

## Single Top Officeholder Change Signals Voters' Satisfaction With The Status Quo

In five of the six San Bernardino County governmental constitutional positions up for election in the June 2 Primary, the incumbents prevailed.

Looked at in another way, in another way, in all six of those contests, the candidate favored by the county's social and political establishment won.

Up for reelection

this year were Sheriff/Coroner-Public Administrator Shannon Dicus, District Attorney Jason Anderson, Treasurer-Tax Collector/Auditor Controller Ensen Mason, Assessor/Recorder/County Clerk Josie Gonzales, Second District County Supervisor Jesse Armendarez and Fourth District Supervisor Curt Hagman.

On Tuesday night, af-

ter the ballots contained in the ballot boxes from all 2,065 of the county's precincts had been counted, which consisted of the votes cast by 224,573 or approximately 18.19 percent of the county's 1,234,386 registered voters, Dicus, Armendarez and Hagman had come out on top, having captured more than 50 percent of the votes cast in their

elections to avoid having to take part in a run-off in November. Moreover, Anderson and Gonzales were reelected to upcoming four-year terms, essentially by proclamation, insofar as they faced no opposition.

Mason was the lone incumbent who failed to hold onto his position.

Of the 192,318 votes cast in the sheriff's race, Dicus claimed 126,186

or 65.61 percent, outdistancing Joe Silva, a former deputy, who registered 65,921 votes or 34.28 percent in his favor. In the district attorney's race, 164,066 or 99.76 percent of the 164,462 voters who participated in that vote marked their ballots in favor of Anderson, while 396 wrote in someone else. Mason logged 81,462 or 42.95 **See P 3**

## Tuesday's San Bernardino Municipal Vote Closes Out Resistance To Mayor Tran

"The close of an era" is how the outcome of Tuesday's voting in San Bernardino's municipal elections was described, with two of the members of the city council who have more or less been central players in the council's ruling coalition for the last six years having been shut out of office and the longest-serving member of the council who has been a mainstay on that ruling coalition being forced into a run-off in November where his chances of reelection appear to be at best fifty-fifty.

In the same contest, incumbent Mayor Helen Tran, whose first term has been marred by administrative faux pas beyond her control and the political resistance of the aforementioned ruling coalition, was reelected and by the outcome in the accompanying council contests strengthened considerably, having been given a council line-up for the next two years, at least, which will give her a shot at accomplishments in guiding and shaping city policy that has eluded her the last four years.

At stake in this year's election was whether Tran, who was formerly the city's human resources director and since 2022 mayor, was to remain in office in the face of challenges mounted by former Mayor John Valdivia, perennial mayoral candidate Rick Avila or relative political newcomers Amy Malone, Ivan Garcia and Ronnika Ngalande. In addition, there were contests in three of the city's seven **See P 2**

## Prequel: The City Of Fontana And Its Half Of A Century Of Enduring Corruption

*How Fontana and San Bernardino County built a machine that stole from taxpayers for five decades, and why no one was ever held accountable. It began with a casino credit line. It ends, if it ever ends, with an assistant city manager involved in the processing his brother's real estate applications and a planning commissioner whose brother is a member of the county board of supervisors and the owner of the city's preeminent real estate company oversees holds tremendous sway over the municipality's official land use decisions.*

*In between, the residents of Fontana San Bernardino County have paid hundreds of millions of dollars to fund a corruption machine so durable and so patient that it simply waited out every reform, replaced every actor who left or got caught, and kept running.*

*This is the story of that machine, how it was built, who built it, what laws were broken, and why, across five decades, four mayors, three county supervisors, and a bribery prosecution, no one, at least from Fontana, has been prosecuted.*

By Carlos Avalos

Era One: The Ratelle Years (1973-1987)

The Man Who Built the Template

Jack Ratelle was Fontana's city manager for fourteen years, and during that time, he turned

a struggling Inland Empire city into his personal enrichment machine. The mechanism was not subtle. Developers who wanted entitlements, approvals, or public infrastructure money paid Ratelle through a credit

line at the MGM Grand Hotel in Las Vegas. Ratelle made weekly or bimonthly trips to collect, then returned to City Hall with stories about winning or losing at the dice tables. It was both his cover story and

his collection mechanism.

For council members, the bribes were tailored to circumstance: a city contract steered to one councilman's welding business; a no-show job created for another's un-

employed son-in-law; direct cash distributions to Mayor Nat Simon and others. The arrangement was institutional, not incidental. Everyone who mattered knew or chose not to know.

Law Broken: **See P 4**

## Three Companies Settle Suit Over Smoke Bomb Sparking El Dorado Fire With \$4M Payout

An Ohio-based smoke bomb designer/importer and two other companies have agreed to pay more than \$4 million to the United States for costs and damages from the El Dorado Fire of 2020, which was ignited when one of the Ohio company's smoke bombs created flames when it was used as the culmi-

nation of a gender reveal party. The flames spread into what was a nearly 23,000-acre conflagration, which resulted in the death of a firefighter.

Wholesale Fireworks Corporation, which is located in Hubbard, Ohio, and its subsidiary, American Fireworks Wholesale LLC, agreed to pay \$4 million to set-

tle claims brought on behalf of the United States Forest Service.

