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Fontana mayor's new day job will lead to conflicts

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Congratulations might be in order for Fontana Mayor Mark Nuaimi on his new job – assistant city manager of Colton.

But we think not. We see a number of possible conflicts of interest arising from Nuaimi's dual loyalties.

Don't get us wrong. We think Nuaimi is a really bright guy and that he is doing a wonderful job of managing Fontana's tremendous growth. We're sure he would make a terrific assistant city manager.

Heck, if we were hiring an assistant city manager, we'd probably hire him – if he were unencumbered by conflicting loyalties.

We see the potential for significant conflicts of interest for Nuaimi when his two cities have opposing goals. And it has always made us uncomfortable to see too many people who work for cities sitting on a city council, because of the potential for conflicting self-interests.

Fontana and Colton are fairly close neighbors, so it's easy to visualize a situation in which Wal-Mart or some other big-box store, or perhaps a developer of shopping centers or homes, would find itself choosing between the two cities for a development site. Retailers and developers often play off two cities against each other, trying to maximize standards concessions or tax rebates. We wouldn't want to be in the middle of that, nor should Nuaimi.

For a less hypothetical case, what about Fontana's proposal, pending before the Local Agency Formation Commission, to create a city-managed fire district? Fontana's move is a reaction against a San Bernardino County proposal, also before LAFCo, to make the county's 32 fire districts into a single megadistrict, which Fontana leaders think would drain Fontana resources. It may be that the county proposal would be better for Colton residents, putting the two city's interests in conflict.

And it's entirely possible the two cities could be pitted against one another in a lawsuit someday.

When Fontana's and Colton's interests collide, what will Nuaimi do? As the mayor of one city and the No. 2 administrator of the other, he will be right in the middle.

A secondary problem is that Fontana will now have three employees of nearby cities on its council. Councilwoman Acquanetta Warren is Upland's deputy public works director and Councilman Frank Scialdone is Rialto's interim police chief.

Granted, it's not as bad as Ontario's situation in the 1990s when two City Council members, Alan Wapner and Jim Bowman, were an Ontario police officer and an Ontario firefighter, respectively – making them the bosses of their own bosses. A state law was passed that outlawed that situation.

Still, as Steven Frates, senior fellow at the Rose Institute of State and Local Government at Claremont McKenna College pointed out, there is potential conflict of interest when elected officials who work for other cities consider raising the pay and benefits of city employees. That's because public employee groups inevitably point to higher salaries and benefits in nearby cities when they argue for increases of their own.

It can be a vicious cycle. If Fontana hikes compensation for its management employees, the increase could bolster arguments for higher manager pay in Colton, Rialto and Upland.

Need a recent example? Just last week, La Verne's City Council voted to improve its management pensions – based on the argument that seven area cities, including Rancho Cucamonga and Montclair, offered similar benefits, and La Verne must do so to hold onto its managers.

We'll withhold our congratulations for Fontana's mayor and Colton's new assistant city manager. We think they should be two different people.