pertaining to bottling drinking water in the United States and Canada, including eight of the leading water bottling operations in the United States. Upon the sale being completed to One Rock Capital and Metropoulos, Nestlé Waters North America was redubbed BlueTriton Brands.

Arrowhead Mountain Spring Water is among the most iconic of the brands now in the possession of BlueTriton. To the chagrin of the company, the California State Water Resources Control Board's final-

ized determination on September 19 to issue the cease & desist order entails a finding that "BlueTriton does not have any water rights that authorize these diversions and uses."

Numerous complainants, including Story of Stuff Project Executive Director Michael O'Heaney and local residents and whistleblowers Steve Loe, Amanda Frye and Hugh Bialecki, offered testimony before the state water board Tuesday, urging its approval of the order. O'Heaney also submitted a petition signed by 25,000 global citizens gathered by his organization and corporate accountability campaigner Eko calling upon the board to act. The petition stated that "one cannot sell what it does not own. And BlueTriton does not own, nor does it hold a right to, the water in Strawberry Creek."

*Continued on Page 16*





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FBN 20230008863 The following person is doing business as: STUDIO 6 ONTARIO CONVENTION CENTER; MOTEL 6 ONTARIO CONVENTION CENTER. 231 N VINEYARD AVE ONTARIO, CA 91764; MAILING ADDRESS PO BOX 14070 PINEDALE, CA 93650; COUNTY OF SAN BERNARDINO KUSH HOSPITALITY INC 2095 W KENNEDY STREET MADERA, CA 93637 The business is conducted by: A CORPORATION. The registrant commenced to transact business under the fictitious business name or names listed above on: AUG 30, 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/ NRUPENBHAI PATEL, CEO Statement filed with the County Clerk of San Bernardino on: AUGUST 31, 2023 I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et seq., Business and Professions Code). Published in the San Bernardino County Sentinel 09/01/2023, 09/08/2023, 09/15/2023, 09/22/2023 CNBB35202314MT

FBN 20230008855 The following person is doing business as: JUST JONES 24. 5634 N I ST SAN BERNARDINO, CA 92407 COUNTY OF SAN BERNARDINO JUST JONES 24 5634 N I ST SAN BERNARDINO, CA 92407 The business is conducted by: A CORPORATION. The registrant commenced to transact business under the fictitious business name or names listed above on: AUG 23, 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.

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s/ JUSTIN JONES, CEO Statement filed with the County Clerk of San Bernardino on: AUGUST 31, 2023 I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et seq., Business and Professions Code). Published in the San Bernardino County Sentinel 09/01/2023, 09/08/2023, 09/15/2023, 09/22/2023 CNBB35202315MT

FBN 20230008838 The following person is doing business as: MAD.SWEETZ. 15839 ALIISON WAY FONTANA, CA 92336; MAILING ADDRESS 15839 ALIISON WAY FONTANA, CA 92336; COUNTY OF SAN BERNARDINO KENDRA SAGASTUME, 15839 ALLISON WAY FONTANA, CA 92336. The business is conducted by: AN INDIVIDUAL. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information 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/ KENDRA SAGASTUME, OWNER Statement filed with the County Clerk of San Bernardino on: AUGUST 30, 2023 I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in 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 09/01/2023, 09/08/2023, 09/15/2023, 09/22/2023 CNBB35202316MT

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ed 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/ ROBERT ANTHONY A MORALES, OWNER Statement filed with the County Clerk of San Bernardino on: AUGUST 30, 2023 I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in 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 09/01/2023, 09/08/2023, 09/15/2023, 09/22/2023 CNBB35202317MT

FBN 20230008832 The following person is doing business as: 1% LISTING FEE. 9630 FOOTHILL BLVD #115 RIALTO, CA 91730; MAILING ADDRESS 1739 W COAST BLVD RIALTO, CA 92377; COUNTY OF SAN BERNARDINO OSCAR R GARCIA 1739 W COAST BLVD RIALTO, CA 92377. The business is conducted by: AN INDIVIDUAL. The registrant commenced to transact business under the fictitious business name or names listed above on: AUG 29, 2023 By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ OSCAR R GARCIA, OWNER Statement filed with the County Clerk of San Bernardino on: AUGUST 30, 2023 I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et seq., Business and Professions Code). Published in the San Bernardino