A third defendant, Pink or Blue Gender Team Incorporated, a Florida-based company, has agreed to pay \$50,000 to settle claims related to the fire.

The fire was ignited on September 5, 2020, by a pyro- **See P 3**

## Improper Disposal of Waste & Patient Info Nets LLU Health \$7.5 Million Fine

Loma Linda University Medical Center and Loma Linda University Health Care along with their affiliated organizations have agreed to pay \$7.5 million in civil penalties, reimbursements and fees in addition to implementing extensive compliance measures to resolve allegations that their employees unlaw-

fully disposed of hazardous waste, medical waste, and confidential patient information at facilities throughout Riverside and San Bernardino counties.

The \$7.5 million settlement was worked out between the San Bernardino County District Attorney's Office, the District Attor- **See P 3**

## State Solons Mulling Reintroducing Grizzly Bears Into Golden State's Wildlands

The last known sighting of a grizzly bear in San Bernardino County was in 1922 in Horse Canyon in the foothills of the San Bernardino Mountains. It was promptly shot and killed.

Six years earlier, in October 1916, the last known grizzly bear in Los Angeles County had been similarly dispatched.

In 1924, two years

after the grizzly end of grizzlies in Southern California in Horse Canyon, what was believed to be the last sighting of the species in California occurred in Sequoia National Park.

Now, more than a century later, California officials are considering re-introducing into the state's wildlands and protecting them within circumscribed areas to

be designated as their habitats.

A bill by California State Senator Laura Richardson, Democrat of San Pedro, would call upon state wildlife officials to determine whether it is possible to relocate some to grizzlies to California in an effort to re-establish the populations of the massive ursines to those areas of what was their

natural habitat which are at what is considered a safe distance from areas occupied by humans. If such an undertaking is determined to be "feasible and advisable," the bill outlines another set of steps by which the California Department of Fish and Wildlife would develop a plan or proposal to import bears from those areas of the country where they are,

if not thriving, still surviving in a modern world that is growing increasingly hostile to them.

Well within its history as a political entity, which initiated in 1853, San Bernardino County was host to grizzly bears. The large and fierce creatures are no longer a local phenomenon, with the last in this neck of the woods having been killed in the late **See P 3**

## San Bernardino's 1905 Charter Guided It Through An Era Of Growth & Influence In The 20th Century But Hamstrung City Officials Who Had To Deal With Financial Challenges During Lean Times

from front page

council wards. Tested in these was whether First Ward Councilman Ted Sanchez could hold off his predecessor as First Ward representative, Virginia Marquez and two others – Ron Alvarado and Omar Williams; Second Ward Councilwoman Sandra Ibarra's staying power against her predecessor in the position, Benito Barrios, and another hopeful, Christian Shaughnessy; and if the dean of San Bernardino's municipal politicians, Fred Shorett, who has been a member of the city council representing its Fourth Ward since 2009, would be able to withstand the onslaught of four of his constituents trying to unseat him. Those opposing Shorett were Erick Marquez, Jesus "Chuy" Medina, Vince Laster and Joe Salas.

San Bernardino, once the social, cultural, economic and governmental center of its eponymous county, has been in a prolonged and unrelenting state of flux for more than a generation. Throughout that time, its influence and prestige have diminished accordingly.

First established as a significant settlement by the Spaniards before it became a notable holding of Mexico following Mexican independence in 1826, it underwent an initial founding as a city under California statehood which did not last in 1854 and was first of the municipalities in San Bernardino County to formally come into being when it reincorporated 1869 as a town and reincorporated in 1886 as a city.

In 1905, the city adopted a charter that drew up the terms of the city's governance, which established an elected mayor and elected council, an elected city attorney, and elected city clerk and an elected treasurer. The 1905 charter infused in those elected

officials, beyond their political power, what was, even for that time and for what in more recent years was most certainly, an uncommon degree of administrative and actual control over the machinery of municipal government.

Under that charter, the mayor, city attorney and treasurer were given, if they indeed chose to exercise it, extensive control of their respective bailiwicks. In the case of the treasurer, he, as was originally the case and then he or she after the passage of the 19th Amendment to the U.S. Constitution in 1920, was the titular treasurer, the elected official charged with overseeing the city's finances. In San Bernardino, the treasurer was empowered to serve in the capacity of what is now recognized as that of municipal finance director or finance manager. The elected city attorney was not merely the legal representative of the city as an entity and the mayor and council, but given further sway in serving as the legal advisor to the mayor and city council, enforcing/prosecuting violations of the law and city ordinances, both proposing and writing city ordinances and presenting items involving city policy to the city council for discussion and approval.

The mayor was given sweeping authority under the 1905 Charter.

While the mayor's political authority was somewhat attenuated in that he or she was not provided with a vote as a member of the city council on most routine matters, the mayor could vote with regard to appointments, legal issues, hirings and firings, as well as to break a tie-vote. Moreover, the mayor had the authority to unilaterally place an item on a council agenda for discussion or action through a vote of the

council. The mayor also presided over the council meetings, wielding the gavel, recognizing who was to have the floor during discussion and thus controlling the ebb and flow of discussion and debate. In addition, the mayor had veto power over any votes that ended 4-to-3 or 3-to-2. In this way, on matters when the council took action, the mayor had what was essentially two votes to countermand that action if it was not to his or her liking.

