

NEWS • News

# Trump's homeless czar tells San Bernardino County services are missing from 'housing first' model

California's homeless population is estimated at 151,278, the highest since 2007





Robert Marbut Jr., executive director of the U.S. Interagency Council on Homelessness, says the one of the most innovative things he's seen is the 3D printing of a tiny house in Latin America at Montclair Civic Center on Tuesday, Jan. 21, 2020. (Photo by Cindy Yamanaka, The Press-Enterprise/SCNG)

By **STEVE SCAUZILLO** | [sscauzillo@scng.com](mailto:sscauzillo@scng.com) | San Gabriel Valley Tribune

PUBLISHED: January 22, 2020 at 3:34 pm | UPDATED: January 22, 2020 at 3:34 pm



During appearances Tuesday, Jan. 21, before elected officials, law enforcement, service providers and educators in San Bernardino County, President Trump's homeless czar said California will fail to solve its homeless crisis unless it reverses its housing-first policy.

Robert Marbut, director of the U.S. Interagency Council on Homelessness, a federal agency responsible for coordinating the White House policy on ending homelessness, said that since the country adopted a policy in 2013 that moves people to apartments or homes first with no strings attached, the number of unsheltered individuals rose by 21% and overall homelessness — including those living in motels — jumped about 16%.

By de-emphasizing treatment and instead handing out vouchers and building low-income units as first options for getting people off the streets, the country reversed what had been a declining trend in homelessness from 2007 to 2014, according to U.S. Housing and Urban Development figures from point-of-time counts across U.S. cities. In span, homelessness decreased 31.4%, data shows.

1 of 6

Montclair Mayor John Dutrey holds a Q and A for speaker Robert Marbut Jr., executive director of the U.S. Interagency Council on Homelessness, at Montclair Civic Center on Tuesday, Jan. 21, 2020. San Bernardino County Fifth District Supervisor Josie Gonzales and local police chiefs attend. (Photo by Cindy Yamanaka, The Press-Enterprise/SCNG)



“If we just focus on (housing) vouchers, it is like going to the emergency room with no doctors and no nurses,” Marbut said during a two-hour presentation before about 125 people in Montclair at the Senior Center. Before that, he spoke to 250 police officers at the San Bernardino County sheriff’s headquarters in San Bernardino, with stops at hospitals and schools, he said.

TOP ARTICLES 1/5



Marbut's visit to Montclair took place on the first day of Trump's impeachment trial in the U.S. Senate in Washington, D.C. During his talk, Marbut never mentioned the president by name. He said he is spreading the administration's views, but did not mention if there's any federal money available to cities and counties that adopt practices requiring a shift in policies tackling homelessness.

The director pressed the same message wherever he speaks, he said, using new HUD statistics on the rise of homeless populations in cities along the 5 Freeway corridor, from San Diego to Seattle. California's homeless population is estimated at 151,278, the highest since 2007. Marbut said Los Angeles County had 1,000 deaths of homeless individuals last year.

"It is crazy that many people are dying on the streets in Los Angeles County just a mile away from here," he said. "And that number has doubled in the last five years."

When asked in an interview about his visit with officials in L.A. County over a proposed funding deal

with Los Angeles Mayor Eric Garcetti, Los Angeles County Supervisor Kathryn Barger and Ben Carson, secretary of HUD, he said: "I can't tell you that."

Counties, cities and many homeless agencies, which are doing homeless counts this week, are in favor of the housing-first strategy. Many point to other states that claim success using this policy. In 2015, Utah reported a 91% decline in chronic homelessness after investing in building apartments where the homeless could live without first being required to undergo drug rehabilitation or employment counseling.

### **RELATED: As homeless count launches, LA County OKs urgent new action plan**

Lori Stevenson, who said she had been living on the street for about 10 years, spoke at the meeting Tuesday evening. She said vouchers she's received from nonprofits have kept her and her family sheltered, albeit temporarily. She's close to moving into Loma Linda Veteran's Village, a permanent housing facility in Loma Linda, she said.

San Bernardino County, which saw a 23% increase in homelessness in 2019, believes in housing-first but also has many treatment programs. Marbut said the Trump Administration is promoting first using multiple treatment methods for mental illness, domestic violence and drug and alcohol addiction in large shelters, followed by the building of permanent housing.

While rapid rehousing is on the rise, meaning more people are living in permanent homes, that doesn't always spell success because agencies do not report how many fall out of permanent housing and end up back on the streets.

"What many providers are finding out about rapid rehousing is the re-occurrence of homelessness is happening more often," Marbut told the audience. "We are adding to the trauma of the individual and not doing anything to stabilize them."

He said the Trump Administration's prescription is "trauma-informed care, or treatment plus affordable housing equals stability. We really believe the service side is just as important as the housing side. You need both."

Homeless agencies should count outcomes, such as how long people are living independently or how many have received employment, Marbut said. Often, government statistics are measuring the wrong things.

"I'm a Claremont guy," he began, saying he learned how to look at statistics and analyze problems under Peter Drucker, of the Drucker School of Management at Claremont Graduate University where he earned a master's in criminal justice.

When Marbut turned to housing, he said the cost of building a low-income permanent house in California is \$540,000, one of the highest price tags in the country. He advocated zero-cost permitting to reduce developer upfront costs. Some cities have started one-stop shops where a housing development can be approved in one day.

"I think he brought up a couple of very good ideas relative to streamlining (new units) and one-stop centers," said San Bernardino County Supervisor Josie Gonzales, who attended the Montclair meeting. Gonzales is chair of the county's Interagency Council on Homelessness.

After fielding questions, Marbut concluded by saying: "We won't agree on everything but I think we can agree on 95%. We have a lot to fix on the national level."

## RELATED LINKS

---

[Gov. Gavin Newsom visits Loma Linda to announce emergency homeless aid](#)

---

[Trump's homeless czar coming to San Bernardino, Montclair](#)

---

[Homelessness in San Bernardino County jumps 23% in 2019](#)

---

[Which Riverside County cities have the most homeless people?](#)

---

[Volunteers swarm region as LA County counts homeless](#)

---

---

Want local news?

**Sign up for the Localist and stay informed**

**SUBSCRIBE**



LOCAL NEWS

# Critics of Eastgate project in San Bernardino take fight to developer's office in Ontario

Debate over the massive logistics center has raged since February





Protesters with the local coalition San Bernardino Airport Communities walk to the Ontario office of Hillwood Enterprises on Wednesday, Jan. 22, to demand the master developer include a Community Benefits Agreement in the plans for the Eastgate Air Cargo Logistics Center at San Bernardino International Airport. (Photo by Brian Whitehead, The Sun/SCNG)

By **BRIAN WHITEHEAD** | [bwhitehead@scng.com](mailto:bwhitehead@scng.com) | San Bernardino Sun

PUBLISHED: January 22, 2020 at 5:59 pm | UPDATED: January 22, 2020 at 6:00 pm



With the rhythmic beat of a snare drum at their backs, scores of protesters gathered inside the Ontario office of Hillwood Enterprises on Wednesday, Jan. 22, to demand the Texas-based master developer add a Community Benefits Agreement to a privately-funded project set to bring a nearly 660,000-square-foot sorting facility and two 25,000-square-foot support buildings to San Bernardino International Airport.

The peaceful but spirited demonstration took place less than a month after the Federal Aviation Administration approved the Eastgate Air Cargo Logistics Center without the pact, which members of the local San Bernardino Airport Communities Coalition championed much of last year.

Such an agreement, speakers said from inside the Hillwood lobby Wednesday, would guarantee community standards such as living-wage jobs, local hiring, limits on temporary jobs, mitigation on air

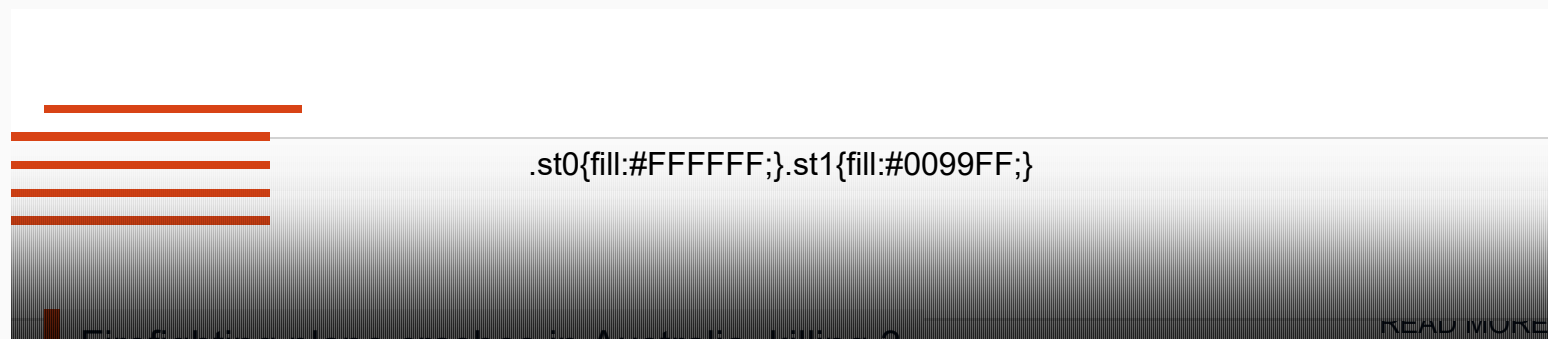
S  
Y  
B



quality impacts and the installation of air filters at nearby homes and schools.

Last month, John Magness, senior vice president and West Coast market leader for Hillwood, said including such a pact would violate FAA grant assurances and deed restrictions.

TOP ARTICLES 1/5



Magness was not at the office Wednesday, according to a Hillwood employee.

1 of 5

A crowd gathers inside the lobby of Hillwood Enterprises' Ontario office Wednesday, Jan. 22, to demand the master developer include an agreement in a project bound for San Bernardino International Airport that benefits the community (Photo by Brian Whitehead, The Sun/SCNG)



“We hope that Hillwood and (rumored) tenant-to-be Amazon take the community’s cry and demands to heart because we’re not going to stop,” Ana Cervantes, a 27-year-old San Bernardino resident, said shortly before Ontario authorities told the crowd to rally outside the building. “This is our home that they’re developing in, that they’re taking advantage of, and because we’re low-income and poor people of color, they think they can continue to do what they wish.

“That’s not going to fly anymore.”

Bound for a 101-acre lot west of Victoria Avenue and south of Third Street, the Eastgate Air Cargo Logistics Center is expected to provide about 4,000 jobs and generate millions of dollars in revenue within five years, airport officials have said.

When the facility opens, as many as 12 flights are expected every day, with that figure increasing to 26 by 2025.

Amazon is a rumored tenant.

Debate over the Eastgate logistics center has raged since the plans were announced in February.

Last late year, presidential candidates, the state attorney general, local elected officials and members of the San Bernardino-Muscoy community implored the FAA to require the developer submit a comprehensive environmental study of the project before giving it the green light.

On Dec. 23, Mark McClardy, FAA Western-Pacific Region Airports Division director, wrote in his letter of approval that the project meets federal requirements and will not significantly affect the quality of the environment.

The San Bernardino International Airport Authority, a commission of regional leaders overseeing airport operations, moved the Eastgate project forward a week later, approving a 35-year ground lease with Hillwood for development of about 100 acres of land at the airport, including the space for the logistics center and 41 acres of ramp.

Cervantes called Wednesday's demonstration – the coalition's second in as many months – “highly necessary.”

“We're not only worried about the continued pillaging of our community,” she said, “but the suffering of our friends and family who live in the area, who go to school in the area, who have children who go to school in the area and have to breathe this air.

“San Bernardino already is one of the most polluted communities in the U.S.,” Cervantes added, “and to (not include a Community Benefits Agreement) is blatantly disrespectful and completely disregarding our local environment.”

## RELATED LINKS

[FAA approves Eastgate logistics center bound for San Bernardino airport](#)

[Bernie Sanders, Xavier Becerra urge FAA to study impacts of planned logistics center at San Bernardino airport](#)

[Kamala Harris backs environmental review of air cargo center pitched for San Bernardino airport](#)

[Airport expansion must guarantee clearly-defined community benefits](#)

[Debate rages over Eastgate logistics center bound for San Bernardino airport](#)

Want local news?

**Sign up for the Localist and stay informed**

**SUBSCRIBE**



ADVERTISEMENT

LIFESTYLE

# On top of the world at Mt. Baldy, a winter wonderland 80 minutes from L.A.



The view from Mt. Baldy, where you can ski, snowboard or just take in the top of the clouds. (Chris Erskine / Los Angeles Times)

By CHRIS ERSKINE  
COLUMNIST

JAN. 23, 2020  
7 AM



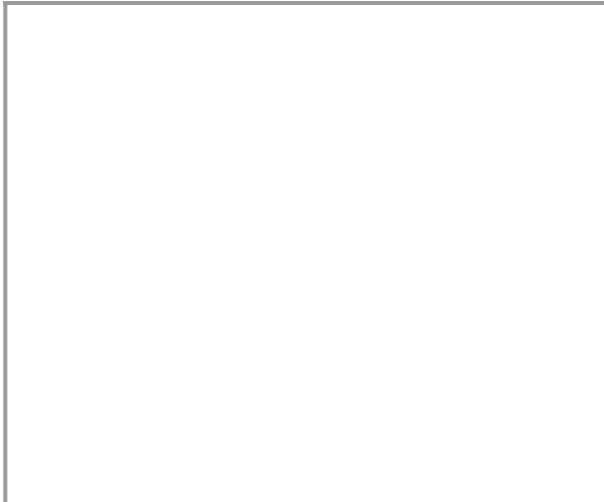
Mt. Baldy is where clouds go to relax.

To reduce stress, you can do a lot of constructive things: drink to excess, canoodle, overeat. But none is as perfectly overindulgent as a day on this ski hill wedged between heaven and earth, 80 easy minutes from downtown Los Angeles.

Mt. Baldy is not just a ski hill; it's an Austrian waltz. It's all high-country hardscapes and concertos in the wind. It's both alluring and harsh. The hiking is famously world-class, though this mountain will kill you if you're not careful, and sometimes even when you are.

The skiing is less intense yet still intense. There were times when, had my ski caught an icy edge, I'd have launched all the way to the little college town of Claremont a dozen miles away. Probably would've landed in some lit class I never finished.

ADVERTISING



Such prospects will keep you on your toes, all right. You can't fall in lust with the views up here. Oh, you probably will anyway. But best keep your wits about you — head on a swivel, knees loose,

skis together, mind clear.



Huntington Beach resident Alex Soto, 33, gets some air at Mt. Baldy, where on a weekday you may have the place to yourself. (Brian van der Brug / Los Angeles Times)

What you'll notice about this little ski village is that there is nothing the least bit fussy about it. Honestly, I don't think a can of paint has been spent on the whole operation, and that includes the 100-year-old lodge.