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FBN 20230008636 The following person is doing business as: WHILLO'S TRAILER REPAIRS. 1202 MARTINEZ LN COLTON, CA 92324 COUNTY OF SAN BERNARDINO ARMANDO GOMEZ 1202 MARTINEZ LN COLTON, CA 92324. The business is conducted by: AN INDIVIDUAL. The registrant commenced to transact business under the fictitious business name or names listed above on: AUG 25, 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/ ARMANDO GOMEZ, Statement filed with the County Clerk of San Bernardino on: AUGUST 25, 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 09/01/2023, 09/08/2023, 09/15/2023, 09/22/2023 CNBB35202319MT

FBN 20230008824 The following person is doing business as: BARSTOW BEAUTY. 321 2ND ST BARSTOW, CA 92311; MAILING ADDRESS 13415 ALCOTT ST VICTORVILLE, CA 92392; COUNTY OF SAN BERNARDINO ZUHA LLC 321 S SND ST BARSTOW, CA 92311; 321 2ND T BARSTOW, CA 92311; . The business is conducted by: A LIMITED LIABILITY COMPANY. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ AMENAH IBRAHEEM, CEO Statement filed with the County Clerk of San Bernardino on: AUGUST 30, 2023 I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy

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FBN 20230008916 The following person is doing business as: INLAND FURNITURE; HOMY FURNITURE. 790 INLAND CENTER DR. SAN BERNARDINO, CA 92408 COUNTY OF SAN BERNARDINO HOMY DESIGNS INC. 790 INLAND CENTER DR. SAN BERNARDINO, CA 92408 The business is conducted by: A CORPORATION. The registrant commenced to transact business under the fictitious business name or names listed above on: JUL 01, 2021 By signing, I declare that all in-

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formation 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/ MIN YE, CEO Statement filed with the County Clerk of San Bernardino on: SEPTEMBER 01, 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 09/08/2023, 09/15/2023, 09/22/2023, 09/29/2023 CNBB36202302MT

FBN 20230008878 The following person is doing business as: TOM'S SUPER BURGER. 1398 E HIGHLAND AVE SAN BERNARDINO, CA 92404; MAILING ADDRESS 14272 LOST HORSE RD EASTVALE, CA 92880; COUNTY OF SAN BERNARDINO FIVE LOAVES 1398 E. HIGHLAND AVE SAN BERNARDINO, CA 92404 The business is conducted by: A CORPORATION. The registrant commenced to transact business under the fictitious business name or names listed above on: AUG 31, 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/ PAUL RATHEESH, CEO Statement filed with the County Clerk of San Bernardino on: AUGUST 31, 2023 I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et seq., Business and Professions Code). Published in the San Bernardino County Sentinel 09/08/2023, 09/15/2023, 09/22/2023, 09/29/2023 CNBB36202303MT

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business as: UNIQUE WHOLESALE DOORS. 17130 MESA DR #3 HESPERIA, CA 92345 COUNTY OF SAN BERNARDINO OSCAR MARTINEZ 11345 TEAK LANE FONTANA, CA 92337 The business is conducted by: A GENERAL PARTNERSHIP. The registrant commenced to transact business under the fictitious business name or names listed above on: AUG 31, 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/ OSCAR MARTINEZ, GENERAL PARTNER Statement filed with the County Clerk of San Bernardino on: AUGUST 31, 2023 I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et seq., Business and Professions Code). Published in the San Bernardino County Sentinel 09/08/2023, 09/15/2023, 09/22/2023, 09/29/2023 CNBB36202304MT

FBN 20230008875 The following person is doing business as: HOLOHAN GROUP. 1211 HEATH STREET REDLANDS, CA 92374 COUNTY OF SAN BERNARDINO BRENDAN BC HOLOHAN 1211 HEATH STREET REDLANDS, CA 92374. 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/ BRENDAN BC HOLOHAN, OWNER Statement filed with the County Clerk of San Bernardino on: AUGUST 31, 2023 I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state



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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 09/22/2023, 09/29/2023, 10/06/2023, 10/13/2023 CNBB38202306MT