It was not as a political entities or functionaries, however, that San Bernardino mayors derived their greatest power, but rather on the basis of the significant administrative authority the position carried. The mayor in San Bernardino was established, in conjunction with the city manager, as the city's co-regent. In tandem, the mayor and city manager had the authority to hire and fire city department heads and employees, to monitor and enforce city staff's execution of the policies approved by the city council to, in essence, plan, organize direct and control municipal operations in accordance with their agreed-upon vision for the city. Whereas the city manager was, in theory, answerable to the city council or a majority of the city council at any point, the mayor was answerable only to the city's voters once every four years.

The 1905 Charter remained in place for over a century. During most of that time, San Bernardino grew, both in terms of land area to what is now some 64 square miles as well as in population to roughly 230,000 inhabitants today, making it the largest city in the county and the 18th largest in California, and the 104th largest in the United States.

In 1940, with the country's direct participation in World War II approaching, under the direction of the U.S. Army Air Corps, what was initially represented as a municipal airport was constructed on 900

acres on the east side of San Bernardino. By the summer of 1941, it was being used by the Army Air Corps almost exclusively as a pilot training base, and in 1942, was renamed renamed San Bernardino Army Air Field, at which the San Bernardino Air Depot, which was crucial to material supply work in conjunction with the Army Air Corps operations, most nobably in the Pacific Theater during the remainder of the war. The Air Field was also lent crucial support to the metallurgic activity being overseen by Dr. Enrico Fermi in support of the Manhattan Project from 1943 to 1945. Eventually, the air field would be renamed Norton Air Force Base in tribute to Captain Leland Francis Norton, who was raised in San Bernardino while living at 716 Twenty-first Street. Norton, an Army Air Corps fighter/light bomber/attack aircraft pilot, was killed in action over Amiens, France on May 27, 1944. Following the war, Norton Air Force Base was host to the Army Air Corps and then after the creation of the Air Force in 1947, the Air Materiel/Air Force Logistics Command from 1946 to 1966 and then as part of the Air Forces Military Air Lift/Air Mobility Command from 1966 to 1994.

The presence of the Army Air Corps and the Air Force in San Bernardino was a major boon to the local economy. In 1994 Norton AFB was closed as a result of the Base Realignment and Closure Act of 1988.

That decision, made in Washington, D.C., had a deleterious impact on San Bernardino's financialsphere, reducing revenue into both the private and public sector of the city and its immediate environs, touching off a series of contractions in the local economy, closures of what had otherwise been successful retailers, declines in the real estate market, abandonments of properties and businesses which led to blight and a further downward spiraling in

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economic indicators, the migration of business owners who had been key to spending and investment to points elsewhere and a resulting drop in both consumer and investment confidence. Simultaneously, economic expansion and development taking place elsewhere in the county, most notably on the west end among the cites of Rancho Cucamonga, Ontario, Fontana, Chino and Chino Hills as well as in the High Desert communities of Victorville, Hesperia and Apple Valley began a gradual movement of the county's financial center away from San Bernardino.

Over the course of the 20th Century, employees in the public sector, originally generally seen as denizens of the working middle class and lower middle class, began a steady albeit slow, progress toward the middle-middle and upper-middle class, brought on by both unionism uniting public employees and the wealth and prosperity in the American economy as a whole, which increased tax revenue that was the mainstay of government and which allowed many cities, including San Bernardino, to fatten its reserves. In San Bernardino, the 1905 Charter had been tweaked at various times to offer benefits and advantages to city employees in an effort to attract what were considered to be the "cream of the crop" among Southern California's experienced municipal employees.

One of those was Section 186 of the charter which effectively locked in salaries for the city's public safety employees that were at par with or greater than those salaries received by their counterparts in ten similarly-sized California cites.

While provisions such as Section 186 were considered advantageous to the city, its residents and the community and were more than sustainable when San Bernardino was an up and coming and then rising financial powerhouse, as the bottom was dropping out economically in the late 1990s and into the Third Millennium, they became a liability. Revenues were dropping and city officials, by virtue of the charter, were unable by fiat to impose employee salary reductions. Indeed, they were prohibited from asking that city employees not insist on pay and benefit increases that were in keeping with what municipal employees elsewhere. By 2011, the city had engaged in what was de facto deficit spending over 12 of the previous 13 years, having balance its annual budgets only by digging into the reserves the city had managed to accumulate over the last half of the 20th Century. Patrick Morris, who was then the city's mayor, was cataloging through one creative option after another in an effort to keep the city government together as a going concern. He was thwarted and flustered at

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## Grizzlies To Be Reintroduced To Mountain Wilderness Areas? *from front page*