The magical [Mt. Baldy Lodge](#), which greets you on arrival, seems cemented together with pine sap and cobwebs. Wear-and-tear seems to fit the place. For \$125, you can rent a tidy cabin here and a trip back in time. Or just nurse a hot chocolate and a shot of Jameson by the fire. The onion rings are memorable too, at least as ski country grub goes.

ADVERTISEMENT

So, naturally, the ski snobs sneer at Mt. Baldy, dinging it for its ma-and-pa amenities and modest number of runs, treating its easy access and affordability as some sort of character flaws.

Shame on the snobs. Because this year in particular, Baldy is [the best ski deal](#) in California. Which means you can get out of here without having to donate a kidney.

I'm not calling this the best ma-and-pa ski resort in America, because I still have a few more to try — a couple in Vermont, one in Alaska. But I'll call it the best little resort a heartbeat away from Los Angeles. You can zoom here at dawn from Redondo Beach and be home in time for your kid's soccer game.



If the lift lines are five deep, skiers look around in wonder. Usually, you can glide right onto a two-person chair. (Brian van der Brug / Los Angeles Times)

Or you can leave work early on a Friday, be in your boots by noon, and get in a hearty four hours. If the lift lines are five deep, people look around in surprise, for usually you glide right on.

It's so simple. Chair 1 whisks you from the parking lot to the main lodge, the apex of the operation. Chair 2 is your warmup run and takes you down to Chair 3, which is the heart of the hill, with dozens of trails from intermediate to tragic.

On many trails, you'll be the only soul — watch those edges. You can dart through trees and chatter over the moguls, or take creamy heart-thumping black diamond runs. This time of year, the snow is bridal-gown gorgeous. Most trails are groomed.

Baldy is open seven days a week, and if you go on a Tuesday, you'll pretty much have the place to yourself. The snow is good right now, still plentiful after an epic December, which is critical for a resort with limited snow-making ability. Because of the bottleneck Chair 1 can create at closing time, Baldy sells out at just 2,000 customers, which is about how many folks are in line for the loo on a typical day at Mammoth.

ADVERTISEMENT

Thoreau had his ponds. Sinatra had Vegas. What's left for chumps like you and me? Sweet Baldy, where you can snag a lift ticket for as little as 15 bucks online, a cold beer for \$9. Mt. Baldy, as one friend put it, "is an accomplishment."

An hour in, the muscles in my legs are roughly the same temperature at which bacon burns.

Indeed, God had a good day here. The lodge went up in 1914, and the ski hill opened in 1952. It fell on hard times in the late '60s. In the '70s, Ron Ellingson rescued the resort and the lodge and still owns them both. Some elbow grease here, some WD-40 there, didn't ruin the place with overzealous ski town gentrification. No Starbucks in sight. Heck, there isn't even a gas pump.





Sightseers are welcome at Mt. Baldy. Here, visitors enjoy the scenic overlook near the restaurant at the top. (Brian van der Brug / Los Angeles Times)

It's kind of an elegant old piano, and you don't hang hipster artwork and Edison lights all over something like that. Ellingson's son, Robby, now runs the place and has grown the full-time staff from four to 30-plus in his 10-year reign.

In summer, the resort hosts concerts and moonlight hikes, to help keep the lights on.

But Baldy is at its most glorious now, a big bowl of frosted flakes. Bring tire chains, because conditions change quickly. A sunny morning can morph into a dark and icy afternoon. Though it requires little mountain driving, some of the S-turns would give a bobsledder the chills.

"When the mountains are white, people come up," Robby Ellingson said. "This is the best start in my 10 years."

Are there plans to expand it? Aren't there always? A proposal to add two lifts dates to the early '90s, so don't hold your breath on that.

Instead, relish this modest ski hill for what it is — a snow-dusted curio in a world of mega-resorts that gobble each other up at every opportunity. Ski monoliths have become the corporate farms of the American West. That sounds so judgmental, but did a giant corporation ever make anything better?

Note that you don't have to be a skier to have a good time here. Sightseers are welcome aboard the easy-to-use two-person chair — no ski skills required — from the parking lot to the Top of the Notch cafe.

Just climb on, ride up through the lodgepole pines past the biggest pine cones ever, to the top where a memorable chunk of backcountry wilderness awaits at 7,800 feet.

Yep, even the clouds come here to recuperate. Shouldn't you?



The landmark Mt. Baldy Lodge, where quaint and cozy cabins start at \$125. It's in the village just as you enter town. (Chris Erskine / Los Angeles Times)

## Essentials

**Directions:** Mt. Baldy is 20 minutes off the 210 Freeway near Claremont. From L.A., take the Baseline exit, then a left at the light to Padua Avenue. Take a right on Padua and go 1.5 miles to Mt. Baldy Road, then right again. The village is eight miles away; the resort is five miles further.

**Prices:** Lift tickets \$79-\$99 but can be found online for as little as \$15. Ski/rental/lesson combo packages run \$60. Sightseeing tickets cost \$24.

**Info:** [winter.mtbaldyresort.com](http://winter.mtbaldyresort.com)

LOCAL NEWS • News

# Cucamonga School District teachers at impasse, inching closer to a strike vote

Mediation meeting on Friday is key





Teachers from the four-school Cucamonga School District picket in front of Cucamonga Elementary School on Dec. 17, 2019. (Photo courtesy of California Teachers Association).

By **STEVE SCAUZILLO** | [sscauzillo@scng.com](mailto:sscauzillo@scng.com) | San Gabriel Valley Tribune

PUBLISHED: January 15, 2020 at 6:45 am | UPDATED: January 16, 2020 at 1:19 pm



For nine months, teachers at the small Cucamonga School District held picket signs and marched in front of schools weekly, braving the early morning chill.

Their drawn-out contract negotiations include demands for a salary increase, a benefits bump, limiting class size and additional classroom support for teaching special education students. So far, they've endured an impasse in June from which they withdrew, followed by a second in October that has set up a crucial meeting with a state mediator on Friday, Jan. 17.

If the mediator doesn't bring about a settlement, both sides will be mandated to open their financial

books by order of an independent fact-finder. If that fails, the teachers could go on strike.

“We are not at that point yet where we are calling a strike vote,” said Sharyl Fleeman, president of the Cucamonga Teachers Association, during an interview Monday, Jan. 13. “We are trying to remain hopeful.”

TOP ARTICLES 1/5



While contract talk outcomes are uncertain, one thing remains sure: The frustration level among teachers is rising. They’ve been working on changes to the current contract for the past four years.

“It has been long and drawn out,” Fleeman explained. “Plus, it is a combination of all these things and so teachers are tired. And they deserve better.”

The CTA and the school district, which serves parts of Rancho Cucamonga and Ontario, have found some common ground. Here’s where they agree:

- A 3.25% raise (retroactive to July 1, 2019): “This brings the District’s salary increases to CTA since 2013 to 24.88%,” wrote Superintendent Ric Dahlin in an email.
- An increase in health benefits from about \$9,600 to \$10,000 (they’re arguing over when this begins).

The two sides are not in complete agreement over how to handle the increase in special education students that are often sent into regular classrooms, say union representatives. General education teachers are required to teach as much as 12 or more special education students per class, sometimes raising the classroom size to close to 40. This adds to a teacher’s work duties, including preparing individualized education plans and other requirements that come with special education students.

The CTA, with 125 members, is asking that each special education teacher receive a teacher’s aide. They are also asking teachers be compensated for extra hours worked, particularly when teachers meet with parents after hours to go over what’s called an Individualized Education Program (IEP).

“What we are asking is, instead of holding these meetings after school, hold them during the workday,” said Bill Lassiter, CTA vice president and a fifth-grade teacher. He said the educator could be compensated monetarily or through a 45-minute preparation period. One idea is to keep a substitute teacher on hand once a trimester or provide the permanent teacher time to prepare an IEP or confer with a special education teacher.

“We don’t want all this to fall on our time, to take time away from our families,” Fleeman said.

Both regular and special education teachers at the four-school, K-8 district say the system isn’t working, Fleeman said. Lisa Baltierra, CTA bargaining chair, said the district is losing special education teachers at a fast clip because they don’t feel supported.

Dahlin said the district is responding to the needs of special education teachers. “Our current practice includes providing substitutes for our special education teachers. This allows our teachers the opportunity to prepare and attend the majority of IEP meetings held in the District,” he said in an emailed response.

In Fleeman’s fifth-grade classroom, some special education students are struggling with addition and subtraction, while she is required to teach multiplication, division and decimals. The mix of skill levels is challenging and can take away instruction time from the general population, she said.

Dahlin said the district is providing support for teachers and has proposed contract language for teachers working with special education students.

Fleeman said the amount of support varies from school to school and is not uniform throughout the district. That’s why the teachers are fighting for inclusive language in their contracts on the teaching of special education students.

She said Friday’s meeting could determine the outcome of the contract talks.

Dahlin said the district will remain active in the mediation process and has made “significant concessions” along the way. “We are optimistic that we can conclude this process soon and focus our continued efforts on educating the students that we serve,” he said.

## RELATED LINKS

---

[Students, community put spotlight on safer routes to Rancho Cucamonga schools](#)

---

[Dozens rally in support of Rancho Cucamonga teacher disciplined for bringing gun on campus](#)

---

[California eyes teacher pay boosts to keep them in state](#)

---

[Here’s how much more Rancho Cucamonga City Council members plan to pay themselves](#)

---

[Suicide prevention seminar ‘an eye-opener’ for Rancho Cucamonga, Ontario parents](#)

---

---

Want local news?

**Sign up for the Localist and stay informed**

**SUBSCRIBE**





LOCAL NEWS

# Measure G advocates plan Redlands summit ahead of March election

A panel of experts will discuss transit villages and trains





Workers stand near one of the rails from West Cumberland Steel as work continues on removing the old railroad ties and tracks in Redlands on Monday, Aug. 26, 2019. (File photo by Jennifer Cappuccio Maher, Inland Valley Daily Bulletin/SCNG)

By **JENNIFER IYER** | [jiyer@scng.com](mailto:jiyer@scng.com) | Redlands Daily Facts

PUBLISHED: January 22, 2020 at 2:36 pm | UPDATED: January 22, 2020 at 2:38 pm



A group of Redlands residents aims to help voters prepare to vote on a March ballot measure outlining rules for development near the upcoming rail line by presenting a panel of experts on transit villages and trains on Saturday, Jan. 25.

Living in Redlands 2020-2050 is presenting the summit along with the University of Redlands Department of History and Public Policy Program.

The event “aims to provide our fellow Redlanders with knowledge about what transit villages are, how rail travel has worked in the past in SoCal and what the Arrow Train will offer,” coordinator Tracy Wise wrote in an email. Arrow is the 9-mile passenger train that will travel between Redlands and San Bernardino.

Wise, co-director of Redlands for Progressive Change, will moderate the panel with history professor Kathy Feeley.

ADVERTISING



Panelists include Scott E. Randolph, associate professor and chair of the business department; Jennifer Tilton, an associate professor in the race and ethnic studies program; and Carrie Schindler, director of transit and rail with the San Bernardino County Transportation Authority.

“Our goal is information — which is especially important when there is a lot of misinformation and even disinformation out there,” Wise wrote, “and we believe that information will lead voters to a ‘yes’ vote on Measure G.”

The event is set from 10:30 a.m. to noon Saturday in Gregory Hall, Room 161, at the university, 1200 E. Colton Ave.

Information: Living in Redlands 2020-2050 Informational Summits

## RELATED LINKS

[Price and date set for Redlands ballot measure on development near new rail line](#)

[Future of Redlands transit village development in hands of voters](#)

[San Bernardino County agency orders its first zero-emission train for Redlands rail service](#)

[Beginning of the San Bernardino and Redlands Railway](#)

[Redlands’ Transit Villages plan wants to keep building heights in check through zones](#)



LOCAL NEWS

# Former CFO sues embattled Rialto water district a second time

Lawsuit alleges West Valley Water District general manager fired her for whistleblower activities and harassment complaints





West Valley Water District offices in Rialto. (Photo courtesy of West Valley Water District).

By **JOE NELSON** | [jnelson@scng.com](mailto:jnelson@scng.com) | San Bernardino Sun

PUBLISHED: January 22, 2020 at 5:38 pm | UPDATED: January 22, 2020 at 10:56 pm



The former chief financial officer at the embattled West Valley Water District in Rialto has filed a lawsuit against the district alleging sexual harassment, racial discrimination and whistleblower retaliation.

In her suit, filed in Los Angeles Superior Court on Jan. 17, Naisha Davis names as defendants West Valley Water District General Counsel Robert Tafoya and General Manager Clarence Mansell Jr. Davis, a certified public accountant who holds a master's degree in accounting, worked for the district for 11 months before she was fired in March 2019 for what she alleges was questioning the district's fiscal practices, mainly those involving consultant contracts

Davis also is a plaintiff in a lawsuit filed in February 2019 alleging Tafoya and several other attorneys and consultants contracted by the district engaged in bribery. It alleges a conspiracy to grant

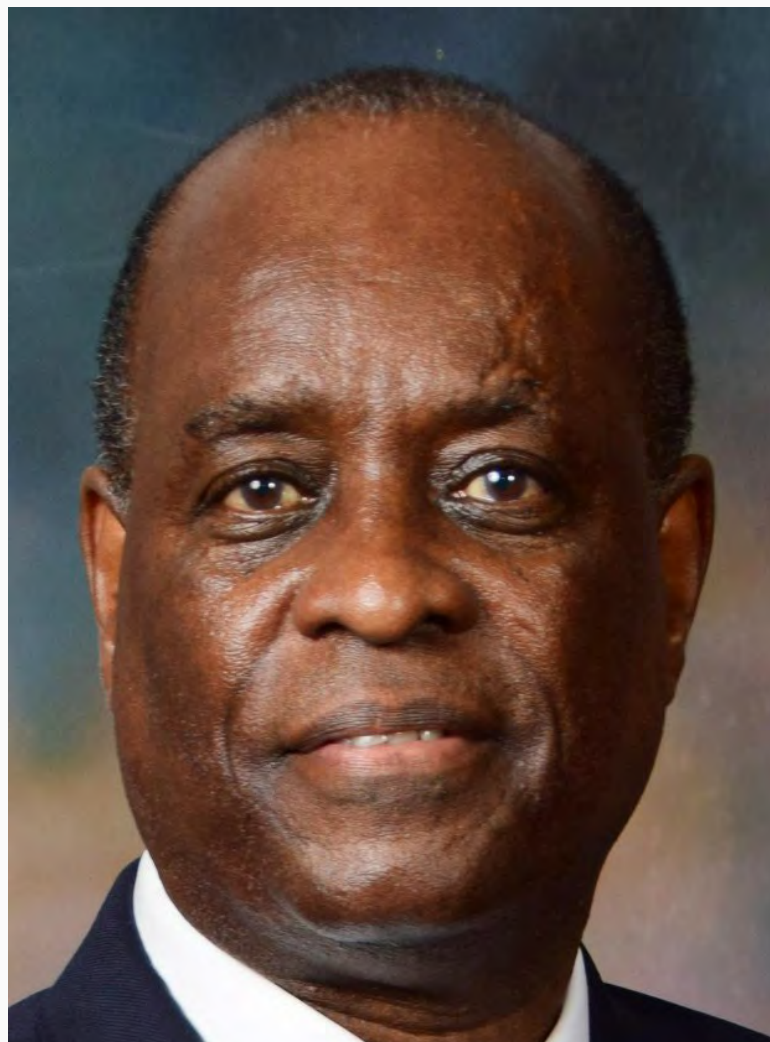
professional services contracts in exchange for bribes and kickbacks. That lawsuit is ongoing.