FBN 20230009261  
The following person is doing business as: MARISCOS PUERTO NAYARI. 16312 ARROW BLVD STE C FONTANA, CA 92335 COUNTY OF SANBERNARDINO JUAN C ANAGRITA VELEZ 16312 ARROW BLVD STE C 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/ JUAN C ANAGRITA VELEZ, OWNER Statement filed with the County Clerk of San Bernardino on: SEPTEMBER 12, 2023 I hereby certify that this copy is a correct copy of the original statement on file in my office San Ber-

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nardino 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 09/22/2023, 09/29/2023, 10/06/2023, 10/13/2023 CNBB38202307MT

FBN 20230009259  
The following person is doing business as: ANA M.GAMA DDS, INC.. 1270 W FOOTHILL BLVD STE D RIALTO, CA 92376 COUNTY OF SANBERNARDINO ANA M.GAMA, D.D.S., INC. 1270 W FOOTHILL BLVD STE D RIALTO, CA 92376 The business is conducted by: A CORPORATION. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ ANA M. GAMA, PRESIDENT Statement filed with the County Clerk of San Bernardino on: SEPTEMBER 12, 2023 I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business

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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 09/22/2023, 09/29/2023, 10/06/2023, 10/13/2023 CNBB38202308MT

FBN 20230009257  
The following person is doing business as: ROADMAP EXPRESS TRANS. 3337 W FLORIDA AVE #184 HEMET, CA 92545 COUNTY OF SANBERNARDINO MUSTAFA R MOUSTAFA E 3337 W FLORIDA AVE #184 HEMET, CA 92545. 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/ MUSTAFA R MOUSTAFA E, OWNER Statement filed with the County Clerk of San Bernardino on: SEPTEMBER 12, 2023 I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of it-

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self 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 09/22/2023, 09/29/2023, 10/06/2023, 10/13/2023 CNBB38202309MT

FBN 20230009299  
The following person is doing business as: PUPUSERIA SALMEX. 2490 W. 3RD AVE SAN BERNARDINO, CA 92407 COUNTY OF SANBERNARDINO JESUS C. ABURTO 2490 W. 3RD AVE SAN BERNARDINO, CA 92407. The business is conducted by: AN INDIVIDUAL. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ JESUS C. ABURTO, OWNER Statement filed with the County Clerk of San Bernardino on: SEPTEMBER 13, 2023 I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another

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under federal, state, or common law (see Section 14400 et seq., Business and Professions Code). Published in the San Bernardino County Sentinel 09/22/2023, 09/29/2023, 10/06/2023, 10/13/2023 CNBB38202310MT

FBN 20230009520  
The following person is doing business as: RAFAEL'S GARAGE DOORS. 492 E 17TH ST SAN BERNARDINO, CA 92404 COUNTY OF SANBERNARDINO RAFAEL HERNANDEZ FLORES 492 E 17TH ST SAN BERNARDINO, CA 92404. The business is conducted by: AN INDIVIDUAL. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ RAFAEL HERNANDEZ FLORES, OWNER Statement filed with the County Clerk of San Bernardino on: SEPTEMBER 19, 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.,

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Business and Professions Code). Published in the San Bernardino County Sentinel 09/22/2023, 09/29/2023, 10/06/2023, 10/13/2023 CNBB38202311MT

FBN 20230009300  
The following person is doing business as: ESTANISLADO TRUCKING. 7463 CATALPA AVE HIGHLAND, CA 92346 COUNTY OF SANBERNARDINO ESTANISLADO CHAVEZ NUNEZ 7463 CATALPA AVE HIGHLAND, CA 92346. The business is conducted by: AN INDIVIDUAL. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 179130. I am also aware that all information on this statement becomes Public Record upon filing. s/ ESTANISLADO CHAVEZ NUNEZ, OWNER Statement filed with the County Clerk of San Bernardino on: SEPTEMBER 13, 2023 I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By:/Deputy Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et seq., Business and Professions Code). Published in the San Bernardino

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County Sentinel 09/22/2023, 09/29/2023, 10/06/2023, 10/13/2023 CNBB38202312MT

FBN 20230009357  
The following person is doing business as: SPLASH POOL SERVICES. 8048 ALDER AVE FONTANA, CA 92336 COUNTY OF SANBERNARDINO STEFANIE L RADDISH 8048 ALDER AVE FONTANA, CA 92336. The business is conducted by: AN INDIVIDUAL. The registrant commenced to transact business under the fictitious business name or names listed above on: N/A By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information 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/ STEFANIE L RADDISH, OWNER Statement filed with the County Clerk of San Bernardino on: SEPTEMBER 14, 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 09/22/2023, 09/29/2023, 10/06/2023, 10/13/2023 CNBB38202313MT

Besieged With Firefighter Discontent Over Fire Chief, Big Bear Lake Community Services Board Appoints Former Union Official/Labor Attorney As Director from front page

sees the delivery of water, sewer service and trash service to the county.