1880s or early 1890s. Nevertheless, biologists maintain that the California Grizzly, once scientifically referred to as *Ursus horribilis*, at one time had a population within the entire state that ranged to as high as 10,000. A fair number of those resided in the San Bernardino and San Gabriel Mountains, and were present as well

in the lowlands, though likely in lesser numbers. That they proliferated in the San Bernardino Mountains is attested to by the names given to Bear Valley and Big Bear Lake by Benjamin D. Wilson in 1845, when, during an expedition into that marshy area at an approximate elevation of 6,700 feet, he encountered several of the creatures, and the men with his party bagged 11 of them, retaining the pelts. In Southern California, grizzlies lived along the coast, near rivers, and in chaparral. Biologists

say they would avoid entirely, or at least were far less fond of, the deserts and the coniferous forests associated with black bears today. Opportunistic feeders, the grizzlies would eat whatever was available, including berries and roots, ground squirrels and fish. They were adept at digging in search of gophers, weasels, and other subterranean rodents. They did not seek out large prey, but would, if the circumstance presented them with the occasion, chase mountain lions and

other smaller predators away from their kills. Grizzlies were essentially indigenous to Southern California, having come into the area around 12,000 years ago along with a host of large mammals from north of the continent's ice sheet such as bison, elk, moose, wolf, and humans. For millennia, grizzlies coexisted with native Californians. The Indians were wary of the animals, which grew aggressive when startled or provoked, and proved dangerous because of their ferocity and will-  
*Continued on Page 4*

## Mishandling Of Medical Waste And Patient Records Costs Loma Linda University Medical Center \$7.5 M *from front page*

ney of Riverside County and Loma Linda University Health Care, following an investigation that was ongoing for nearly four years and a two-month long discussion between the party's with regard to the implication of the information obtained in the course of the probe.

The investigation began in April 2022 and focused on how waste generated at hospitals, clinics, and medical fa-

cilities within the Loma Linda University Health network was being identified, handled, stored, and disposed of.

Investigators found numerous instances in which regulated waste was improperly disposed of into regular trash containers destined for municipal landfills. Items that turned up during inspections of landfills in both Riverside and San Bernardino included hazardous pharmaceu-

tical waste, batteries, aerosol cans, medical waste, and documents containing protected health information. It was discovered during the course of that investigation that the health-care provider unlawfully disposed of hazardous waste, medical waste and confidential patient medical information into dumpsters and bins at Loma Linda health facilities in San Bernardino and Riverside Counties, and those containers were emptied into refuse trucks and transported to municipal landfills by

the private sector trash haulers that have franchises in Loma Linda and Riverside. The trash handlers penultimately repositated the collected materials into landfills.

In Riverside County, the Loma Linda University Health network operates the Loma Linda University Riverwalk Clinic at 4244 Riverwalk Parkway, Suite 100, the Ear Nose Throat/Head & Neck Surgery Clinic at 4646 Brockton Avenue and a Behavioral Health Clinic at 4095 County Circle Drive.

As part of the destroyed in the fire, charges which conceivably could have netted them a maximum of nearly two decades in prison upon conviction on all counts. In February 2024, the San Bernardino County District Attorney's Office arrived at a deal with the couple in which Refugio pleaded guilty to involuntary manslaughter and two counts of recklessly causing a fire to an inhabited structure. He was sentenced to two years felony proba-

Wilderness Area of the San Bernardino National Forest, burning a total of 22,744 acres, damaging or destroying nine structures and 15 outbuildings, and killing firefighter Charles Morton. It burned for more than two months before it was fully eradicated.

The Jimenezes were criminally charged in 2021 with 30 felony counts involving 22 victims, extending to people who were injured or whose property was de-

from the device lit dry grass surrounding it, whereupon the couple, party attendees and bystanders sought to douse the flames with bottled water and called 911. The intense heat, the parched condition of nearby vegetation and winds caused the fire to quickly spread and move onto the mountainside, where the inaccessibility of the terrain in the fire's path resulted in the fire raging out of control. The fire migrated into the San Gorgonio

year, as his opponent, Rancho Cucamonga City Councilman Ryan Hutchison garnered 108,010 votes or 56.95 percent. Under the county's electoral standards, having secured more than half of the vote in the primary means there will be no run-off in November. Gonzales, with 162,762 or 99.65 percent of the 192,318 votes cast in the assessor/recorder/

## Couple Celebrating Anticipated Birth Ignited Major Conflagration With a Gender Revealing Smoke Bomb *from front page*

technic device manufactured by Wholesale Fireworks and altered by Pink or Blue Gender Team at a gender reveal party thrown by Refugio Manuel Jimenez, Jr. and Angelina Renee Jimenez in El Dorado Ranch Park in Yucaipa. The flames

## Who Will Hold Six County Offices For The Next Four Years Was Decided Tuesday *from front page*

percent of the 189,665 votes cast in the head-to-head treasurer-tax collector/auditor-controller race, which translated into his being turned out of office as of early next

county clerk confirmation in which 567 voters endorsed write-in candidates not on the ballot, will serve another four years.

Armendarez, staved off having to compete again in November by polling 24,347 votes or 58.63 percent of the 41,530 votes cast in the Second District supervisorial race, comfortably outdistancing Fontana

City Councilman Jesus "Jesse" Sandoval, with 10,132 votes or 24.4 percent, and Joe Alvarez, whose 7,007 votes or 16.87 percent was good enough for third place.