## Transparency 'not valued'

"Whistleblowers who expose corrupt and fraudulent behavior should not be subjected to harassment, discrimination, and wrongful termination," said Davis' attorney, Beth Gunn of the Burbank-based firm of Gunn Coble LLP.

"Clearly, transparency was not valued by those running the district when our client engaged in protected activity to prevent fraud."

TOP ARTICLES 1/5



Clarence C. Mansell Jr. (Courtesy photo)

Davis alleges in her latest lawsuit that she was stripped of her ability to closely scrutinize vendor contracts in a "blatant attempt to cover up improper self-dealing and mismanagement" at the district, including Mansell's approval of purchase order contracts "in furtherance of a kickback/bribery scheme orchestrated by Tafoya," according to the lawsuit.

Tafoya and Mansell prohibited Davis from accessing consultant contracts, moving some to unknown whereabouts accessible only to Mansell or his personal secretary, and some to board secretary Crystal Escalera's office. Previously, the district kept copies of contracts housed in the purchasing department, and Davis was able to review the contracts without issue, according to the lawsuit.

Questionable hiring practices, no-bid contracts, and vendors billing the district for amounts that far exceeded the \$25,000 limit set by their purchase order contracts were among the key issues presented by auditors from the State Controller’s Office and The Pun Group of Santa Ana. The state controller’s audit is ongoing and expected to wrap up in the spring.

Davis also alleges Mansell made “unwelcome sexually charged” comments to her, such as telling her she was “very striking” and “very beautiful” on several occasions. Mansell’s perception of Davis then quickly changed, according to the lawsuit, referring to her as “too aggressive” and “using the negative stereotype so frequently assigned to black women.”

While the lawsuit does not say what that negative stereotype was that Mansell directed at Davis, her attorney, Cathy Coble, said in an email Wednesday that Mansell called her an “angry black woman.”

Davis and Mansell are both black.

## RELATED ARTICLES

Workers say 10 employees hired by Rialto water district manager were unqualified, especially this one

Embattled Rialto water district board begins to review questionable contracts

## Stress led to medical leave

The district did not investigate Davis’ complaint about Mansell’s “unlawful treatment” toward her, and instead the focus was shifted onto her, putting her under extreme stress that prompted her to take a medical leave in January 2019, according to the lawsuit.

When Davis returned to work in February 2019, she was immediately placed on leave and informed she was being recommended for termination. She was fired the following month, according to the lawsuit.

Tafoya issued the following statement late Wednesday night: “The West Valley Water District has not

been served with the Naisha Davis Complaint. Naisha Davis has not worked for the WVWD for since March 7, 2019, did not pass probation and was terminated from the District. Once the WVWD gets served, it will review the Complaint and take appropriate action.”

The water district, which serves about 82,000 customers in Bloomington, Colton, Fontana, Rialto, unincorporated areas of San Bernardino County, and Jurupa Valley in Riverside County, has doled out about \$734,000 in the past three years to settle lawsuits filed by employees who claim they were unjustly fired, according to records obtained by the Southern California News Group.

*Editor’s note:* This story has been updated from a prior version to include a statement by West Valley Water District General Counsel Robert Tafoya.

Want local news?

**Sign up for the Localist and stay informed**

**SUBSCRIBE**

Tags: [Top Stories IVDB](#), [Top Stories PE](#), [Top Stories RDF](#), [Top Stories Sun](#), [West Valley Water District](#)

## Joe Nelson

Joe Nelson is an award-winning investigative reporter who has worked for The Sun since November 1999. He started as a crime reporter and went on to cover a variety of beats including courts and the cities of Colton, Highland and Grand Terrace. He has covered San Bernardino County since 2009. Nelson is a graduate of California State University Fullerton. In 2014, he completed a fellowship at Loyola Law School's Journalist Law School program.

[Follow Joe Nelson @GumshoeJoe](#)

SPONSORED CONTENT



## Victorville skate park on hold again

By Martin Estacio

Staff Writer

Posted at 5:30 AM

With Rita Ramirez absent, the City Council voted Tuesday to wait until February to award contracts for the project that's been in the works since 2015.

VICTORVILLE — The move to construct a skate park in Doris Davies Park hit yet another snag Tuesday when the City Council voted to postpone approving a construction contract until next month.

Council member Blanca Gomez motioned to table the item to allow Mayor Pro Tem Rita Ramirez, who was absent, to have a chance to weigh in on the project that was first conceived in 2015.

The proposed 15,600-square-foot facility has since hit several speed bumps that have slowed progress toward construction, including a ballooning of initial estimated costs and the scrapping of bids in 2018.

Those bids were discarded after one company protested the bidding process, which held up work on the skate park that city officials initially said would be finished by Christmas 2018, according to previous Daily Press reports.

That company, CS Legacy Construction, was set to receive a \$1.1 million contract on Tuesday before the Council opted to wait so all members could consider it.

Initially, it appeared the project's unlucky history with bids would repeat itself during Tuesday's meeting. Bids are only valid for a specified amount of time, typically from 45 to 60 days, City Manager Keith Metzler warned.

The current crop of bids for the skate park were received Nov. 21.

“These bid prices likely could not be honored if we delayed beyond that time frame,” Metzler said.

Another risk involved the bidders becoming aware of other posted bids and deciding to revise their own, Deputy City Manager George Harris II added.

Gomez asked why the item hadn’t been brought before the Council sooner.

“I don’t believe that the City Council should have been put in this predicament,” she said.

Metzler said the holidays and a cancelled Council meeting in January contributed to the item being brought to the dais so late.

In October 2018, the City Council was set to award a \$1.6 million contract to a company, Grindline Skateparks, but staff asked that it be postponed due to a protest to the process.

According to a staff report, CS Legacy objected to the disqualification of their bid when they listed a subcontractor to perform the skate park work.

City staff later concluded that the bid documents had been unclear about the contract requirements mandating that a prime contractor perform not less than half the work itself.

The City Council ended up rejecting the bids in November and re-advertising the project in separate parts: the skate park itself and improvements related to it.

Later in Tuesday’s meeting, city staff discovered that since the second project’s bids were received in late December and tied with the skate park, deadlines for both bids were extended an additional 30 days. The Council approved addressing the awarding of both contracts on Feb. 18.

The skate park, which is set to be placed near Hughes Road, is expected to cost about \$1.25 million.

The proposed improvements consist of skate park lighting, grading and utility connections for two new restrooms, a sidewalk for access and a drinking fountain. With money already budgeted for the restrooms and materials testing, the total cost is expected to be \$660,930.

California Landscape and Design, with the lowest bid, will be considered for the contract for that project next month.

*Martin Estacio may be reached at [MEstacio@VVDailyPress.com](mailto:MEstacio@VVDailyPress.com) or at 760-955-5358.*

*Follow him on Twitter [@DP\\_mestacio](https://twitter.com/DP_mestacio).*

# Hesperia City Council upholds revocation of smoke shop's business license

By Rene Ray De La Cruz

Staff Writer

Posted Jan 22, 2020 at 6:03 PM

Updated Jan 22, 2020 at 6:03 PM

Supreme Smoke allegedly sold cannabis outside the city's green zone.

HESPERIA — Despite an appeal, the City Council here voted 5-0 on Tuesday to uphold the revocation of Supreme Smoke Shop's business license after the establishment allegedly violated an ordinance by selling cannabis outside the city's green zone.

The Hesperia City Council rendered the decision after hearing an appeal from the shop's co-investor, Rafat Snoubar, who said owner Magid Ali Abdelhadi had no intention of breaking the law.

"Our lack of knowledge led to this," Snoubar told the Council during Tuesday's regular meeting. "Please don't close our business down. We had nothing to hide. Everything was on the shelf."

Snoubar explained how the owner did not receive a warning from Code Enforcement about the shop's cannabis activity, but the Council agreed with Council member Cameron Gregg who said ignorance to the law was not an excuse.

On Wednesday morning, it was business as usual inside Supreme Smoke Shop as customers browsed for smoking accessories inside the brightly lit business.

A man who identified himself as "Magic" and the co-owner of the shop told the Daily Press via FaceTime app that the shop, which opened in February, will probably relocate down the hill.

Magic said shop ownership will take the city to court. He added that the shop will close when he receives a letter from the city telling him to cease operation.

City spokesperson Rachel Molina told the Daily Press that operations cease to be legal immediately after the Council's ruling in these circumstances.

Code Enforcement officials visited the shop on Bear Valley Road on Oct. 21 and found marijuana products for sale. In a city letter dated Jan. 6, Abdelhadi was told the shop's business license would be revoked. The letter included an opportunity to appeal the revocation.

During the meeting, city Administrative Analyst Tina Bulgarelli told the Council that Code Enforcement visited the shop after the city had received a complaint that the store was selling marijuana.

Hesperia only allows licensed Type M-9, non-storefront retailers and delivery services of cannabis products in the green zone. All other commercial cannabis activities are prohibited within the city limits.

During the October visit, Code Enforcement officials found that the shop was set up like a collective wherein customers were provided a medical recommendation, charged a membership fee and a \$25 "donation" was taken for each product, Bulgarelli said.

At the time, Abdelhadi told Code Enforcement officials that the shop serves approximately ten persons per day, the staff report said.

San Bernardino County Sheriff's Department officials responded and seized approximately 525 marijuana products from the shop. Code Enforcement cited the property owner and Abdelhadi for prohibited medical commercial cannabis activities.

Bulgarelli told the Council that during the business application process, a city planner meets with the applicant to review the business type, location and zoning.

When meeting with smoke and head shop owners, it's standard procedure for a Planning Department official to also discuss what products will be sold, Bulgarelli said.

“I don’t know if they told this to the owner, but I know Planning does speak to them,” Bulgarelli said.

While the shop’s owner claimed to not know the sale of marijuana is prohibited without proper licensing and in the right zone, staff did not believe that relieved him of the responsibility to follow state and local law, according to the staff report.

The fact that sales at Supreme Smoke were for medical marijuana gave the impression that the owner had at least some knowledge of cannabis regulations in Hesperia, the staff report said.

In the letter to Abdelhadi, Assistant City Manager Michael Blay said if the business license was revoked, the owner could not conduct the same type of business under the same name at the same location for one year.

However, since new smoke shops are not allowed in the city, Abdelhadi will not be allowed to reopen his old shop or a new one in Hesperia, per the city’s ordinance.

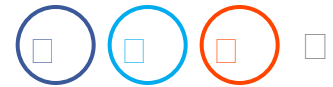
Council member Bill Holland told the Daily Press that based on comments made by members of the cannabis industry and the public, city staff is aware that other smoke shops in Hesperia are also selling marijuana and marijuana products.

“I don’t consider medical marijuana a narcotic, but the only legal way for it to be purchased commercially is through a delivery service business,” Holland said. “That is the most effective way for it to be distributed and the only legal way in our city.”

*Reporter Rene Ray De La Cruz may be reached at 760-951-6227,*

*[RDeLaCruz@VVDailyPress.com](mailto:RDeLaCruz@VVDailyPress.com), [Instagram@renegadereporter](https://www.instagram.com/renegadereporter), [Twitter](https://twitter.com/DP_ReneDeLaCruz)*

*[@DP\\_ReneDeLaCruz](https://twitter.com/DP_ReneDeLaCruz).*



THINGS TO DO  CASINOS

# San Manuel Casino opens expanded gift shop





The Puuhia't Roadrunner gift shop, located on the first floor of the casino, has more than doubled in size. It reopened on Thursday, Jan. 16. (Courtesy of San Manuel Casino).

By **ALEX GROVES** | [agroves@scng.com](mailto:agroves@scng.com) | The Press-Enterprise

PUBLISHED: January 22, 2020 at 3:25 pm | UPDATED: January 22, 2020 at 3:25 pm



San Manuel Casino reopened its first floor gift shop Thursday, Jan. 16, after nearly tripling its size.

The Puuhia't Roadrunner gift shop, located on the first floor of the casino next to the 1891 Boutique, has been increased in size from 400 to 1,100 square feet.

Sign up for our [Casino Insider newsletter](#) and get the week's best bets for food, entertainment and fun at Southern California's casinos. [Subscribe here.](#)

A spokeswoman from San Manuel wrote in an email that the increased space for the shop came as a result of building out a portion of the casino building when a new valet entrance was built last year.



1 of 4

The Puuhia't Roadrunner gift shop, located on the first floor of the casino, has more than doubled in size. It reopened on Thursday, Jan. 16. (Courtesy of San Manuel Casino).



The gift shop sells San Manuel Casino-branded apparel in addition to other items such as snacks, candy, drinks and tobacco. There's also a native souvenir section featuring items such as jewelry and dream catchers.

## RELATED ARTICLES

[Where to watch Super Bowl 54 at Southern California's casinos](#)

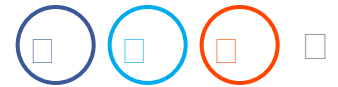
[Morongo Casino, Resort & Spa completes casino renovations, plans hotel room remodel](#)

[7 things to do at Southern California casinos \(Jan. 24-30\)](#)

[From decor to dining, here's what Southern California's casinos are doing for Lunar New Year](#)

The expanded gift shop is just the latest addition as San Manuel continues its \$550 million expansion. Other recent additions include new high limit slots and table games rooms, Asian restaurant Hong Bao Kitchen, a six-story parking garage and a smoke free slots area.

The project will ultimately culminate in the completion of a hotel tower, entertainment center and additional shops in 2021.