The Big Bear City Community Services District board members are directors on the Big Bear Fire Authority Board along with all five Big Bear Lake City Council members. The Big Bear Fire Authority Board members are the Big Bear fire chief's political masters. The fire chief oversees the Big Bear Fire Department.

Eagleson, who began with the Foothill Fire District in 1986 and then retired at the rank of captain from that agency in 1994 after it had transitioned into being the Rancho Cucamonga Fire Department, was endorsed for the board appointment by the Big Bear Professional Firefighters Association, which is the bargaining unit for the Big Bear Fire Department's firemen.

That endorsement was a key factor in the selection of Eagleson to succeed Green. The specter hanging over the Big

Bear Community, the Big Bear Fire Authority, the Big Bear Community Services District and, most recently, the appointment of Eagleson, is the personage of Big Bear Fire Chief Jeff Willis. Willis began working with the Big Bear City Fire Department as a fresh-faced kid in 1984. In January 2008, he became the youngest fire chief in the history of the Big Bear City Fire Department. At that time, there were no fewer than five separate fire agencies in the Big Bear community and its environs. The Big Bear City Fire Department and the Big Bear Lake Fire Protection District, i.e., the municipal fire department, were the two largest entities among those five. In July 2011, both the Big Bear City Community Services District Board and the Big Bear City Council acquiesced in the Big Bear Lake Fire Department, simultaneously employing Willis as its fire chief while he was yet heading the Big Bear City Fire Department. Thereafter, Willis

divided his time between Station 281 in Big Bear Lake and Station 282 in Big Bear City, Station 283 in Sugar Loaf and Station 284 in Big Bear City, with occasional sojourns to the paid call stations in Boulder Bay and Moonridge.

In 2012, the Big Bear Lake City Council and the Big Bear City Community Services District Board of Directors committed to the merger of the Big Bear Lake Fire Department and the Big Bear City Fire Department under an arrangement that included the creation of the Big Bear Fire Authority Board.

Despite difficulties, Willis navigated that merger with aplomb, which is widely recognized by mountain residents, the community services district leadership, the politicians and city staff in Big Bear Lake, professional firefighters with other local and county agencies and the firefighters employed by what is now referred to as the Big Bear Fire Department.

Despite their respect for Willis's accomplishment with the merger, the department's firefighters in large measure over the last decade have grown disenchanted with him.

Last spring, the Big Bear Professional Firefighters Association approached Green, who at that time was the chairman of the Big Bear City Community Services District Board of Directors, asking him to agendize a meeting in which Willis's performance would be a topic for open discussion. When Green less than two months before his death refused that request, the association responded with a vote of no confidence against Willis.

According to the association, Willis has engaged in "political posturing, leveraging, and extreme operational neglect... over the past eight years." Willis, according to the firefighters, "has repeatedly misrepresented the labor force's wishes and has degraded our reputation to the board to fulfill his own contractual negotiations. Since the merger in 2012, we have not replaced a piece of firefighting apparatus. The Big Bear Fire Department does not have a working budget for apparatus replacement. Chief Willis prioritizes a bloated administration while running a budget deficit without regard to public safety. Our budget shortfalls are the clearest

example of incompetent leadership."

In addition, according to the firefighters, "Chief Willis has consistently failed on his planned operational directives. Additionally, we still have two-person engines, an unsustainable staffing model and we are ignored on basic labor needs. Most egregiously, he repeatedly prioritizes administration and political issues over our ability to protect the community."

It is within that context that the board appointed Eagleson, a former Rancho Cucamonga resident and someone considered to be sympathetic to labor and workplace issues. In addition to being a retired fireman pulling a \$46,748.83 annual pension based upon his 7.87 years of active service, Eagleson obtained a Bachelor of Arts and a Master of Science degree from the University of La Verne, a Master of Dispute Resolution degree from the Struass Institute at Pepperdine University School of Law and a Juris Doctor degree from Trinity Law School.