Hagman, who was first elected to the board of supervisors in 2014 after having served as a member of the California Assembly for six years and as a council member and mayor of Chino

## Philosophically Speaking

### Onward Christian Warmongers:

Corrosive "Christianity" in the form of Greg Laurie and the "mega (but MAGA) churches"



*If a ruler harken to lies all his servants are wicked.*

—Proverbs 29:12

*Whom would Jesus bomb?*

—a popular bumper sticker

### By Phill Courtney

It was 2004—the second year of George W. Bush's war on Iraq—and I was spending another Friday night on a corner at University Ave. and Iowa Blvd. in Riverside (where I lived at the time), not too far from my former college (U.C. Riverside), protesting a war that was both illegal and immoral.

Illegal because the U.N. charter is clear: one country cannot attack another that hasn't or isn't about to attack yours, and immoral because fabricated claims had justified an attack that was then still slaughtering tens of thousands of innocent Iraqis, most of whom did not and never had supported their dictator, Saddam Hussien, and his crimes.

One memorable member of our peace group was an older woman from Puerto Rico and was perhaps (at the risk of invoking a stereotype, but it was true) one of our most fiery and outspoken members opposing this war and George W. Bush. Although she was from the Christian community, she was now disgusted by how many fundamental and evangelical Christians were supporting the war.

Counted amongst those supporters, was a man who preached in what's now referred to as a "mega-church," with this one being right there in Riverside, and through his multi-media ministry dominance, had become one of the most famous men in the area to call himself a Christian. Yes, I'm referring to Greg Laurie, of the Harvest Church—famous for their crusades which often drew thousands to Angel Stadium in Anaheim.

In fact, our member had been to Harvest on a number of occasions; had heard what Laurie was preaching about this "righteous war;" and perhaps, knowing I'm a writer, had urged me to attend there at least once to hear, first-hand, the messages he was spreading.

To paraphrase it as best as I can from memory, here, in essence is what she said: Go, Phill. You should hear what this so-called Christian is saying. And he doesn't even live in Riverside. He has a million-dollar mansion in Newport Beach and bodyguards to protect him.

So, after both her urging and yet another experience I had near our protest corner, I decided I'd go. The other incident had happened not far from the corner when I'd encountered two young men, who, it turned out, were members of Harvest, and had come by to spread the word of salvation through Jesus.

"I'll tell you what," I told them. "I'll come to your church if you'll spend at least one night at the peace rally on that corner right over there," I said, pointing. "We're there every Friday night at six. Why don't you come by and join us? Then I'll go to Harvest."

Well, one of them said, quickly begging off: usually on Friday nights they were involved as youth leaders for some of the younger members of the church, but—they'd think about it—and while I wasn't holding my breath, I did give them several Fridays to "make good on their part of the deal," but—they

*Continued on Page 12*

## Repetitious Pattern Of Violations Of The Public Trust In Fontana Goes Back More Than 40 Years from front page

Bribery of Public Officials — California Penal Code §68 / §85 / §86 — Ratelle's acceptance of payments through the MGM Hotel credit line in exchange for development approvals constitutes bribery of a public official. Any council member who received payments in exchange for votes similarly violated PC §85 (offering a bribe to a legislator) and §86 (legislator accepting a bribe). No charges were ever filed.

The Southridge Deal: A \$374 Million Gift to a Developer

The defining transaction of the Ratelle era was the Southridge development. Ten Ninety Corporation was building a 9,100-unit residential project in the early 1980s. Under normal California redevelopment law, a developer seeking public entitlements contributes to the cost of the infrastructure their project requires, such as streets, sewers, sidewalks, and storm drains. Under Ratelle, the opposite happened.

Ratelle arranged for the City of Fontana's Redevelopment Agency to pay the entire \$120 million infrastructure cost in 1982 dollars, on Ten Ninety's behalf. The financing came from \$55 million in loans from the Glaziers Union and \$65 million in certificates of participation: bond debt approved by a council vote, never put to the citizens of Fontana. The quarterly bond payments are \$3.12 million every three months, or \$12.48 million per year, running for thirty years, until 2013. Total taxpayer cost: \$374.4 million.

The quid pro quo, documented in the investigative record: Ten Ninety funded Ratelle's MGM Hotel credit line. Ratelle delivered \$120 million in public infrastructure to Ten Ninety's project. Fontana's residents paid the debt for three decades.

Law Broken: Misappropriation of Public Funds, California Government Code §424 — Directing public redevelopment funds to pay infrastructure costs that should have been borne by the developer, in exchange for personal payments, constitutes misappropriation of public funds. The deliberate structuring of bond financing to avoid a public vote may also implicate Government Code §53511 and related provisions governing public debt authorization.

Law Broken: Conflict of Interest, California Government Code §87100 / §1090 — Any official who voted to approve the Southridge infrastructure financing while receiving personal payments from Ten Ninety Corporation had a financial interest in the contract prohibited by Government Code §87100 and §1090. Section 1090 is a felony. No charges were ever filed against anyone.

