

1 I, VICTOR MUNOZ, declare as follows:

2 1. I am over the age of eighteen (18) years, and do hereby declare and affirm upon
3 direct personal knowledge that the foregoing is true and correct and if called as a witness, could
4 and would competently testify to the truth and accuracy of such facts.

5 2. I was introduced to Mayor John Valdivia by a mutual friend around the year 2017
6 for the purpose of obtaining a marijuana retail license within the City of San Bernardino.
7 It was explained to me by Valdivia that in order to get my license, the system was set up like a
8 lottery point system and I had to pay for extra points to better my chances. Valdivia guaranteed
9 me a license as long as I did what he told me to do and I donated to his campaign and to his
10 personal needs.

11 3. Based on Valdivia's representations, I leased a large 6-acre commercial lot for the
12 purpose of the retail marijuana license. Thereafter, I meet up with Valdivia a few times for
13 coffee or lunch to discuss the license and business plans. Valdivia always had ways of indirectly
14 collecting funds so he would not incriminate himself.

15 4. On the last day the license applications were due at the City, I along with several
16 other applicants were all scrambling trying to get our applications in. I ran into Valdivia in the
17 hallway of City Hall, but Valdivia ignored me and acted like he did not know me. Approximately
18 5 minutes later Valdivia called me on my mobile phone and told me he needed my help and
19 support and needed me to deposit money into his campaign fund.

20 5. Based on the above request by Valdivia, I wired \$2,500 to Valdivia's campaign
21 fund through his website. Nevertheless, I ultimately lost my bid for the City license and found
22 out that most of the licenses went to Valdivia's family and friends.

23 6. I then began calling Valdivia to confront him because I did not get my license as
24 promised. Valdivia responded by calling me and all the other applicants "You know what your
25 problem is? Your pussies hurt!".
26 On or about February 27, 2019 Valdivia contacted me to set up a meeting with him. We agreed
27 to meet at a small "dive bar" in Irvine. Valdivia told me he only wanted to meet with me alone
28 and no one else.

29 7. The day of the meeting, on or about March 4, 2019, I recognized that Valdivia
30 showed up what appeared to be under the influence of cocaine and was paranoid, he accused an
31 unknown customer at the bar that was sitting on a corner of spying on him.

1 8. Valdivia then proceeded to tell me we were all a bunch of “whining bitches”
2 because we did not want to wait our turn for licenses. I told Valdivia that he “fucked up”
3 because I did everything Valdivia asked me to, but he never kept his promise. I nstead, Valdivia
4 gave licenses to people that were not even zoned for retail sales of marijuana. Valdivia then
5 asked me for more money to get my license and at that point he brought in and introduced to me
6 Council Member Juan Figueroa. Valdivia said everything will go through Figueroa, and that it
7 was the only way I was going to get my license.

8 9. Valdivia then asked me asked me for more money and funding in the presence of
9 Juan Figueroa if I wanted to get my license. I got angry and told Valdivia and Figueroa I was not
10 giving them any more money.

11 10. Valdivia told me I was “cut off” and “done”, and that he was not helping me with
12 anything anymore. Valdivia then got up and said, “Fuck you, I don't need this shit”. Valdivia
13 went to the bartender and began yelling, “I'll pay for my own drinks” while waiving his credit
14 card. Valdivia paid for his drinks and left. After that meeting with Valdivia and Figueroa, I was
15 blacklisted from several of the other council members and could not contact them.

16 11. At the following City Council meeting April 3, 2019, Council Member Fred
17 Shorett began explaining how the licensing procedure was proper. I became upset and stood up
18 and said, “Oh really? Why don't you ask Valdivia about the bar date he asked me to go to where
19 he asked me for more money”. I then got up and left, and I was followed out by City Attorney
20 Sonia Carvalho and the Chief of Police. Carvalho told me that I could not be making such
21 statements unless I had proof. I offered to show her the text messages, but she refused to see
22 them. The Chief then told me that if I wished to file a complaint I could do so, and they would
23 investigate it.

24 12. I exchanged with John Valdivia regarding the above described meeting I had with
25 him and John Figueroa.

26 13. Attached as **Exhibit “A”** are true and correct copies of the text messages I
27 exchanged with Valdivia regarding the above-mentioned meeting we had at the bar in Irvine.

28 ///

 ///

 ///

 14. Attached herein as **Exhibit “B”** is a true and correct copy of the City of San

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

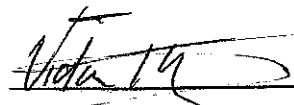
Bernardino Council Meeting Agenda of April 3, 2019 that I attended, and I spoke out regarding having met with Valdivia at the above described meeting in Irvine at a bar. The link to retrieve and view the video of the meeting is:

["sanbernardinocityca.iqm2.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=2692&Format=Agenda"](https://sanbernardinocityca.iqm2.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=2692&Format=Agenda)

15. I began making my comments at approximately 3 hours 52 minutes into the meeting. It should be noted that Valdivia was present during my comments to the City Council and appeared to have known and understood my accusations against him.

I declare under penalty of perjury under the laws of the State of California that the forgoing is true and correct and that this

Declaration is executed on the 5th day of May 2020, at Whittier, California.



Victor Munoz