OPINION • Opinion

# SoCal Policy Forum live event on Jan. 30





Panelist William Huang, left, Director of Housing, City of Pasadena along with Michelle White, second from left, Pasadena Tenants Union, Kome Ajise, Executive Director, Southern CA Association of Governments and Gary Painter, Professor, University of Southern California Reactors Samantha Gowen and Susan Shelley of SCNG and Karthick Ramakrishnan, right, of the Center for Social Innovation UCR during a SoCal Policy Forum on the issues of housing affordability and homelessness at Westerbeck Hall on the campus of Pasadena City College on Thursday, October 17, 2019 in Pasadena, California. (Photo by Keith Birmingham, Pasadena Star-News/SCNG)

By **THE EDITORIAL BOARD** | [opinion@scng.com](mailto:opinion@scng.com) |

PUBLISHED: January 22, 2020 at 12:25 pm | UPDATED: January 22, 2020 at 12:25 pm



The SoCal Policy Forum will convene a panel discussion on the problem of poverty in Southern California on Thursday, Jan. 30 in Orange.

The event will be held at Sisters of St. Joseph of Orange in the Mother Louis Room from 6 p.m. to 8 p.m.

The forum, which is free and open to the public, will feature commentary from:



- Lucy Dunn, president and CEO of the Orange County Business Council.

TOP ARTICLES 2/5



.st0{fill:#FFFFFF;}.st1{fill:#0099FF;}



- Mary Anne Foo, executive director of the Orange County Asian and Pacific Islander Community Alliance (OCAPICA).
- Shelley Hoss, president & CEO of the Orange County Community Foundation.
- Joel Kotkin, presidential fellow in Urban Futures at Chapman University and Southern California News Group columnist.

The discussion will be moderated by the Orange County Register’s senior editor Todd Harmonson.

For more information on the event and how to RSVP, visit [socalpolicy.org/events](http://socalpolicy.org/events).

The SoCal Policy Forum is a partnership of the Southern California News Group and the Center for Social Innovation at UC Riverside, in collaboration with a range of leaders and institutions across Southern California.

The aim of the SoCal Policy Forum is to serve as a needed means by which local academics, advocates, business leaders, elected officials and philanthropic organizations can come together and present their ideas on how to solve the problems of the day.

Readers of these pages have seen special sections in print displaying some of the ideas contributed by SoCal Policy Forum participants on issues like housing, homelessness and poverty.

## RELATED ARTICLES

Congress needs fewer lawyers and more bartenders

The Golden State unfortunately has the highest poverty rate of any state in the nation, 18.2 percent, when using the U.S. Census Bureau’s supplemental poverty measure.

---

Cut taxes on the legal marijuana market, pass AB1948

---

California's budget depends on the rich

---

Hollywood tax credits should be blacklisted

---

Understanding California's confusing March elections

---

aim of the SoCal Policy Forum.

We hope you visit [socalpolicy.org](http://socalpolicy.org) to read some of the ideas we've pulled together on the problem of poverty and join us on Jan. 30.

When using the California Poverty Measure, a joint effort by the Public Policy Institute of California and the Stanford Center on Poverty and Inequality, these numbers are even higher in Los Angeles County (23 percent) and Orange County (20.4 percent). The Inland Empire's figures under this measure are likewise nothing to be proud of (17.2 percent in San Bernardino County, 17.6 percent in Riverside County).

Working through the issues involved, and how to most effectively address the problem of poverty, is the current

---

Tags: editorials



## The Editorial Board

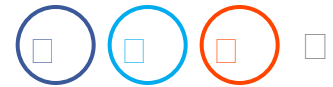
The editorial board and opinion section staff are independent of the news-gathering side of our organization. Through our staff-written editorials, we take positions on important issues affecting our readership, from pension reform to protecting our region's unique natural resources to transportation.

The editorials are unsigned because, while written by one or more members of our staff, they represent the point of view of our news organization's management. In order to take informed positions, we meet frequently with government, community and business leaders on important issues affecting our cities, region and state. During elections, we meet with candidates for office and the proponents and opponents of ballot initiatives and then make recommendations to voters.

[VIEW COMMENTS](#)

## Join the Conversation

We invite you to use our commenting platform to engage in insightful conversations about issues in our



NEWS  CRIME + PUBLIC SAFETY

# 2 killed in San Bernardino shooting





From left, Israel Delatorre, 34, and Daniel Melendrez, 33, both were shot and killed on Tuesday, Jan. 21, in San Bernardino. (Courtesy San Bernardino Police Department)

By **RICHARD K. DE ATLEY** | rdeatley@scng.com | The Press-Enterprise

PUBLISHED: January 22, 2020 at 10:51 am | UPDATED: January 22, 2020 at 10:51 am



Two men were shot and killed Tuesday, Jan. 21, on North Grand Avenue in San Bernardino, the San Bernardino Police Department said Wednesday.

Few details were released. Police were called to the location in the 1400 block of North Grand Avenue, just before 3:15 p.m. on a report of shots fired, and found the two wounded men. They died at the scene, according to a release from the department.

The men were identified as Israel Delatorre, 34, and Daniel Melendrez, 33. Police said the shooting was under investigation, and the motive was not known. No suspect arrests or descriptions were disclosed.

Anyone with information is asked to call Det. Joshua Cunningham at 909-384-5745



orcunningham\_jo@sbcity.org or Sgt. Albert Tello at 909-384-5613 or tello\_al@sbcity.org.

TOP ARTICLES 2/5



.st0{fill:#FFFFFF;}.st1{fill:#0099FF;}

READ MORE

## RELATED ARTICLES

Fifth body discovered on Tijuana property where Garden Grove couple was found dead

Two arrested in killing of San Bernardino man in Muscoy

Suspect in Temescal Valley deadly car-ramming crash faces spouse abuse, child injury charges

# DAILY BULLETIN

---

NEWS  CRIME + PUBLIC SAFETY

## 3 people arrested, children removed from alleged drug house in Yucaipa



By **ROBERT GUNDRAN** | rgundran@scng.com |

PUBLISHED: January 22, 2020 at 9:25 pm | UPDATED: January 22, 2020 at 9:52 pm



Three people were arrested in Yucaipa on Tuesday after an investigation of reports that children were not being properly cared for.

The San Bernardino County Sheriff's Department and officials with Child and Family Services worked together on an investigation relating to reports that children in a home on the 12000 block of 4th Street were not being taken care of properly, the Sheriff's Department said in a statement.

"Deputies contacted multiple people at the residence who are known drug users and probationers," authorities said. "Through investigation, deputies determined the residence was being used as a place to use illegal drugs on a regular basis."

Mary Healy, 36, of Yucaipa, was the primary tenant of the resident, officials said. Three children also lived at the residence, two 6-year-olds and one 4-year-old.



TOP ARTICLES **1/5**



.st0{fill:#FFFFFF;}.st1{fill:#0099FF;}

Healy was arrested on suspicion of child endangerment and maintaining a drug house. She was booked into the West Valley Detention Center with a bail of \$100,000. Two Yucaipa men were also arrested on Tuesday at the residence.

Edward Valencia, 25, was arrested on suspicion of violating probation and possession of drug paraphernalia. He was booked into the Central Detention Center.

The Sheriff's Department said 34-year-old Kyle Houser was arrested due to outstanding warrants in both San Bernardino and Riverside counties and booked into the Central Detention Center with a bail of \$15,000.

Officials said Child and Family Services took custody of the children and placed them together in a safe home.

READ MORE

# Family confirms Hesperia man was good Samaritan killed in fiery I-15 crash

By Rene Ray De La Cruz

Staff Writer

Posted Jan 22, 2020 at 12:01 AM

Updated Jan 22, 2020 at 10:24 PM

HESPERIA — Michael Robert Keyser’s wife, Lorri, said she’s proud of her late husband who “died doing what he loved: helping people.”

According to his family, Michael Keyser, of Hesperia, was the good Samaritan killed last weekend in a fiery collision while rendering aid to a truck driver whose vehicle overturned on Interstate 15, south of Hodge Road.

Previously, he had only been identified as John Doe No. 2 by authorities.

Michael Keyser, 49, was on his way to work at Elementis Specialties mining facility in Newberry Springs when he came across the crash that eventually involved two tractor-trailers, according to Lorri Keyser.

“He always had a first aid kit and a fire extinguisher in his car, and was always ready to help those in need,” Lorri Keyser told the Daily Press in an interview on Wednesday.

She said her husband’s recent actions were reminiscent of the nearly 30-year-old incident that earned him the Carnegie Medal.

On Feb. 25, 1990, Michael Keyser, then 19, pulled a man from a burning car that had struck a utility pole. For his actions, he was one of 17 people who were cited for heroism by the Carnegie Hero Fund Commission in 1992, according to the Associated Press.

On Sunday, in a moment that started similarly to the 1990 incident, Michael Keyser stopped his 2015 Mazda 3 on the left shoulder of northbound I-15 and ran across the southbound lanes to help an unidentified truck driver whose tractor-trailer overturned for reasons that are still unknown.

After the crash, the tractor-trailer partially blocked the No. 3 southbound lane. While he stood in the No. 3 lane, a second tractor-trailer, driven by Michael Hensley of Russellville, Tennessee, collided with Michael Keyser and the first tractor-trailer, also for reasons that are still unknown.

The crash pushed both vehicles off the freeway and into the open desert, the California Highway Patrol reported.

The tractor-trailers became fully engulfed in flames, resulting in the death of the unnamed first driver and Michael Keyser, who ended up underneath the second vehicle, the CHP reported.

In addition to his acts of heroism, Michael Keyser was also known as a professional scare actor who created the horror character “Stitch Face.”

Film producer Hunter Crowder recently interviewed him for a documentary about his life, his 1990 heroics and the “Stitch Face” character.

In the video, filmed at Horsemen’s Center Park in Apple Valley, Michael Keyser choked back tears as he described coming across the burning car and the driver, who was slumped over the steering wheel.

“He was probably 250, 275 (pounds), and I probably weighed about 140,” Michael Keyser said. “On the third try, he came flying out of the car. I thought I was going to die.”

Also in the video, he described “Stitch Face” as an intimidating character, but a “good guy” who wears a burlap sack mask, long trench coat, 3-foot-tall wizard hat and dangling bell.

Crowder told the Daily Press that watching his film is “quite eerie considering that Michael is no longer with us.”

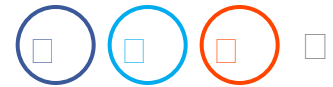
“Michael had a big heart,” Lorri Keyser said. “One Christmas morning, he got off work and went to a restaurant where he picked up the tab for some people and left the waitress a \$50 tip. He came home and said that he had the best Christmas ever.”

Michael Keyser was also known for helping the homeless by providing backpacks, clothing, food and other necessities. He leaves behind his wife, two adult children and three grandchildren. The couple recently experienced the death of a fourth grandchild, Lorri Keyser said.

“Keyser’s life was taken doing what he did best. Saving lives of people he didn’t know,” Crowder said. “He really was a hero.”

Crowder’s video, entitled “Stitch Face,” can be viewed online at [www.Vimeo.com](http://www.Vimeo.com).

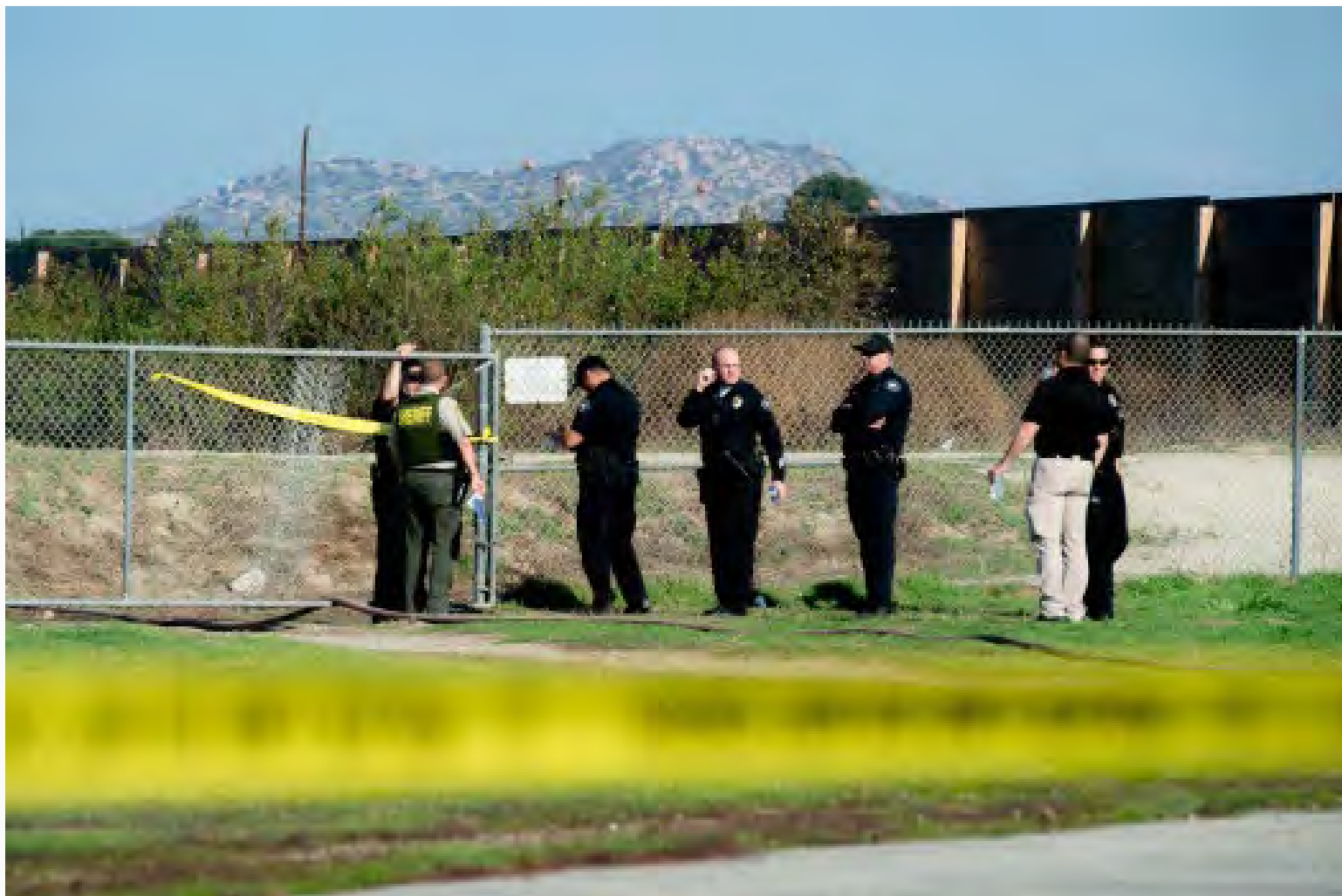
*Reporter Rene Ray De La Cruz may be reached at 760-951-6227,  
[RDeLaCruz@VVDailyPress.com](mailto:RDeLaCruz@VVDailyPress.com), Instagram@renegadereporter, Twitter  
[@DP\\_ReneDeLaCruz](https://twitter.com/DP_ReneDeLaCruz).*



NEWS  CRIME + PUBLIC SAFETY

# 4 die in plane crash at Corona Municipal Airport





Emergency personnel respond to the scene where a single engine plane crashed and burned in a ditch next to the runway after taking off with at Corona Municipal Airport in Corona on Wednesday, Jan. 22, 2020. Authorities said all four people died in crash. (Photo by Watchara Phomicinda, The Press-Enterprise/SCNG)

By **BRIAN ROKOS** | brokos@scng.com and **RICHARD K. DE ATLEY** | rdeatley@scng.com | The Press-Enterprise

PUBLISHED: January 22, 2020 at 12:46 pm | UPDATED: January 22, 2020 at 3:35 pm

Four people died Wednesday, Jan. 22, when the airplane they were in crashed and burst into flames on takeoff at Corona Municipal Airport.