The Ratelle era did not simply end when Ratelle was fired in 1987. The financial wreckage persisted for decades. A 1992 Owner Participation Agreement related to Ten Ninety's Southridge project continued to generate legal obligations. When California dissolved its redevelopment agencies in 2012, the state Department of Finance disallowed the Ten Ninety OPA, creating a \$2 million per year loss to Fontana's General Fund that the investigative record shows will continue until fiscal year 2032–33. Jack Ratelle left government in 1987. His deals are still costing Fontana money in 2026.

[Era Two: The Eshleman Years (1988–2002), the reform interregnum is documented separately.]

Era Three: The Nuami Years (2002–2010)

Developer Money Defeats Reform

Mark Nuaimi's 2002 defeat of David Eshleman was not a grassroots insurgency. It was funded by a consortium of developers who understood that Eshleman's reform orientation had

constrained their ability to capture public resources. Nuaimi ran on accusations of conflict of interest against Eshleman, whose wife had accepted a Planning Commission appointment (she resigned immediately when the issue was raised) and who had declined to annex property he personally owned (correctly noting that annexation would constitute a conflict).

What Nuaimi did not disclose during this campaign: his own employer, a traffic technology company called Iteris, held a multi-million dollar contract with the City of Fontana. Nuaimi was a sitting city councilmember while his employer collected city money. He attacked Eshleman for conflicts he did not have while concealing a conflict he did. He won 47.4% to 41.6%, with a third candidate drawing 10.8%.

LAW BROKEN: Conflict of Interest — Government Code §87100 / Failure to Recuse — Nuaimi's employment by Iteris while Iteris held a city contract created a direct financial interest in city decisions under Government Code §87100.

Any vote on Iteris-related items without recusal constituted a criminal violation. Government Code §1090 makes participation in a contract in which an official has a financial interest in a felony. Nuaimi was never charged; the FPPC never acted.

The Double-Dipping Mayor

From March 2006 to December 2009, Mark Nuaimi simultaneously held two government positions: Mayor of Fontana and Deputy City Manager of Colton, an adjacent city whose planning and infrastructure decisions directly intersected with Fontana's. He drew salaries from both. Any coordination between Fontana Redevelopment Agency decisions and Colton development interests during that period represented potential violations of both Section 87100 and Section 1090 of the Government

Code.

Law Broken: Dual Public Employment Conflicts — Government Code §87100 / §1090 — Holding executive positions in two adjacent cities whose jurisdictions interact raises conflict-of-interest liability under California Government Code §87100 and §1090. This arrangement drew public criticism for potential conflicts of interest at the time. No formal investigation was ever conducted.

The Redevelopment Agency: A Weapon of Financial Extraction

With Ken Hunt as his city manager and Executive Director of the Fontana Redevelopment Agency, Nuaimi chaired an agency that controlled five project areas and deployed hundreds of millions of dollars in tax increment financing. The agency's record across those eight years is a catalog of financial harm to Fontana's public institutions:

The Ventana Project. Nuaimi championed this mixed-use development as, in his words, 'an entirely new type of development' for the city. The RDA acquired the Ventana property at \$43.4 million, a figure added to the city's capital assets in 2014. The city eventually sold it at a \$31.8 million loss. 'This has got to be a mistake,' said Finance Director Rachel Brown when she discovered the loss. It was not a mistake. No one was ever held accountable.

The Housing Fund Shortfall. California redevelopment law required agencies to deposit 20% of tax increment into a Low and Moderate Income Housing Fund. A lawsuit filed before 2012 alleged that the Fontana RDA owed \$27 million to its own housing fund money that should have been reserved for affordable housing and was not deposited. The shortfall accumulated primarily during Nuaimi's tenure.

The School District. A separate lawsuit filed around 2011–2012 alleged the RDA had failed to make legally required pass-through payments

to the Fontana Unified School District. California Health and Safety Code Sections 33607 and 33607.5 require agencies to share tax increment to schools. The money was apparently kept by the agency.

The Illegal Transfers

The California State Controller's 2014 review found \$7.1 million in illegal cash transfers from the RDA to the city in 2011: \$1 million from the Downtown project area, \$2.28 million from the Sierra Corridor, \$3.84 million from the Ventana project area, all traced to Nuaimi-era operations. All were ordered returned. None were returned.

Law Broken: Misappropriation of Public Funds — Government Code §424 / Health & Safety Code §33607- The failure to deposit required tax increment funds into the Low and Moderate Income Housing Fund violates California Health and Safety Code §34176 and related provisions. Illegal transfers from RDA project accounts to the city's general fund violate Government Code §424 (misappropriation by public officer) and the specific dissolution requirements of California's Community Redevelopment Law. The State Controller found violations and ordered restitution. Fontana never complied.

The SWIP Expansion: A Parting Gift to Warehouse Developers

In the final weeks of his mayoralty, Nuaimi pushed through Amendment No. 9 to the Southwest Industrial Park Redevelopment Plan, expanding its tax increment capture zone by 1,101 acres over community opposition. The expansion was approved in 2010 and took effect as Warren assumed the mayoralty. It benefited warehouse developers who needed public infrastructure funding. The same Southwest Industrial Park project area had been established in 1977, during the Ratelle era. It was now, under Nuaimi's final act of governance, the instru-

ment of benefit for the next generation of developers.