After his retirement as a firefighter, Eagleson was hired by Jim Erwin, then the president of the San Bernardino County

Sheriff's Employees Benefit Association to serve as that organization's executive director, with the consent of the association's board of directors. Known by its acronym SEBA, the San Bernardino County Sheriff's Employees Benefit Association is the union representing sheriff's deputies, corporals, detectives, sergeants and lieutenants, as well as district attorney's office investigators, probation department officers, probation department supervisors, coroner investigators, specialized fire officers and welfare fraud investigators in San Bernardino County.

Eagleson outlasted Erwin as an element of the bulwark at SEBA. In 2017 he testified as a prosecution witness against Erwin when the former union boss was tried in the Colonies Political Corruption case.

Eagleson now works as a labor law attorney and doubles as a professor at the University of La Verne's School of Business and Public Management, where he teaches collective bargaining, management negotiations, business negotiations, mediation and conflict management courses.

### **She Is An Honest Public Servant, Says Sauseda, On A Quest To Save Yucaipa From A Bunch Of Liars Who Have Maligned The Noble Members Of The City Council** *from page 8*

“My goal with this lawsuit, which is an option clearly provided to me in the Elections Code, was simply to protect the voters by preventing the circulation of false and misleading information in official election documents. The recall proponents had options to continue their efforts, including 1) circulating their original petitions, presuming they had confidence in the honesty and validity of

their statements, or 2) drafting and circulating new notices with revised statements. A new recall effort with factually true information could have been initiated at any time. It was entirely the decision of the recall proponents not to circulate their original petition and not to initiate a new effort.”

In response to the assertion that her intent to prevent the recall effort from proceeding by petitioning for the writ challenging the recall filing was demonstrated by her willingness to settle the proceedings now that the deadline for the filing of the signatures that were supposed to be affixed to the recall petitions has elapsed, Sauseda wrote, “My goal with this lawsuit was to exercise my legal rights to seek a court order stopping the

circulation of false and misleading information on recall petitions. As the circulation period has ended and the proponents have indicated that they do not plan to circulate the false and misleading statements that led to the lawsuit, I have achieved success and there is no reason to continue the lawsuit. My offer to settle is based on pragmatism and doesn't mean that I don't want a hearing on the merits. Ideally, I would prefer a hearing on the merits and believe that a judge would affirm my conclusion about the false and misleading statements in the notices.”

Sauseda took umbrage at the recall proponents' characterization of her as Mann's tool rather than a servant of the residents, citizens and taxpayers of Yucaipa

and their contention that her role in petitioning for the writ challenging the recall was part of a strategy to salvage the current elective terms of Mann's political masters/patrons, those being Mayor Beaver and Councilmembers Duncan and Garner.

“To those people who assume that I am nothing more than a tool of Mr. Mann, I say ‘Shame on you!’ Shame on you for trying to discredit the more than 17 years I have spent serving the public in varying jurisdictions – all while earning professional designations, continuing my education culminating with a bachelor's degree in public administration, and while growing my family. I took this job not to serve political agendas, but instead to serve the public, and that is

what I have been doing and will continue to do. My actions in this matter have been motivated by nothing more than a desire to serve the public, dedication to the city clerk profession, and determination to safeguard the electoral process.”

The recall proponents contend that rather than facilitating the democratic process in Yucaipa, Sauseda, by her actions as city clerk and a litigant in San Bernardino Superior Court, thwarted the democratic process.

To that, Sauseda said, “My actions as a city clerk have been entirely within the legislative framework of the Elections Code, which could not be more clear on this matter. I'm not sure how enforcing the law could be construed as thwarting the demo-

cratic process. My responsibility is to uphold the law on behalf of the nearly 55,000 residents and more than 34,000 registered voters here in the city. I am duty bound to preserve truth and integrity in the election process, and that is what I did. [T]he proponents had options to continue their recall efforts. But, as you note, the recall proponents were unsure about the legality of their statements and made the decision not circulate.”

According to Sauseda, “The bottom line is that the group of recall proponents blatantly lied on official election documents, got caught, and now they are lashing out. If they prefer not to face legal challenges, I suggest they familiarize themselves with applicable law or at the very least stick to the truth.”