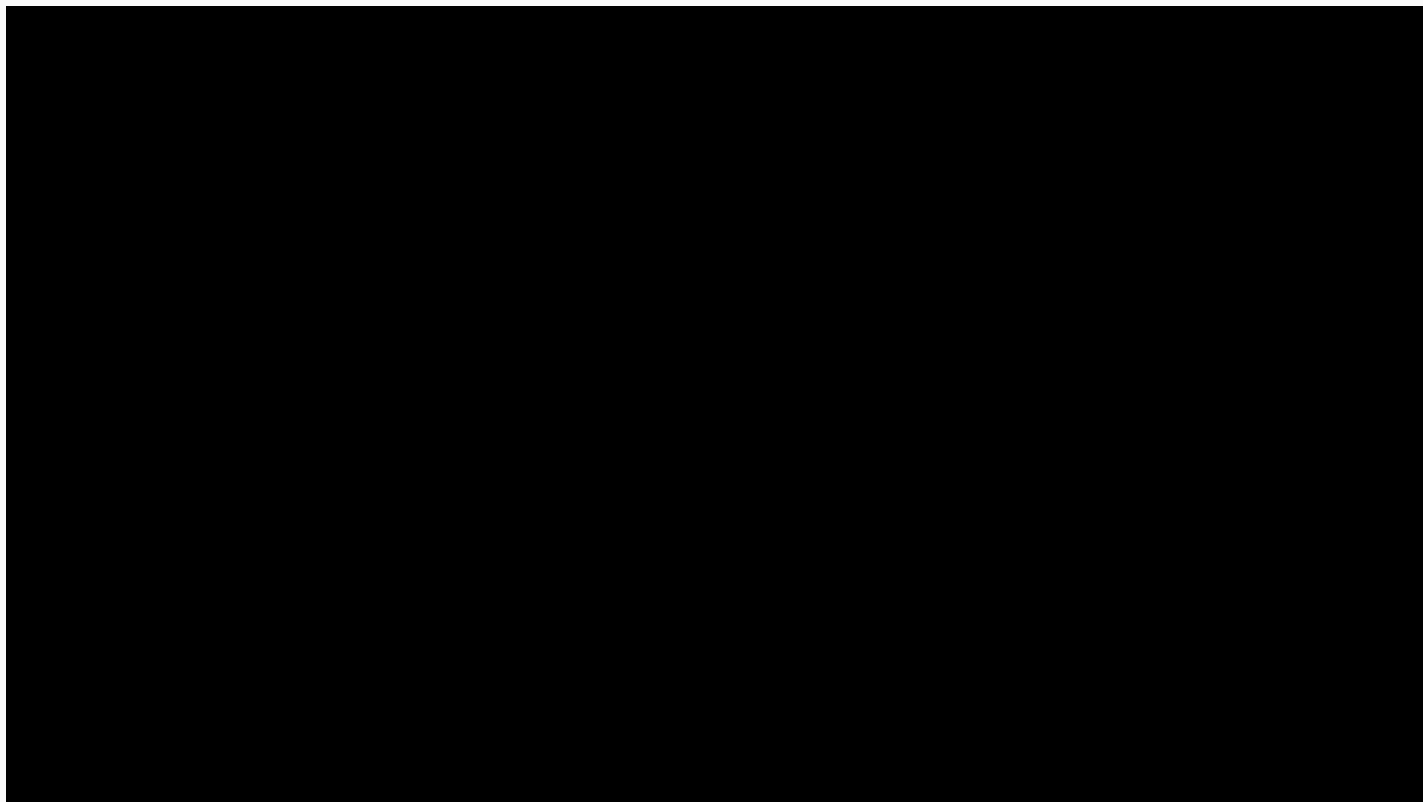
Corona firefighter spokesman John DeYoe said at a news conference there were no survivors.

A witness said the plane did not appear to get more than three feet off the ground as it attempted to take off. Another said the pilot had trouble getting airborne, but appeared to gun the engine for more airspeed, rather than aborting the takeoff.

The crash was reported at 12:10 p.m. on the east side of the airport, according to the Corona Police



Department. The plane was found on fire in the brush.



1 of 10

Corona Police officers survey the site where an airplane crashed and burned in a ditch next to the runway after taking off at Corona Municipal Airport in Corona on Wednesday, Jan. 22, 2020. (Photo by Watchara Phomicinda, The Press-Enterprise/SCNG)



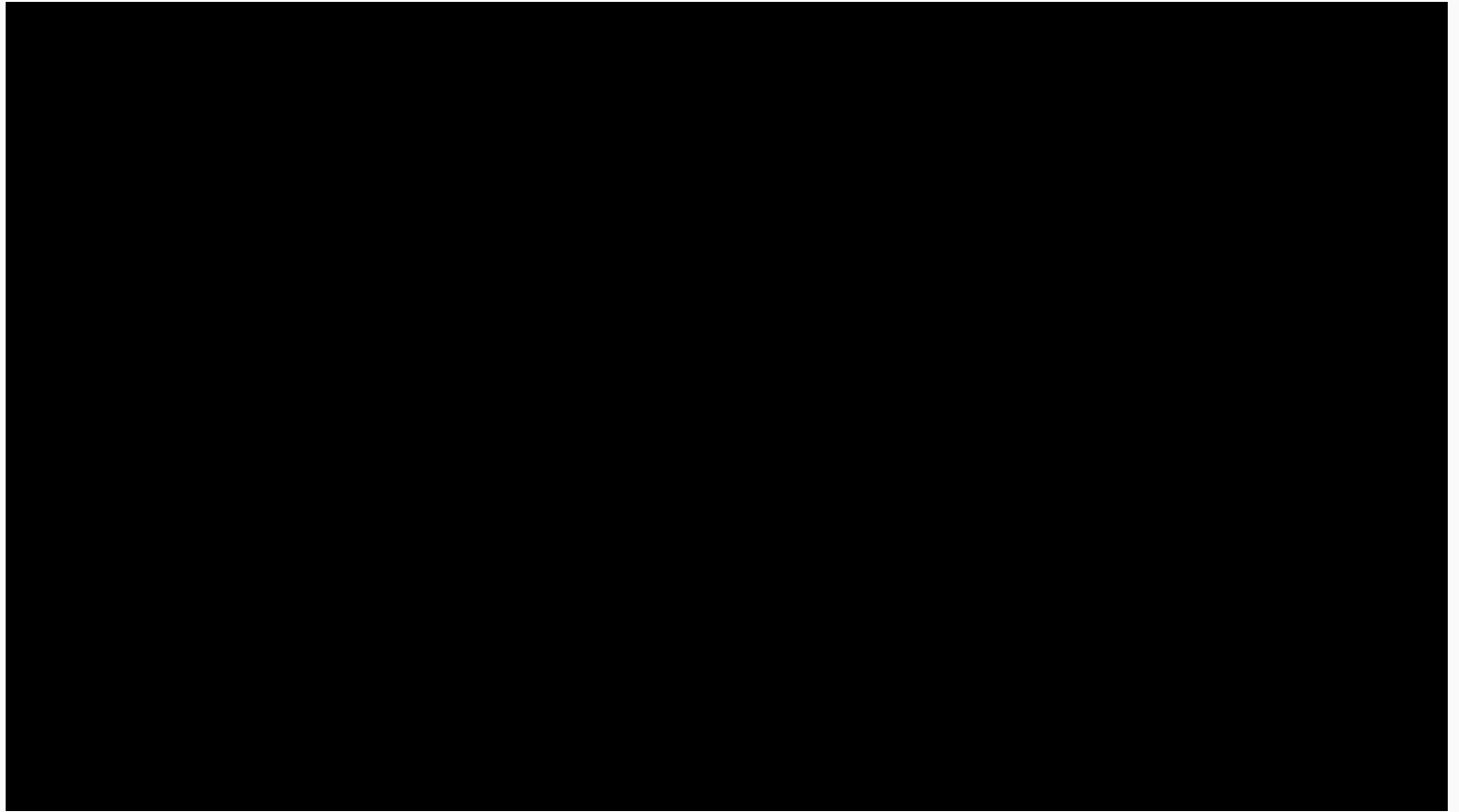
DeYoe said the single-engine plane spilled about 80 gallons of fuel on impact, which ignited and burned the plane and also about 1/4 acre of brush before it was knocked down. The tail number of the plane was not identifiable, DeYoe said.

The airport remains shut down.

Witness Ken Coster said the plane was fueled before the takeoff attempt, which he watched.

“They went down the runway to the west and took off to the east ... they lifted off the ground, but the tail dropped down, nose was up, so they weren’t gaining altitude,” Coster said. “The plane plopped back down on the runway.

“He steered the plane straight. Instead of stopping and aborting the takeoff, he went ahead and gunned the motor, gained some more airspeed, took off again, but the wingtips were going from one side to the other, and the nose pitched up,” Coster said of the final moments before the crash.



Coster said he did not see the impact because a hangar blocked his view, but he heard the explosion and saw the black smoke.

Witness Dorothe Voll, a pilot, said she saw the plane strike a fence, turn over and quickly catch fire. It got no more than about 3 feet off the ground, she said.

“He didn’t pull back and he was too fast at the end of the runway,” Voll said, “and then he flipped and everybody was running and it started on fire. Then you had two explosions. ... We brought over fire extinguishers but it was all engulfed.”

Coster said he saw the pilot and passengers before they boarded the plane. “We waved to the people and said ‘Hi’ when they went to the bathroom,” he said.

FAA spokesman Ian Gregor said that agency and the NTSB will investigate the crash. FAA investigators were at the scene by early afternoon.

---

*This story is developing. Check back for updates as more information becomes available.*

## RELATED ARTICLES

---

Suspect in Temescal Valley deadly car-ramming crash faces spouse abuse, child injury charges

---

3 boys killed in Temescal Valley crash honored at prayer service; driver accused of intentionally hitting their car

---

2 motorists critically injured in 91 Freeway collision in Riverside

---

Los Angeles motorcyclist dies in Ortega Highway collision in Lake Elsinore

---

Semi carrying 5,900 chickens topples in Chino Hills

---

Be the first to know.

**Sign up for our Breaking News emails to get the news fast.**

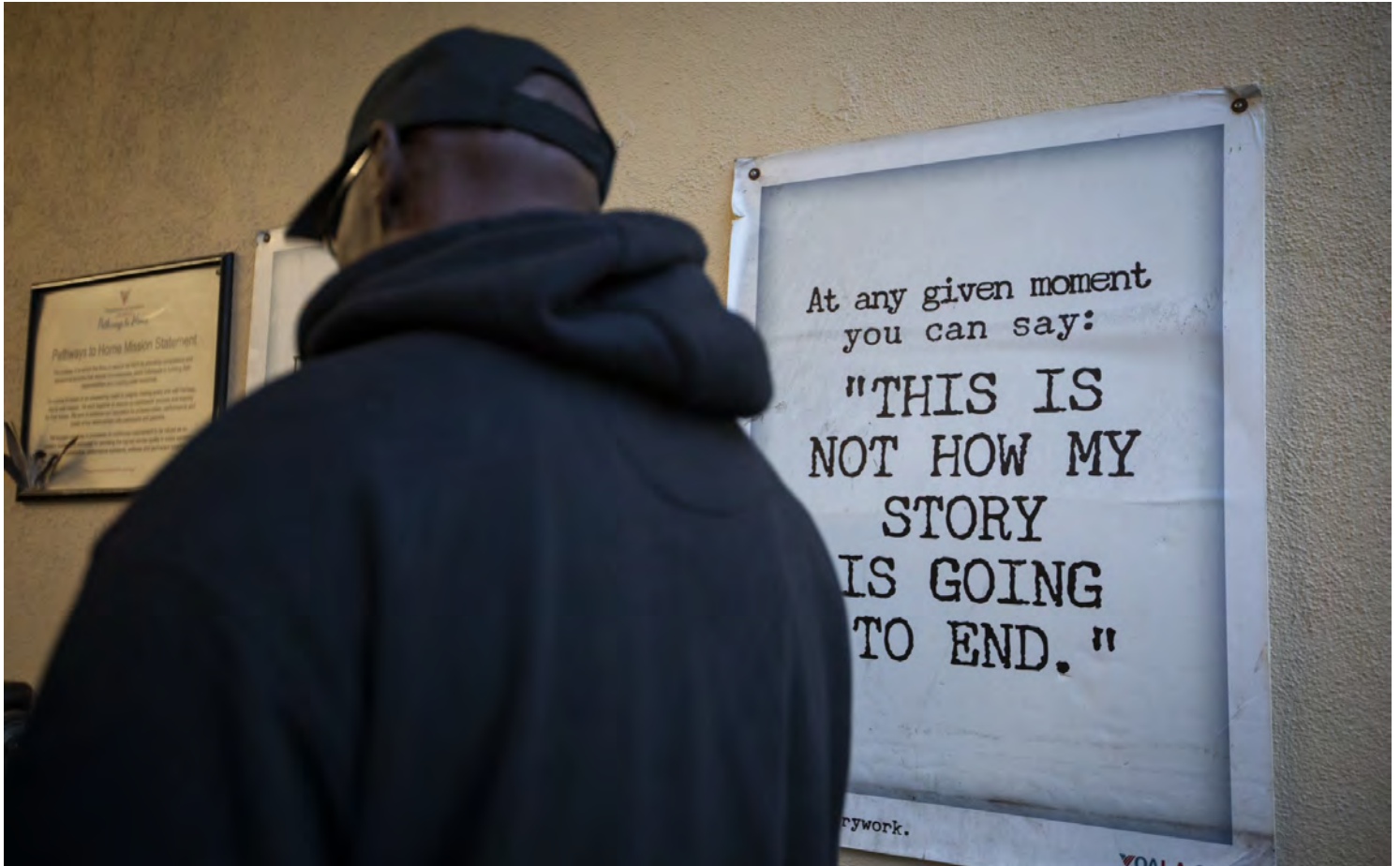
**SUBSCRIBE**

---

Tags: [crash](#), [plane-crash](#), [Top Stories IVDB](#), [Top Stories OCR](#), [Top Stories PE](#)

CALIFORNIA

## Owning their pasts, students look to a future in homelessness services



Earl Williams enters the Volunteers of America men's shelter. Williams is participating in the Careers for a Cause pilot program at Los Angeles Southwest College. (Francine Orr / Los Angeles Times)

By THOMAS CURWEN

JAN. 23, 2020  
3 AM



Lying in bed at night, Earl Williams wondered what his future would be. From his top bunk, No. 133A, in the men's shelter on 38th Street in South Los Angeles, he stared up at the white rafters.