The CityLink Revolving Door

In 2009, Nuaimi co-founded a nonprofit called CityLink with then-Councilwoman Acquanetta Warren and Pastor Dan Carroll of Water of Life Community Church. He then resigned the mayor's office six months before his term expired, citing a new full-time position. That position was Senior Director of Strategic Projects at Water of Life Community Church, the same institution he had just set up to receive public money through CityLink.

Warren became mayor in 2010. Federal ESG (Emergency Solutions Grants) funding began flowing to CityLink shortly after. Nuaimi now designs the grant applications that WOL/CityLink submits to city and county officials, the same officials whose careers he helped build. He left government to take a private position at the institution he created to receive public money. The revolving door, in its most complete form.

Law Broken: Federal Grant Fraud / False Claims Act 31 U.S.C. §3729- If grant applications submitted by WOL/CityLink contain false statements about eligibility, program activities, or fund usage, each application constitutes a false claim against the federal government under the False Claims Act, carrying civil penalties of up to three times the amount of each false claim. The coordination between an official who co-founded the entity (Nuaimi), the official who controls the grant process (Warren), and the entity receiving the grants creates a textbook self-dealing structure subject to federal scrutiny.

The County Level: Paul Biane and The Colonies Chapter

The \$102 Million Vote While Nuaimi was running Fontana's corruption machine at the city level, Paul Biane was running the county

## Recalibrating The City Charter In 2016 Substantially Reduced San Bernardino's Mayoral Authority

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numerous turns in that effort by then-City Attorney James Penman, who twice opposed Morris, unsuccessfully in mayoral contests. In March 2012, faced with dire financial reality, then-San Bernardino City Manager Charles McNeely tendered his resignation. In a desperate bid to save the city from the humiliation of disincorporation, Andrea Travis-Miller, the city's deputy city manager who gamely steeped into the interim city manager role upon McNeely's departure, worked with the city's finance director, Jason Simpson, prepared the city's application for Chapter 9 bankruptcy protection, which was filed in August 2012. The city spent five years in bankruptcy court, stiffing one creditor after another by providing them with just a percentage of what they were owed, a stratagem which succeeded, but damaged the city's reputation to an even greater degree than it had suffered previously.

As mayor, Morris was succeeded by Carrie Davis, whom he had

endorsed. Among a contingent of the city's most influential residents, business owners and citizens there was a belief that an element of the city's dysfunction was that Penman, an A-type or alpha personality, had an inordinate degree of control on how the city was being run. They felt Penman's dictatorial approach in trying to force his perspective on city employees and the city council, taken together with his close connections to and support he received from the city's public safety employees' unions, made it virtually impossible to reduce the city's costs in terms of what it was paying to police officers and firemen, which constituted on an annual basis between 68 percent and 69 percent of the city's general fund expenditures. Simultaneous to a recall effort that removed Penman as city attorney, those individuals concerned about Penman making a comeback and reasserting himself as city attorney – including Morris, California State San Bernardino Economics Professor Tom Pierce and Jim Savage – proposed revamping the 2005 Charter. The city council as it was then composed signed off on creating a charter review committee come up with a new charter, which

was then placed in front of the city's voters in the November 2016 election. It passed, with 27,478 votes or 60.57 percent in favor and 17,890 votes or 39.43% opposed.

In addition to consolidating city elections with presidential and gubernatorial primary and general elections held in even-numbered years, in effect, the charter eliminated the elected positions of city clerk, treasurer and city attorney, making them appointed posts. It further attenuated the power of the mayor. The new charter made no real alteration of the mayor's political reach, giving who ever held the position the power to vote along with the council as a single vote on appointments, hirings and firings of the city manager, city clerk, city attorney and department heads and the deciding vote in the event of a tie, as well as veto power on 4-to-3 and 3-to-2 votes. The mayor remained as the presiding officer at city council meetings, with the ability to put items on the agenda unilaterally and to, in essence, control the forum in which decisions relating to agenda items are discussed and voted upon. Though the mayor's political purview was left intact, the post's administrative authority was eliminat-

ed entirely. Those provisions of the mayor's duty and responsibility extending to control over day-to-day, week-to-week, month-to-month operations and making personnel decisions and on-the-spot calls with regard to how the policy approved by the council was to be implemented were written out of the charter. Before the city-wide vote on approving the charter makeover was made there were a fair number of people, including some who were in favor of updating the manner in which the city was organized and run, who thought the reforms placed before the voters went too far or in some cases were unnecessary. One refrain was that the 1905 Charter was a good or even great document if the voters elected competent and good or great people into the mayoral, city attorney, treasurer and city clerk posts and it was a bad document if those elected turned out to be incompetent or greedy or insensitive. The voters ultimately decided by better than a 3-to-2 ratio to put the new charter in place.