### **Indian Wells Valley H<sub>2</sub>O Officials Mulling A Quickly-Built \$40M Water Importation Program Vs. A Longer Term \$15M Project** *from page 3*

Defense Authorization Act, the project could qualify for federal funding in an arrangement by which the administrative agency would be the Department of Defense, and ownership, operations and maintenance of the project would reside with the United States Navy.

Under the Water Infrastructure Improvements for the Nation Act, the project could conceivably qualify for federal funding to be administered by the Department of the Interior.

Under the US Environmental Protection Agency's loan program, the project could qualify for federal funding assistance which would ultimately be administered through a private finance institution on behalf of the Environmental Protection Agency.

It is unclear what percentage of the project cost could be defrayed under the National Defense Authorization or the Water Infrastructure Improvements for the

Nation acts. It does not appear that the funding amounts from either would approach that provided by the Water Resources Development Act, however. The US Environmental Protection Agency's loan program could conceivably cover up to 80 percent of the currently estimated \$200,536,000 cost, such that the authority would need to defray roughly \$40 million. That program is subject to a number of unknowns, however, including how much of the loans might ultimately be forgiven and how many might need to be paid back in full.

Consequently, the Indian Wells Valley Groundwater Authority Board of Directors is most heavily focused on the two programs available under the Water Resources Development Act. The program to be completed as a water resources project, ultimately at a cost of \$15 million to the Indian Wells Valley Water District, would take as long as 11 years to complete. The program undertaken as an environmental infrastructure project, costing the Indian Wells Valley Groundwater Authority \$53 million, would be completed

within a much shorter timeframe, one of roughly five years.

Board members are naturally sensitive to the \$38 million difference in cost to be borne by the authority. As it stands, the authority is gravitating toward some order of taxing regime to finance the pipeline construction.

Relevant is whether the authority will opt for a tax-as-it-goes approach, whereby tax revenue brought in each year, presumably as an additional assessment on property owners' property tax bills or water rate increases, would go directly toward paying for ongoing work on the project. Conceivably, given an 11-year timetable for the program to be completed as a water resources project, taxpayers or ratepayers within the jurisdiction of the authority could provide the roughly \$1,363,636 annual local share of cost for building the pipeline. If, however, the authority seeks to have the project completed as an environmental infrastructure project, the authority's annual share of cost over the five years it would take to complete the project would run to \$10.6 million per year. That would create a tax-

ing regime likely to be too onerous for the Indian Wells Valley's taxpayers to bear, such that the authority would need to go to a bond-issuing arrangement, one which would spread the payments out over as many as 40 years, but which would involve having taxpayers for as many as four decades take on the added burden of paying back not just the principal of the loan but interest.

Unclear is whether the financing would involve property taxation or an increase, probably a very steep one, on water rates for the more than 11,000 Indian Wells Valley Water District customers, the roughly 1,000 ratepayers in San Bernardino County and some 300 to 400 water users in Inyo County.

There has already been resistance to fees that the authority sought to impose on major water users in the Valley.

An early strategy which the authority and Stetson Engineers, as the designated the water resources manager for Indian Wells Valley, sought to impose to both reduce water use in the valley and increase groundwater recharge involved carrying out a survey of water usage

patterns in the region and then assigning water use allowances to the region's well owners. Excess use fees, referred to as augmentation fees, were formulated for application to those well owners who were pumping above their allowances as well as on any farmer whose use exceeded his respective share of the water supply set aside for agricultural usage. The concept was that money to be generated in that way is to be used to purchase imported water and pay for the eventual provision of infrastructure needed to bring in the imported water. This was accompanied by a farmland fallowing proposal, where selected farms were to have their active operations reduced.

Even before the California Department of Water Resources had fully examined the proposed groundwater sustainability plan for the Indian Wells Valley, a number of farms and operations in the region raised protests over the limitations being imposed on them. Among those were Searles Valley Minerals, Mojave Pistachios and Sierra Shadows Ranch, along with John Thomas Conway and the Nugent

Family Trust. Ultimately, those entities sued the groundwater authority and the Indian Wells Valley Water District as the lead agency in that joint authority, claiming the conservation efforts being undertaken imposed not only an unacceptable financial burden on them but were abrogating their long-established water use rights altogether.