With the world out of sight, anything seemed possible — until his fears kicked in.

He prayed. He thought of his new friends. He repeated words of encouragement that had come his way, but they were sometimes hard to believe.

ADVERTISEMENT

The men around him snored, they moaned, they whispered among themselves. Beds creaked, and the smells of weed, even meth, reached him like the tentacles from his former life. At 48, Williams felt like a football team that never won.

He curled onto his side. He adjusted his day pack, which was his pillow. It held his tablet, a change of clothes, papers. They were his most prized possessions, always nearby in case he got arrested, kicked out — or there was a fire.

The lights came on at 4:30 a.m., and the day began: a shower, breakfast, a morning smoke, his daily Facebook post, and then he took a bus to college. During the day, he liked to put distance between himself and the shelter, which reminded him of a prison yard, so many men milling about, just killing time.

Students aim to work in homelessness services



Los Angeles Southwest College launched Careers for a Cause, a pilot program aimed at providing participants with the skills to work in homelessness services. We spoke with some program graduates about why they wanted to work in social services.

Since coming back to Los Angeles in July, Williams had lived with the hope that the world wasn't through with him, that the crimes of his past, his years of addiction, homelessness and incarceration, might be forgiven by helping others.

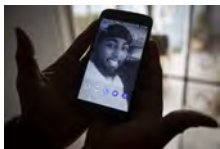
This morning he believed it just might be possible.

---

ADVERTISEMENT

---

He had been accepted into a pilot program at Los Angeles Southwest College designed to provide him with skills to work in one of the city's fastest growing job sectors: homeless services.



CALIFORNIA

**Paroled from Angola prison, he searched for his son among L.A.'s homeless**

Jan. 23, 2020

---

Flush with Measure H funding, a sales-tax assessment passed by county voters in 2017, agencies are on a hiring spree.

With need growing and new hires changing their minds about working on the street, managers are relaxing requirements for jobs whose wages start at about \$17 an hour. Degrees and advanced training are not always needed, nor in some cases, a car or driver's license.

The pilot program, Careers for a Cause, was proposed in 2018. County Supervisor Mark Ridley-Thomas' staff had recognized that the homelessness crisis offered employment opportunities for the residents of South Los Angeles.

The staff enlisted the county's workforce development agency, and with \$100,000 from Ridley-Thomas' discretionary fund, created an eight-week social service training program on the

community college campus. Nearly 80 candidates applied for the 25 openings.

From late October through mid-December, Mondays through Thursdays, five hours a day, Williams and his fellow students gathered to hear about life on the street from outreach workers, mental health experts and case managers.

But to find their futures, they had to face down their pasts.



Nathaniel Jones Jr., center, takes a class in the Careers for a Cause program. (Francine Orr / Los Angeles Times)

::

“Each day, I wake up saying, ‘God, let me just make it,’” Williams said during an afternoon break. He had stepped outside and was sitting in the sun. Students were queuing up at a food truck.

ADVERTISEMENT



“You see, you have to fight the belief, the expectation that you’re going to fail,” he said. “You have to fight the feeling that whatever good that’s coming your way, something is going to ruin it.”

His voice was soft but confident.

---

### Column One

A showcase for compelling storytelling from the  
Los Angeles Times.

[Read more stories](#)

He had just quit a nighttime janitorial job that left him exhausted. Soon after enrolling in the class, he collapsed on the street and landed in the hospital.

More than once, he thought about dropping out.

Each day, when he walked to the bus, he passed the ragged tents of a homeless encampment on Broadway Place. He stepped around the debris. That once was his life, and he understood it: You can fail on the streets, and no one notices. You can be a hero on the streets — just offer a cigarette to someone asking — and everyone looks up to you.

He emailed the program director.

*I’m having serious challenges to getting to class. I’m even considering leaving which is the last thing I want.*

A half an hour later, she replied with an offer of help.

*Persevere, Earl. We are here to support you.*



He hadn't expected her to care, and that evening he wrote back, trying to explain himself.

*The benefit of being out there [on the street] is that you become resilient. Some people say hard, but underneath that hardness, is you.*

*A soft core that you never let out because it hurts. So you don't ask for help. You try to do everything yourself, and you still fail.*

*'Each day, I wake up saying, "God, let me just make it.'"*

EARL WILLIAMS

The next day, he slid his tall frame into a desk at the back of the room. Some students reached out to him. They brought him menudo and bottles of water.

Slowly he grew comfortable and learned that he wasn't alone.

His classmates included Francisco Villarruel, who sat in the front row. On his left cheek was a tattoo he got when he ran with a gang in La Puente. Convicted of kidnapping, carjacking and robbery, he did 15 years in prison. Now he was 35 and lived in a transitional housing facility. Each day he woke at 3:30 a.m., was at a gym by 4:30, at Los Angeles Trade Tech College by 7, and Southwest College by 10.

Nearby sat Kimberly Brown, who had lost her apartment in October. She said she and her husband now live in her truck. She was 38. She worked the graveyard shift as a manager for an interim housing site near MacArthur Park.

Sterling McElrath was transitioning to male. Identifying as trans and non-binary, he said he lived with his partner as a gay man and was in the process of changing the name and gender on his identification. He was 29. To attend class, he had to juggle the timing for blood tests that monitored his hormones.

One afternoon, Reba Stevens, a member of the county's mental health commission, gave the students a pep talk.

“I just celebrated 23 years of being sheltered,” she said. “How many of you have been homeless?”

A flurry of hands went up.

“How many have struggled with drugs and alcohol?”

Some hands stayed up; others were raised.

“How many had problems with the criminal justice system?”

Some groups overlapped.

“I am proud to be in your company,” she said. “All the policymakers in City Hall, they don’t have what we have.”

::



Earl Williams next to his bunk at the Volunteers of America men's shelter. (Francine Orr / Los Angeles Times)

Earl Williams grew up at 93rd and Central in South Los Angeles.

He was a teenager in 1987 when LAPD Chief Daryl Gates launched Operation Hammer, which tore into South L.A., locking up thousands of suspected gang members and drug dealers.

Crack cocaine had become an epidemic, and the world around him was crumbling.

His father died when he was 16, and by then, he said, the line between right and wrong was defined by what he could get away with.

He dropped out of high school, and tried to keep his father's businesses — a restaurant, a nightclub — going. But running away was easier. He stayed at the Frontier Hotel downtown, then drove to San Francisco, where he lived in the Tenderloin, under bridges, on the streets and in halfway houses.

He said he became addicted to crack, a habit that led to robbing banks. He never used a gun, he said, just slipped a note to tellers or asked them for the money. One teller, he recalled, said no. Another broke into tears.

Two arrests and two convictions followed, for a total of nearly 12 years in federal prisons.

By his count, from age 14 to 48 he lived in a place he could call his own just three times, for less than a total of nine months. He spent the rest of his time in mental hospitals, jails and on the streets. He was assaulted and robbed.

He was diagnosed with “anti-social personality disorder,” he said, and still remembers the language of the report: “Mr. Williams’ prognosis for recovery is poor. His element has never been successfully treated.”

::

Now, day after day, he and the other students straggled into their classroom at 11:30 a.m. Spiral notebooks and McDonald's bags covered their desks.



Patrick Coston, 56, left, talks with Francisco Villarruel, right, at the Careers for a Cause program. (Francine Orr/Los Angeles Times)

Over the weeks, they studied computer skills, discussed the importance of cover letters and practiced how to talk to employers about gaps in their resumes.

They tried to keep their expectations in check.

“Is everyone familiar with Measure H?” asked Alison Korte, a manager with the Los Angeles Homeless Services Authority.

“We had a structure like toothpicks, and they dumped all this money on it,” Korte said, describing the additional \$355 million a year.

“Organizations like ours are struggling the most with hiring. We have 1,200 vacant positions in L.A. County, and the turnover is continuous.”

With so many openings, agencies are looking beyond degreed social workers and turning to those whose experiences are more closely aligned with the people they would be helping.

The agencies call it “lived experience,” and it often accounts for the gaps in resumes that most employers might shy away from: bouts of homelessness, substance abuse, mental illness.

“What are you looking for when we put our resumes together?” one student asked.

Korte replied: “We want people who are interested in the work, who know the population and geography. Candidates will know where to go where people are struggling and will know how to engage with them. The hardest skill set is how to engage and work with people with empathy.”



Nikiya Richard, 41, completed Careers for a Cause and says she is starting a new job in February. (Francine Orr / Los Angeles Times)

But empathy came with a cautionary note, the students learned, if it reopened old wounds. This was evident during sessions on trauma that led to personal discussions about domestic violence, childhood abuse, violent death.

Outreach work would expose the students to stories like their own, and teachers emphasized the need for professional boundaries.

“Our job is to listen,” instructor Courtney Pierce told them. “Someone might not want to hear about our suffering. And so be aware: If you say to them, ‘I know what you’re going through,’ well, maybe you don’t.”

The program’s case manager, Guro Slettner, sat in the back of the class, ready to answer impromptu questions and any concerns.

In Slettner’s mind, the world was divided into those who were privileged and born into opportunity and those who were resilient, able to survive in situations where others would struggle.

She had a clear read on the opportunities and struggles that had shaped the lives of the students and the risks they were taking to change the odds.

In his notebook, Williams wrote:

*I think there’s something devastating about suffering loss in life, especially if it’s persistent and becomes a lifestyle. You lose your keys one time, and it’s an annoyance. At worst you take the bus or break a window. You lose your keys forever, and you never drive. You never go anywhere, and you run out of friends to talk to to get what you need.*

*You stop asking.*

*Sometimes I’m scared of the future. That it won’t work out the way that I hope. I won’t get what I need or want. I won’t become the normal citizen that I’ve always desired to be.*

::

One Friday morning, a dozen of the students met at a youth center at Vermont Avenue and 50th Street. In khakis and a plaid shirt, Williams listened to a description of the center, which served nearly 250 people ages 16 to 25.

After a tour through a lounge with sofas, bean-bag chairs, air hockey, Foosball and Montel on the television, Williams broke away to talk with Gerald Franklin, a counselor.

“I had no idea this sort of thing was going on,” Williams said. “I get jealous, and it makes me feel irresponsible and grateful for what’s here. But this wasn’t here when I grew up.”

*‘I get jealous, and it makes me feel irresponsible and grateful for what’s here. But this wasn’t here when I grew up.’*

EARL WILLIAMS

Franklin understood. “When we was coming up,” he said, “none of this was around.”

For Williams, the expectation had been jail, and strangely that was comforting. In jail, you could get away from the hustle, the dope, the responsibilities — just by giving up.

Now his mind was spinning with what might have been.

He remembered being in Leavenworth on the November day that Barack Obama was elected president.

The warden had locked down the prison, afraid of a riot if Obama didn’t win.

When Obama did win, white gangs shouted and jeered.

“All the blacks, though, got quiet and went to their bunks,” Williams recalled. “My first emotion was anger. Obama broke every belief I had. I had believed that everything was against me. But to see Obama be president forced me to admit that I was wrong. That I could be president. I didn’t have to go that other route, and I was angry.”

::

On a sunny December morning, the students gathered at Southwest College for graduation.

Eight weeks of classes weren't many, but for most they encompassed a lifetime. The small auditorium was nearly full. Balloons floated near the lectern.



Cherylynn Hoff, left, the acting director for the pilot program, hugs Nikiya Richard at her graduation last month. (Francine Orr / Los Angeles Times)

Williams' mother sat in the second row.

Cherylynn Hoff, the acting director for the pilot program that will be offered as part of the regular curriculum at the college in the spring, greeted the students, family and guests. She had helped start Careers for a Cause, working with Ridley-Thomas' staff, the college and the South Los Angeles Transit Empowerment Zone.

“This program is about so much more than employment,” Hoff said. “This is about self-sufficiency and being successful in your community. When we talk about trauma and how much trauma is in this community, each one of you is working to break that cycle, for yourselves, your families, for our communities.”



Four students had been asked to speak.

Williams was the last, and he surprised everyone. His soft voice filled the room.

As he built to a crescendo — his words punctuated by students calling out and applauding — he paced the room and described his moments of doubt and the help he had received.

“I ... wanted ... to ... complete ... this ... program,” he shouted, striking the lectern after each word.

The class roared with encouragement. They had grown accustomed to the highs and lows of life that he described each morning in his Facebook posts.



Earl Williams speaks at his graduation. (Francine Orr / Los Angeles Times)

“Now we’re moving on,” he said. “We’re moving on with this need. This need to love. This need to say this person is hurting, I know what they’re going through. I’m going to help them, but I can’t do it alone. So now we’re connected as a team. This is what benevolence is.”

He caught his breath.

“We are at war. We are losing the war. Did I say that? We are losing the war! But the beautiful thing about today is we are winning the battle.”

His mother beamed with pride.

“You see there is something good here, deep down, trying to get out,” he said, crossing his chest with his arms.

“You can’t knock out goodness. You can’t knock out hope. All you can do is provide a means to share it. This is the means, and I thank you for it.”

Everyone cheered.

Afterward, the class celebrated at a hotel near the airport, where Williams spent the night.

When he climbed into bed, he stared up at the ceiling.

Tomorrow he would start making some phone calls and look for a job, but for now, he reveled in the battle he had won.

CALIFORNIA

HOUSING & HOMELESSNESS

COLUMN ONE



**Get our Essential California newsletter**  
**A roundup of the stories shaping California.**

Enter Email Address

**SIGN ME UP**

You may occasionally receive promotional content from the Los Angeles Times.

# Laguna Beach To Pay More Than \$18,000 To DACA Student Held For ICE

January 22, 2020 at 10:51 am Filed Under: [DACA](#), [Laguna Beach](#), [Laguna Beach news](#), [Laguna Beach Police Department](#), [Sanctuary State Law](#)



FOLLOW US \_\_\_\_\_

OUR | NEWSLETTER \_\_\_\_\_



Sign up and get our latest headlines delivered right to your inbox!

Email address

Subscribe Now!

**LAGUNA BEACH (CBSLA)** — The city of Laguna Beach will pay more than \$18,000 to a DACA student who was arrested in 2018 and sent to ICE in violation of California’s sanctuary state law.