In the 2018 election cycle, Carrie Davis was defeated by his primary challenger, then-Third Ward Councilman John Valdivia, who had been a Penman protégé. Also up for election in San Bernardino that year were the First Ward, Second Ward and Fourth Ward council positions. First Ward Councilwoman Virginia Marquez, who had been aligned, essentially, with Morris and then Davis from even before her 2009 election and did not get along well with Valdivia, opted out of running for reelection in the June 2018 primary, abandoning the field to four candidates who vied to replace her: Maggie Castaneda, Miguel Rivera, Gil Botello and Ted Sanchez. Sanchez was a 30-year-old energetic president of the Lytle Creek Neighborhood Association who had declared his candidacy before Marquez announced her decision against vying for reelection that

year. Also up for election in 2018 was then-Second Ward Councilman Benito Barrios, who was aligned with Valdivia. Challenging him were two Second Ward residents, Sandra Ibarra and Cecilia Miranda-Dolan. Another incumbent seeking reelection that year was Fourth Ward Councilman Fred Shorett, who had been on the city council since 2009. Shorett was not favorably disposed toward Valdivia. He was opposed by two hopefuls, Jesus Medina and Alexandra Beltran.

In the four-way contest in the First Ward in June, Sanchez and Gil Botello qualified for the November final. Despite the overall favor the city's voters held Valdivia in that year, Barrios was unable to firmly grab his coattails to remain in office. Somewhat surprisingly, Ibarra and Miranda-Dolan both outpolled Barrios in the June primary, which qualified them for a run-off in November.

Shorett came within a 22 votes among 4,092 cast in the June primary from winning outright. As it turned out, with 2,035 votes in that election against Beltran's 1,084, he was consigned to a run-off against her that November.

Though Valdivia had supported Barrios in the June election, he sent signals in the aftermath of the primary that he was leaning in favor of Ibarra in the November 2018 run-off and was looking forward to working with Sanchez as well. Sanchez and Ibarra, who had placed second in their June contests behind Botello and Miranda-Dolan respectively in June to qualify for their run-offs, each managed to prevail in November. Thereupon, Valdivia sought to, in his words, "show them the ropes and mentor them."

While Shorett had appeared to be a shoo-in in the November 2018 contest, Beltran made a tremendously strong showing, making up much but not quite all of the ground between her and Shorett, who was

reelected on the difference of a mere 8 votes and 0.10 percent – 3,709 or 50.05 percent to 3,701 votes or 49.95 percent.

Valdivia blew into office like a conquering hero. Of the six members of the council when he was sworn into the mayor's office in December 2018, four were in his camp. The following May, when a special election was held to fill the Third Ward council member position he had resigned to become mayor, voters selected Juan Figueroa, whom he had endorsed, as his replacement. Initially, Sanchez and Ibarra were aligned with the mayor and two others on the council, Fifth Ward Councilman Henry Nickel and Sixth Ward Councilwoman Bessine Richard. Upon Juan Figueroa's election, during the first year or most of the first year of his tenure as mayor, Valdivia held sway over the city by means of a ruling council coalition he led, which enabled him to overcome the dissent of the two councilors who did not see eye-to-eye with him, those being Councilman Shorett and Seventh Ward Councilman Jim Mulvihill.

With 2019's progression, however, a number of considerations became apparent. One of those was that Valdivia was intensely loyal to his perceived constituency, which was not the same as his elective constituency. Rather, his loyalty went to those who had supported him in his electoral drive to become mayor – the donors to his political war chest. In 2018, Valdivia started that campaign year with \$77,046.15 in his campaign fund and obtained \$485,550.40 in donations over the next 12 months, while spending \$551,796 throughout the year on his campaign. And he continued to raise money after he was elected and in place as mayor for his future campaigns. As of January 1, 2021, Valdivia had \$216,953.59 in his campaign coffer.

As mayor, he sought to return the favors those

## With Ten Of Its 20 Council Members Over Three Decades Having Been Ethnic Or Racial Minorities, Victorville Was Yet Accused Of Racially Polarized Voting

from front page

tion, 365 days in county jail and 200 hours of community service. Angelina pleaded guilty to three misdemeanor counts for recklessly causing fire to property of another. She was sentenced to one year summary probation, and 400 hours of community service. Together, they were ordered to pay victims' restitution of \$1,789,972.

Prior to those pleas being entered, in September 2023, the United States sued the three corporate defendants to

recover Forest Service costs for fighting the fire and the damage it caused to federal land.

The United States alleged that Wholesale Fireworks Corporation, American Fireworks and Pink or Blue were liable because the fire was caused by a smoke bomb they designed, imported, distributed, marketed, and advertised which ignited the dry vegetation.

"The defendants further allegedly failed to safely design and label the smoke bombs and failed to properly warn

customers about the fire risk of the smoke bombs, despite being aware of their dangers," according to the U.S. Attorney's Office. "These smoke bombs should never have been sold into California, where they are illegal."

Assistant United States Attorneys Yujin Chun and Katherine Hikida of the Civil Division handled this matter. Despite the settlement, the U.S. Attorney's Office stated the resolution of the matter with the \$4.05 million payout, the assertions in the lawsuits against the three companies, "are allegations only and there has been no determination of liability."

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