On August 11, George Croll, who was formerly the chief water authority at Vandenberg Air Force Base, replaced Zdeba as the Indian Wells Valley Water District's general manager/executive director.

Before embarking on a taxing regime that might trigger even further litigation, the authority board at its August 23 meeting tabled further discussion of the tax or rate increases until a decision could be made about how, exactly, the authority is to go about constructing the pipeline, including which federal program it will seek to use in completing the project.

As of late August, the authority was intent on completing California Environmental Quality Act certifications for the project by October 2024,

*Continued on Page 16*

## Cost & Financing Of The H<sub>2</sub>O Pipeline To The West Mojave Of Major Concern To Overdraft Officials

*from page 15*

have the final design completed by March 2025, make a comprehensive invitation for the project contractor by mid-to-late-2025 and engage in construction between the years of 2026 and 2028 for water deliveries to commence in 2029.

According to the authority, agreements with California City and Kern County with regard to the project are nearing completion; property owners whose property is to be impacted have been contacted and most rights of entry have been obtained, although a few are yet up in the air; the authority's geo-

technical consultant has completed about a third of the soil borings; and authority officials are engaged in bi-weekly coordination meetings with the Bureau of Land Management to discuss National Environmental Protection Act issues relating to the project.

At the Indian Wells Valley Water District Board Meeting held in the board meeting room at the water district headquarters in Ridgecrest on Monday September 11, the board was set to discuss a "funding path for Imported Water/Antelope Valley East Kern County Pipeline."

At the Indian Wells Valley Groundwater Board Meeting at council meeting chamber at Ridgecrest City Hall on Wednesday, September 13, the board was set to discuss a similarly worded item, relating to "board direction

and possible approval of funding path for the imported water pipeline project."

At issue in both meetings is what the funding source(s) are to be for the pipeline. As one of the five voting members of the Indian Wells Valley Water Authority's board, the district is to play a pivotal if not an outright controlling role in determining how to pay for the project.

Based on the district board's discussion on September 11, however, it appears the district board collectively – meaning either unanimously or by means of at least a three-fifths majority – is getting cold feet about imposing taxes or rate increases in the amounts needed on residents and businesses within the district's boundaries.

The water district's board consists of Presi-

dent Mallory Boyd, Director Ronald Kicinski, Director Charles Griffin, Director Stan Rajtora and Director David Saint-Amand. In their discussion, Saint-Amand in particular, indicated his belief that if the district's representative on the groundwater authority board, Griffin, casts a vote in support of the pipeline, that would signal that the district is wholeheartedly on board with the project. He said the district should hold off on making that commitment until there is greater clarity with regard to all aspects of the project, including funding sources and the breakdown of the financial participation of each authority member. Kicinski and Rajtora echoed that sentiment. Saint-Amand suggested that the district should direct Griffin to abstain from the vote.

It appears that the groundwater authority has narrowed the funding options to the two programs available under the Water Resources Development Act, one to completed as a water resources project, ultimately at a cost of \$15 million to the Indian Wells Valley Water District over the course of 11 years, or the undertaking to be built as an environmental infrastructure project, at a cost of \$53 million to the Indian Wells Valley Groundwater Authority in roughly five years.

Rajtora, who lamented that the district has so far provided the lion's share of the funding toward groundwater authority operations, said he wants more definitude from the groundwater authority on how much money is to come from the various entities involved in the ground-

water authority. Kicinski said the groundwater authority has been too vague in spelling out various issues relating to the pipeline project, ranging from water quality to cost.

The Indian Wells Valley Groundwater Authority Board consists of the chairman, Kern County Supervisor Phillip Peters, Ridgecrest Councilman Scott Hayman, Indian Wells Valley Water District Board Member Chuck Griffin, Inyo County Supervisor Matt Kingsley, San Bernardino County Supervisor Paul Cook, along with two non-voting members, Commander Benjamin Turner, representing the Department of the Navy/China Lake Naval Air Station, and Thomas Bickauskas, of the Bureau of Land Management.

*-Mark Gutglueck*

## Activists Who Pressed For Curtailing Arrowhead's Water Drafting Cautiously Optimistic Over State Water Board Ruling

*from page 9*

O'Heaney, an environmental advocate, said, "Eight years after the first complaint about Nestle's questionable claim to water from the Strawberry Creek watershed, the state has finally taken action against its successor BlueTriton and none too soon. BlueTriton, Nestlé and their predecessors were able to hoodwink state and federal regulators for too long – more than 90 years – but we're incredibly pleased this unlawful removal of the public's water from public lands will finally end."