The settlement was announced Wednesday by UCI’s School of Law Immigrant Rights Clinic, which was co-counsel with the ACLU of Southern California in the claim filed on behalf of Edgar Torres Gutierrez.

Gutierrez, a student at Orange Coast College in Costa Mesa, was arrested in June of 2018 on suspicion of driving under the influence

MOST VIEWED \_\_\_\_\_

and held by Laguna Beach police for 15 hours. He was then transferred into the custody of Immigration and Customs Enforcement before being released, according to UCI Law. He later pleaded guilty to a lesser charge of reckless driving, but was not charged with any immigration violations.

“I still think about my experience with the Laguna Beach police,” Gutierrez said in a statement. “When the officer told me I was not going to be able to go home, I became fearful. I also felt betrayed. I take responsibility for the actions that led to my arrest, but I didn’t deserve to be treated differently than other residents who put their trust in the police.”

Gutierrez notified the LGBTQ Center Orange County, where he worked as a volunteer, about his situation, which led to the claim against the Laguna Beach police. Because his detainment was a violation of the California Values Act, otherwise known as the sanctuary state law, the city of Laguna Beach settled the claim by agreeing to pay Gutierrez \$18,750 and provide training to all sworn officers and new hires on pertinent laws.

UCI Law says the settlement will also allow Gutierrez to file an official complaint with the police department, to trigger an internal investigation into the why he was detained and transferred.

#### Comments



ADVERTISEMENT

CLIMATE & ENVIRONMENT

# Trump team proposes rollback of desert protections to boost geothermal energy



The Trump administration wants to open more of the California desert for geothermal energy, meaning more facilities like the Coso plant near Little Lake in Owens Valley, seen here in 2007. (Spencer Weiner / Los Angeles Times)

By LOUIS SAHAGUN  
STAFF WRITER

JAN. 23, 2020  
3 AM



LONE PINE, Calif. — In step with President Trump’s push for more energy development in California’s deserts, the U.S. Bureau of Land Management announced Thursday it wants to

transform 22,000 acres of public land in the southern Owens Valley into one of the largest geothermal leasing sites in the state.

The agency has determined that the aquifer deep beneath the surface of the vintage Old West landscape of Rose Valley, about 120 miles north of Los Angeles, is a storehouse of enough volcanically heated water to spur \$1 billion in investments and provide 117,000 homes with electricity.

Yet the decision is sure to set off a new water war in an arid part of the eastern Sierra Nevada that is sprinkled with dormant volcanoes, spiky lava beds and rare species, such as desert tortoises.

The BLM contends it can balance competing interests with its plans to amend Obama-era restrictions on energy development across 22,000 acres in a region it calls the Haiwee Geothermal Leasing Area.

“We believe we can provide additional flexibility for energy development in that area,” Jeremiah Karuzas, the BLM’s renewable energy program manager in California, said in an interview, “while still trying to maintain conservation plans put forward there.”

Karusas said geothermal production has “a relatively compact footprint” with less impact than other energy plants.

But critics believe it marks the beginning of the end of California’s desert protections. During the Obama administration, deals were cut on which lands would be conserved, which would be leased for mining and energy development, and which would be designated for recreation.

Conservation groups led by the Center for Biological Diversity are preparing legal challenges, hoping to prevent access roads, pipelines, drilling rigs and trucks from intruding into the Rose Valley and desert areas, at the expense of their unique plants and animals.



## Curious About Your FICO® Score? Check It For Free



By Discover

Discover provides a FICO®Score to anyone, for free. Get your score now. [\[Learn More\]](#)

ADVERTISEMENT

“We thought we had a deal in the California desert,” grumbled Ileene Anderson, a biologist with the Center for Biological Diversity. “Everybody was happy. Nobody sued.”

“Now, the Trump administration and BLM owe us a reasonable explanation — not a political one,” she added, “for rolling back protections we were told would last forever.”

---

CLIMATE & ENVIRONMENT

### California needs clean energy after sundown. Geothermal could be the answer

Jan. 22, 2020

---

The Obama administration spent eight years and considered more than 14,000 public comments in developing its plan for wind, solar and geothermal projects and conservation. It set aside 3.9 million acres to be permanently protected as National Conservation Lands, including portions of Rose Valley. Another 1.4 million acres were designated areas of critical environmental concern. And 388,000 acres were designated appropriate for commercial-scale renewable energy projects.

[In a surprising reversal](#), President Trump less than a year ago ordered the BLM to reopen study of its Desert Renewable Energy Conservation Plan and consider shrinking the areas it protects, in turn expanding lands available for commercial-scale wind, solar and geothermal energy production and mining.

In Rose Valley, herds of mule deer seasonally drift between the Sierra Nevada on the west and the Coso range on the east. Springs ooze from the base of lava cliffs. Natural caves scoured by wind and rain overlook rugged habitat for Mojave ground squirrels and other rare species. Beneath cinder

cones streaked red and orange, the ground glistens with shards of volcanic glass left by ancient Paiutes making tools and arrowheads.

On a recent weekday, environmental activist Frazier Haney stood on a hilltop above the valley and reached out to embrace the panoramic views of the high-desert terrain.

“What worries me most is that the BLM is going back on its commitments to protect this land and its wildlife,” said Haney, deputy director of the nonprofit Wildlands Conservancy. “It’s hard not to see that as an assault on America’s 130-year tradition of protecting public lands, and an attack on Obama’s legacy.”

ADVERTISEMENT

Linda Castro, assistant policy director for the California Wilderness Coalition, said, “Normally, we’re supportive of alternative energy projects. But in this case, a court will have to decide whether the BLM has the authority to change management rules in lands set aside for conservation.”

The BLM move was cheered by some green-energy advocates, who contend that concerns about environmental damage are exaggerated and remind critics that the power they provide can help the state achieve its climate change goals.

Intrusions of magma at relatively shallow depths beneath Rose Valley make it “literally a hot spot for developing geothermal resources,” said Ian Crawford, a spokesman for the Davis, Calif.-based Geothermal Resources Council, an association that promotes the alternative energy resource.

“We should be working with the environmental community,” he said, “to make this happen.”

Just east of Rose Valley, on a mountain within the high-security China Lake Naval Weapons Testing Center in Inyo County, [Coso Operating Co. has operated four geothermal power plants](#) since 1987. The Coso site, which supplies about 8% of the entire geothermal power in the United States, has generated more than \$135 million in property and sales taxes for the county over the past 20 years.



In Rose Valley below, the BLM is currently reviewing three pending lease applications for 4,460 acres of land sought by two U.S.-based geothermal companies, BLM officials said.

If approved, they would add to a surge of interest in solar, wind power and geothermal energy development in California.

---

CLIMATE & ENVIRONMENT

**Lithium will fuel the clean energy boom. This company may have a breakthrough**

Oct. 14, 2019

---

ADVERTISEMENT

Elsewhere, energy providers signed contracts this month for electricity from new geothermal power plants in Imperial County near the Salton Sea and in Mono County along the Eastern Sierra. They will be the first geothermal facilities built in California in nearly a decade.

The future, however, remains uncertain in Rose Valley.

“The BLM is making a serious mistake by going back to the days when it favored energy development over conservation on public lands,” Haney said. “This move has only destroyed hard-won trust among stakeholders.”

CLIMATE & ENVIRONMENT



**Get our Essential California newsletter**  
**A roundup of the stories shaping California.**



ADVERTISEMENT

POLITICS

# California will be hit hard as Trump administration weakens clean water protections



Under the new rule, the Clean Water Act's protections would no longer apply to most small streams and wetlands, including those that are considered vital parts of drinking-water systems and fisheries. Above is Owens Valley. (Brian van der Brug / Los Angeles Times)

By ANNA M. PHILLIPS  
STAFF WRITER

JAN. 23, 2020  
5:22 AM



Defying environmentalists and public health advocates, the Trump administration on Thursday will announce the replacement of Obama-era water protections with a significantly weaker set of

regulations that lifts limits on how much pollution can be dumped into small streams and wetlands.

The changes to the Clean Water Act's protections are expected to hit California and other Western states especially hard.

Federal data suggest 81% of streams in the Southwest would lose long-held protections, including tributaries to major waterways that millions of people rely on for drinking water.

Andrew Wheeler, the administrator of the Environmental Protection Agency, is expected to announce the new rules in Las Vegas at a conference of the National Association of Home Builders — one of the industry groups that pushed for loosening clean water rules.

Under the new rule, polluters will no longer need a permit to release contaminated water into so-called ephemeral streams — sometimes called washes or arroyos — where water flows only occasionally because of rainstorms and snowmelt. Wetlands that aren't immediately adjacent to protected waters will also lose protection.

Both of these features are common in Western states, and scientists say they are likely to become more so as warming temperatures make a dry climate drier.

Clean water regulations are “essentially about how you provide drinking water. How you store flood waters. How you protect ecosystems that thrive in certain areas that we all need and want,” said Gina McCarthy, president of the nonpartisan Natural Resources Defense Council and a former EPA administrator under President Obama, in an interview shortly before the rule's unveiling. “This is a big deal issue, and I don't think it was thoroughly looked at as it should have.”

In a rebuke to the Trump administration, the EPA's own advisory board criticized the agency's plans.

“These changes are proposed without a fully supportable scientific basis, while potentially introducing substantial new risks to human and environmental health,” the board [wrote in its](#)

[commentary](#).

In California, two out of three of the [state's freshwater streams](#) could lose federal protection.

Yet the state is better positioned than others to weather the changes. Waters that lose protection under the Trump rule will still be covered under California law. And state regulators [have strengthened protections](#) for wetlands and streams in anticipation of the federal rollback.

Most states don't have nearly enough money or environmental expertise to fill the void created by vastly scaled-down federal regulations.

In New Mexico, environmental regulators estimate that the new rule could leave [96% of the state's waterways and wetlands](#) unprotected from pollution, including waters that flow into the iconic Rio Grande. The state does not have its own regulations to replace those lost in the rollback, making it particularly vulnerable.

---

POLITICS

## **Trump's plans to strip clean water protections leave New Mexico fearing pollution and health risks**

Dec. 31, 2019

---

Plans to narrow the Clean Water Act's reach have been in the works since the earliest days of the administration when Trump issued an order directing the rollback of the 2015 rule, known as Waters of the United States, enacted by his predecessor.

That rule expanded the reach of federal regulations and further restricted farmers' ability to use pesticides and fertilizers on land that could drain into wetlands and streams.

ADVERTISEMENT

Real estate developers, farmers, ranchers and others fought for years against the Obama-era regulations. Home builders complained that the rules needlessly limited where they could build. Farmers complained that the rules amounted to illegal infringements on their property rights that

required them to get costly permits in order to dig a ditch. Mining and oil and gas companies joined the attack.

Environmental advocates countered that the federal government had an obligation to protect entire ecosystems, including ephemeral waters, to prevent downstream pollution.

Trump's EPA and the Army Corps of Engineers repealed the Obama-era expansions last year at the behest of industry groups. The move met [immediate legal resistance](#) from environmentalists and several states, including California, which sued in federal court to have the regulations reinstated.

Speaking to an audience of farmers and ranchers on Jan. 19 at the American Farm Bureau Federation conference in Austin, Texas, Trump touted the rollback as a win for farmers. He repeated an inaccurate claim that regulations enacted under Obama extended the Clean Water Act's protections to puddles. It did not.

"Sometimes, you'd have a puddle — a little puddle. And they'd consider that a lake," he said. "As long as I'm president, government will never micromanage America's farmers."

The new rule is likely to attract more legal challenges. By limiting federal jurisdiction over small streams and wetlands, it not only unravels the Obama administration's enhanced protections — it strips away safeguards put in place under President George H.W. Bush.

The rollback is the latest step in a decades-long battle over the federal government's authority to impose environmental protections on rivers, streams, wetlands and irrigation ditches.

---

POLITICS

## **Trump administration poised to strip protections from up to two-thirds of California streams and millions of acres nationwide**

Dec. 10, 2018

---

Agricultural and real estate industry groups — and the mainly conservative lawmakers who represent them — have fought to restrict the government's reach to major water bodies that are

considered “navigable.” Left-leaning states and environmentalist have pushed back, arguing that it’s impossible to protect vital waterways without also protecting the waters that feed into them.

ADVERTISEMENT

When the Supreme Court took up the question in 2006, it only added to the controversy. In *Rapanos vs. United States*, a case that centered on whether a Michigan landowner could develop a piece of property that was designated as a wetland, the court split three ways.

Justice Antonin Scalia, joined by three other justices, wrote that the law only protected wetlands connected to a steadily flowing stream.

But in his deciding opinion, former Justice Anthony M. Kennedy devised his own test to determine which water bodies warranted Clean Water Act protections, writing that the law protected wetlands as long as there was a “significant nexus” with navigable waters. This appeared to provide continued federal control over most wetlands.

The confusion created by the court’s decisions led the Obama administration to attempt to clarify the regulations in the *Waters of the United States* rule.

POLITICS



**Get our twice-weekly Politics newsletter**

**Analysis and breaking news from our award-winning journalists in Sacramento and Washington, D.C.**

Enter Email Address

**SIGN ME UP**

You may occasionally receive promotional content from the Los Angeles Times.

BUSINESS

## California unions expand as national labor organizing stagnates



Hundreds of airport workers, Uber and Lyft drivers, janitors, government and fast-food workers, home care providers and more march through Terminal One at LAX in October. (Genaro Molina/Los Angeles Times)

By MARGOT ROOSEVELT  
STAFF WRITER

JAN. 23, 2020  
6 AM



The number of Californians represented by unions rose by 139,000 last year in the wake of successful organizing campaigns across occupations as varied as nurses, electricians, animation artists, scooter mechanics and university researchers.

The Golden State's 2.72 million represented workers amounted to 16.5% of its labor force, up from 15.8% in 2018, according to data released Monday by the U.S. Bureau of Labor Statistics.

The uptick comes after years of declines in both numbers and share of the workforce, which mirrored national trends. Two decades earlier, 18.3% of California workers were unionized.

“We’re seeing a reinvigoration in organizing across California, including in [healthcare](#), [online media](#), [technology](#) and [entertainment](#),” said Steve Smith, a spokesman for the California Labor Federation, an umbrella group for 1,200 unions.

The growth has been enabled by a labor-friendly Legislature enacting measures to crack down on wage theft and retaliation against union organizers. New laws require [retail](#) and [construction companies](#) to take “joint employer” responsibility for labor violations by subcontractors. State regulators have leveled millions of dollars in fines for [misclassification of workers](#) as independent contractors, opening the way for employees to unionize.



BUSINESS

## New labor laws are coming to California. What's changing in your workplace?

Dec. 29, 2019

Even as California labor notched gains, the number of U.S. workers represented by unions stagnated. Nationwide, 16.4 million workers were represented by a union last year, up by just 3,000 from 2018.

The share of U.S. workers represented by a union declined slightly, to 11.6%, from 11.7% in 2018. The drop can be partly attributed to the fact that, as the job market expanded, the number of workers entering the labor force grew faster than the number represented by unions: 1.2% vs 0.02%.

Historically, however, unions have suffered a steep decline: in 1979, 27% of U.S. workers were unionized.



The waning can be partly attributed to slower growth in industries with traditionally strong unions. Manufacturing companies from aerospace to automobiles have expanded in less labor-friendly Southern states and have outsourced blue-collar jobs to foreign countries.

In a [paper analyzing the BLS numbers](#), Heidi Shierholz, senior economist for the Washington-based Economic Policy Institute, a labor think tank, suggested that “the erosion of union coverage is not because workers don’t want unions anymore — [survey data](#) show a higher share of nonunion workers today say they would vote for a union than was the case 40 years ago,” she wrote.

Rather, she contended, the drop is the result of “fierce corporate opposition” and weak federal penalties for intimidating and firing pro-union employees. “It is now standard for employers to hire union avoidance consultants to coordinate intense anti-union campaigns,” she added, citing an [EPI study](#) estimating corporate spending of \$340 million per year on union avoidance.



BUSINESS

## Trump makes wage-theft lawsuits harder — but not in California

Jan. 14, 2020

The corporate pushback is reflected in the fact that union membership is five times higher among public employees than private-sector workers. In 2019, the share of public-sector workers represented by a union held steady at 37.2%. The share of private-sector workers represented by a union ticked down to 7.1%, from 7.2%.

A June 2018 U.S. Supreme Court decision, [Janus v. AFSCME](#), had been widely predicted as likely to weaken public-sector union membership. The decision barred state and local unions from charging workers “fair share fees” when they decline to join, but nonetheless enjoy raises and benefits as a result of collective bargaining.

However, the new BLS data show no clear “Janus” effect. Union membership did drop among local government workers last year, from 40.3% to 39.4%. But it was offset by the share of unionized state government workers, which rose from 28.6% to 29.4%.

Within the public sector, union membership was highest among police officers, firefighters, and teachers. Private-sector industries with high unionization rates included utilities, transportation and warehousing, and telecommunications.

Among full-time wage and salary workers, union members had median weekly earnings of \$1,095 in 2019, while nonunion members had median weekly earnings of \$892.

However, the BLS noted, “In addition to coverage by a collective bargaining agreement, these earnings differences reflect a variety of influences, including variations in the distributions of union members and nonunion employees by occupation, industry, age, firm size or geographic region.”

More than half of union members in the U.S. lived in just seven states — California, New York, Illinois, Pennsylvania, New Jersey, Ohio and Washington — the BLS said, although these states accounted for only about one-third of U.S. employment.

The states with the highest percentage of represented workers last year were Hawaii (25.5%), New York (22.7%), Washington (20.2%), Rhode Island (19.0%) and Alaska (18.7%). The states with the smallest shares were South Carolina (2.7%), North Carolina (3.4%), Georgia (5.0%), Virginia (5.2%) and Texas (5.2%).

Union membership in 2019 was similar among men and women: 10.8% vs 9.7%. The gap has narrowed considerably since 1983 — the earliest year of comparable data — when 24.7% of men and 14.6% of women were unionized.

Among major race and ethnic groups, black workers continued to have a higher union membership rate in 2019 (11.2%) than white workers (10.3%), Asians (8.8%) or Latinos (8.9%).

The BLS data cover both union membership (6.2%) and workers who are represented by unions (7.1%) but not always members. It is collected as part of the Current Population Survey (CPS), a monthly sample survey of about 60,000 eligible households that obtains information on employment.

COMMENTARY

DAN WALTERS

TAXES


# Voters face hundreds of local tax measures

BY DAN WALTERS



PUBLISHED: JANUARY 23, 2020



 The California State House on August 12, 2019. Photo by Anne Wernikoff for CalMatters

---

California voters have seen a deluge of local government tax and bond measures in recent elections and will face even more this year.

The California Taxpayers Association has counted [231 local sales and parcel tax increases and bond issues](#) (which automatically increase property taxes if approved) on the March 3 primary ballot alone.

Hundreds more are headed for the November ballot as local officials capitalize on the higher voter turnouts of a presidential election year.

Turnout in March will be very lopsided in favor of Democrats due to the state's increased role in choosing a presidential nominee of their party and November's turnout also will be heavily Democratic, given the unpopularity of President Donald Trump.

Democrats are generally more willing to increase taxes than Republican or no-party-preference voters, so it makes perfect political sense to load up this year's ballots with taxes.

Do cities, counties and school districts really need all of the new taxes they want voters to approve, given the strong increases in revenues from existing taxes they've enjoyed during nearly a decade-long economic boom?

Oddly enough, many do, because their costs, particularly for pensions and health care, have been rising faster than revenues – but don't expect local officials to acknowledge those costs as they make their pitches to voters.

They will vaguely tell voters that the additional funds are needed for “public safety” or such popular services as parks.

Why the deception? They fear voters will be less willing to vote for new taxes if they are told the money would be spent on retirement costs, and they know their unions are less willing to finance candid campaigns.

The pending measures do comply, at least sketchily, with a recent state law that local officials dislike, requiring them to declare in their ballot summaries the tax effects of their proposals.

Last year, the Legislature voted to partially repeal that law, but Gov. Gavin Newsom vetoed [the measure](#).

“I am concerned that this bill as crafted will reduce transparency for local tax and bond measures,” Newsom wrote in his [veto message](#).

Yes, the measure would reduce transparency, and that was the whole point. Its author, Sen. Scott Wiener, a San Francisco Democrat, publicly declared his concern that telling voters how much their tax burdens would increase might discourage them from approving local tax measures.

At least one March tax measure also regenerates a simmering dispute over the vote margins needed to raise taxes for specific purposes.

Long-standing state law says that general purpose local taxes require only simple majority voter approval, but those for specific purposes take two-thirds votes.

A few years ago, the state Supreme Court [indirectly hinted](#) that special purpose taxes placed on the ballot by initiative petition might require only simple majority approval. Since then, local judges have both affirmed the two-thirds requirement and ruled that simple majorities are sufficient, creating a legal conflict that only the Supreme Court can resolve.

Overarching the battles over local taxes is whether the high Democratic turnouts this year will also favor a statewide measure to modify the iconic Proposition 13 property tax limit, enacted in 1978, and thus allow increased taxes on commercial property.

At the moment, polls indicate that it’s a tossup, but that’s before public employee unions and commercial property owners spend tens of millions of dollars to sway voters one way or the other.



LOCAL GOVERNMENT



# The Employment-Related Legal Decisions Public Agencies Need to Know About

## ***An In-depth Look at the Court and PERB Decisions Impacting Calif. Public Agencies in 2020***

By *Shauna Amon, Best Best & Krieger LLP*

California and federal courts, along with the state's Public Employer Relations Board, handed down a number of decisions last year that will impact public employers and employees in 2020 and beyond.

From tackling questions about a former city manager's qualified immunity with respect to First Amendment claims to whether a police officer was entitled to an administrative hearing after being demoted during a probationary promotion period, we explore the most impactful court and administrative decisions of 2019 below.

### **No Qualified Immunity for Police Officers in Suit Filed by Rally Attendees**

In *Hernandez v. City of San Jose*, a case where politics and the law collide, the U.S. Ninth Circuit Court of Appeals affirmed a lower court's denial of qualified immunity for police officers and allowed attendees of a presidential campaign rally to proceed with their lawsuit against the San Jose Police Department.

### LATEST HEADLINES

**Westminster City Manager Eddie Manfro Announces Retirement**

**Lake Local Area Formation Commission approves next steps for considering South Lakeport Annexation**

**Fact or Fiction? A Look At Claims About SB 50, One Of California's Most Controversial Housing Bills**

**A Late Push to Find Wildfire Victims Doubles PG&E Claims**

**L.A. County supervisors approve subpoena authority in power struggle with sheriff**

[Click here for more headlines](#)

### SIGN UP FOR OUR DAILY NEWSLETTER!

Name:

Email:



Prior to then-candidate Donald Trump's June 2016 rally in San Jose, the Police Department knew that rallies in other cities had sparked violent counter protests. The Department prepared for the rally by accepting officer and vehicle support from other departments and provided many officers with riot gear.

The plaintiff, Juan Hernandez, and other rally attendees sued the Department after the rally, alleging that officers violated their due process rights when officers directed the attendees through a single exit into a crowd of "violent counter-protesters." The City claimed qualified immunity for the officers' actions.

Qualified immunity protects government officials from civil lawsuits so long as their conduct does not violate "clearly established" rights that a reasonable person would have known about. An exception exists, however, if an officer places a person in more danger than the person would have otherwise experienced. For this to apply, an officer must have taken affirmative actions to create a specific and foreseeable danger and the officer must have acted with "deliberate indifference."

Ultimately, the Ninth Circuit found the Police Department not only knew about the potential risk of violence and assault but also acted with deliberate indifference to these dangers. As such, the court allowed the attendees to move forward with their lawsuit but noted that the officers still had the opportunity to re-assert their defense of qualified immunity later in the litigation.

*(Note: This case is still developing.)*

### **Court Denies Administrative Appeal for Sergeant's Probationary Promotion Release**

When the plaintiff in *Conger v. County of Los Angeles* was promoted from sergeant to lieutenant by the Los Angeles County Sheriff's Department, his promotion was subject to a 6-month probationary period.

A few months into this appointment, the Department informed the plaintiff he was under investigation for actions that occurred prior to his promotion. He was relieved of duty, placed on administrative leave and ultimately released from his probationary position after an investigation found that, while he was a sergeant, he failed to report a use-of-force or instruct his subordinates to do so. The plaintiff was then returned to his former rank of sergeant.

The plaintiff's request for an appeal hearing under the Public Safety Officers' Procedural Bill of Rights was internally denied. Government Code section 3304(b) specifies that no punitive action or denial of promotion can be taken against a public safety officer who has successfully completed the probationary period without the opportunity for administrative appeal.

The plaintiff then petitioned the court, but the trial court denied his petition. The Second District Court of Appeal affirmed the trial court's ruling.

Because the plaintiff was released before the completion of his probationary period, the court held he did not have a vested property interest in the lieutenant position. The court also determined that he was not entitled to an administrative appeal because he did not provide evidence that he would face further punitive action from the release of the investigation report.

As such, the court found that the Department was not required to provide the plaintiff with an administrative appeal based on his release from a probationary position.

### **Former City Manager Violated Former Police Chief's First Amendment Rights**

After Doug Greisen, a veteran police chief in the City of Scappoose, Oregon, discussed concerns about the City's accounting and budgeting practices — specifically with how the city manager handled invoices — with other city officials, the city manager initiated three investigations into the police chief.



Search  Search

All Content

The city manager then suspended the police chief, placed him on an indefinite leave and prevented him from speaking publicly, even as the city manager continued to release information about these investigations to the media. After a city review committee recommended the police chief's suspension be retracted, the city manager resigned. His replacement, however, subsequently fired the police chief.

The former police chief sued, alleging the former city manager violated his First Amendment rights by subjecting him to adverse employment actions in retaliation for his protected speech. A jury found in the plaintiff's favor and the Ninth Circuit affirmed the ruling.

The court held that the plaintiff had provided sufficient detail about his speech to establish that it substantially involved a matter of public concern. When he voiced his concerns about the former city manager, the plaintiff did so as a private citizen rather than a public employee.

The Ninth Circuit also found that the former city manager wasn't entitled to qualified immunity, because it was clearly established that the misuse of public funds was a matter of public concern.

### **It's the Date a Personnel Record is Requested, Not Created, that Matters Under SB 1421**

A Court of Appeal held that, under Senate Bill 1421, certain peace officer personnel records created before Jan. 1, 2019 are considered public records.

Under SB 1421, the public can obtain peace officer personnel records through a California Public Records Act request, specifically including those relating to the shooting of a firearm at a person, use of force that results in death or great injury, or a sustained finding that a peace officer either sexually assaulted another or was dishonest.

Public agencies have been involved in a number of lawsuits since SB 1421's enactment to determine if the law applies to records created before or after 2019. In the first published decision to address the issue, the First District Court of Appeal held that applying the law to pre-2019 records does not make the new law impermissibly retroactive.

Rather, the court said that, "Although the records may have been created prior to 2019, the event necessary to 'trigger application' of the new law — a request for records maintained by an agency — necessarily occurs after the law's effective date." The case makes clear that it is the date the personnel record is requested, not the date that the record was created, that matters when applying SB 1421's provisions.

### **PERB Says Agency Can't Deny Longevity Differential to Represented Employees**

In 2006, the Contra Costa County Board of Supervisors granted a longevity differential that consisted of a 2.5 percent pay increase to management, exempt and unrepresented county employees with 15 years of service. The union for the Fire Management Unit of the Contra Costa Fire Protection District demanded the same longevity differential, but their demand was denied.

Two years later, the Board adopted another resolution providing the same longevity differential to all unrepresented management employees for the District. The only employees who were not entitled to this longevity differential were those represented by the union. After failing to resolve the issue, the union filed an unfair practice charge alleging the District interfered with union and employee rights and discriminated against members based on protected activity.

The Public Employment Relations Board determined the District violated the Meyers-Milias-Brown Act and found that the District's bargaining conduct was discriminatory because represented and unrepresented employees were treated differently. PERB also found the District interfered with the union and employees' protected rights even though no bad faith was alleged.



With *Decision No. 2632*, the District was ordered to pay each eligible current and former member of the union the same longevity differential for 15 years of service including a retroactive date for when it was granted to these employees plus interest.

### **Employee's Right to Union Representation Expanded Where Written Statements are Involved**

The San Bernardino Community College District installed a tracking device on a community service officer's work vehicle after receiving reports the officer was leaving his assigned patrol area.

When the device's data confirmed the officer was leaving his assigned post, the officer's supervisor questioned him regarding his whereabouts. The officer asked for a union representative, at which time the supervisor said he would not ask any further questions, but did ask the officer to provide a written statement.

In *Decision No. 2599*, PERB held an employee has a right to a union representative before submitting a written statement as part of an investigatory interview. PERB explained that the same reasons for providing a union representative during an oral interview exist when an employee is asked to provide a written statement.

*Shauna Amon*, a member of *Best Best & Krieger LLP's* Labor & Employment practice group, represents and advises public employers on the ever-changing array of state and federal employment laws governing discrimination, medical leave, the Americans with Disabilities Act and Fair Labor Standards Act. The San Diego-based attorney can be reached at [shauna.amon@bbklaw.com](mailto:shauna.amon@bbklaw.com).



### **Comments**

0 comments

**0 Comments**

Sort by

Add a comment...

Facebook Comments Plugin