Lacey Kohlmoos, Ekō's senior water campaign manager, reacted, saying, "The groundswell of public support and relentless pressure has been a driving force in compelling the California Water Board to do the right thing. As more and more communities around the world are experiencing water scarcity, it is inspiring to see these decision-makers saying 'no more' to BlueTriton's water theft. The board's historic deci-

sion today is yet another nail in the coffin of the unethical bottled water business."

Amanda Frye, a Redlands resident, retired nutritionist, textbook author, and prime mover in lodging the complaint with the State Water Board, said, "The public prevailed. The State of California has shown itself to be taking a tougher stand on water rights and recognizing that corporations are not above the law. My hope is that the stream in Strawberry Creek can be returned to a perennial flow year-round."

Hugh Bialecki, a San Bernardino Mountain Community resident and the president of the Save Our Forest Association, said, "This decision by the State Water Resources Control Board, a unanimous vote, is testimony to the power of citizens standing up for our San Bernardino National Forest and natural resource protection as well as not being intimidated by a multinational corporation il-

legally stealing water for decades and fraudulently claiming to have water rights. The people of California have won today."

Anthony Serrano, a Highland resident who advocated against the diversion of water from the San Bernardino Mountains, said he was cautiously optimistic about Tuesday's ruling, though he indicated his belief that BlueTriton will not give up the ghost that easily.

"It appears the water board voted 5-to-0 in favor of the recommendations the State Water Board's enforcement staff made based on its investigation," Serrano said. "We'll see how it shapes out."

The Cease & Desist Order the board approved was drafted by the board's administrative hearings office, including Administrative Hearing Office Allen Lilly, who presided over a nearly year-long hearing in 2021 and early 2022 into BlueTriton's appeal of the findings of the State Water Board's enforcement staff following an extensive investigation. In addition to prosecutors from the Water Board and attor-

neys for BlueTriton, both the Story of Stuff Project and multiple other complainants were able to introduce evidence and call witnesses during the hearings and to participate in a site visit to the springs in February 2022.

The order concludes that the water in question, because it originates from springs, even if it is intercepted prior to expressing at the surface, falls under the jurisdiction of the State

Water Board, which by law regulates surface water and not groundwater. Further, according to the order, BlueTriton did not perfect an appropriate right to the water it removes and in particular, did not perfect a pre-1914 right, considered to be California's inviolable gold standard in terms of water rights, as it has long claimed.

The order is silent on the removal of water from three of the spring sources BlueTriton taps

at a lower elevation in Strawberry Canyon and allows the company to divert water from the springs to the owners of the Arrowhead Hotel property for riparian uses. Nevertheless, environmentalists have indicated they will importune the Forest Service to deny BlueTriton's application for a new special use permit for the operation on public lands without proof of a valid water right.

*-Mark Gutglueck*

## Constitutional Rights Public-Interest Law Firm To Represent Chino School District Against State AG's Suit

*from page 7*

dents' preferred names and pronouns.

One consideration that went into the state's filing of the suit against the Chino Valley Unified School District was the anticipated expense the district would need to go to. There was a prospect that, in order to avoid the cost of litigation, the district would simply rescind its policy and move for an early

dismissal of the suit.

As it turned out, however, the Chicago-based Liberty Justice Center has stepped in to represent the school board and the district. It is to carry out that work pro bono, at no cost to the district.

"I can't believe we're at a point in America where authoritarians in power are fighting this hard to keep sexual secrets about children from their own parents," said Liberty Justice Center Board Member Corey DeAngelis. "They are now using the heavy hand of the state to subvert local control and try to strip away the most fundamental parental

rights. I'm proud of the parents in Chino Valley Unified who are fighting back for their constitutional right to direct the upbringing of their children."

Chino Valley Unified School District Board President Sonja Shaw said, "The state can't intimidate parents who have spoken loud and clear—their parental rights will not be taken away, and we won't be intimidated into giving them up. We have the law on our side and look forward to our day in court as parents will be watching coast to coast across the nation."

*-Mark Gutglueck*