

**MINUTES OF THE CITY COUNCIL  
OF THE CITY OF FONTANA  
CITY COUNCIL MEETING  
MARCH 19, 2012**

**A. 6:30 P.M. - Call the Meeting to Order**

A joint adjourned regular meeting of the Fontana City Council and Fontana Unified School District (FUSD) was held on Monday, March 19, 2010, in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, CA. Mayor Warren called the meeting to order at 6:33.

**ROLL CALL:**

Present: Mayor Warren and Council Members Slowik, Tahan and Wibert

Fontana Unified School District Board Members: Board President BarBara L. Chavez, Board Vice President Henry "Gus" Hawthorn, Members Kathy Binks and Sophia Green

Board Member Garcia arrived at 6:36 p.m.

Board President Barbara L. Chavez recused herself at 6:37 p.m.

Absent: Mayor Pro Tem Roberts.

**INVOCATION/PLEDGE OF ALLEGIANCE:**

Following the Invocation given by Mayor Warren, the Pledge of Allegiance was led by Council Member Tahan.

**B. WORKSHOP**

**REVIEW AND DISCUSSION OF THE FONTANA AFTER SCHOOL PROGRAM:**

City of Fontana Director of Community Services Garth Nelson, Community Services Manager Frances Hernandez and Community Services Supervisor Mariana Mitchell gave a presentation on the After School Education and Safety Program ("ASES").

Police Chief Rodney Jones clarified the safety concerns regarding kids missing and kids having sex in the restroom. Chief Jones stated there was no evidence of sexual activity. Procedures exist for proper oversight of restroom use. Neither City staff nor FUSD Police staff had received any reports of sex activity occurring within the After School Program. Between 2010 and 2012 there have been eight incidents reported to the School Police regarding kids wandering away from the

program. In most cases the children were with a family member.

Staff report presentation continued from Community Services Manager Hernandez and Community Services Mitchell regarding student attendance and tracking procedure, student release, fiscal management, communication, program evaluation, grants, quality control, training and future opportunities.

Council Member Tahan requested clarification regarding the grant in terms of: annual evaluation, donor comments, compliance and regularity of City and FUSD staff meetings regarding the program. Council Member Tahan asked why these issues or complaints were surfacing now if the ASES program was in compliance with the grant.

Community Services Manager Hernandez responded that the City of Fontana Community Services staff provides information to FUSD on a quarterly basis regarding grant compliance. She provided examples of mutual collaboration with FUSD.

City Manager Ken Hunt commented that the issues did not surface overnight and what prompted them was the City Contract with FUSD for the ASES Program was up for renewal.

Board Member Garcia requested clarification regarding: Annual Evaluation, quarterly meetings specifically the 2011 quarterly meetings; the 2011 May meeting, lack of communication; examples of the enrichment day program; disguised activities; daily after school snack program; the 80 hours professional development requirement; the ASES Grant 20:1 students to staff members supervision standard ; the fiscal management and expenditure tracking; the grant application submittal date; Communication with Parents; and asked if there had been any complaints and how they were handled; and needed clarification on the contract ratification, bidding process and whether an Request For Proposal ("RFP") was used. Board Member Garcia stated that the \$795 audit finding is what prompted her to bring the discussion forward, the city was out of compliance and she needed clarification on that issue too.

Community Services Manager Hernandez and Community Services Supervisor Mitchell clarified that the Community Services Department ("CSD") staff does the evaluation; meetings are monthly; CSD staff is working on correcting the attendance issue and to ensure that kids missing from the program issue does not happen again; gave examples of the enrichment program such as the visual arts program at the Art Depot; the Healthy Fontana hands on recipes and recreational classes; stated that the department ensures that professional development training is age appropriate and training is held throughout the year. The grant application was submitted in January 2012 and pre-notification date is April 10, 2012, \$30 Million in grant funds is available statewide. Director of

Community Services Nelson stated that CSD staff responds within 24 hours to any complaints. The goal is to respond immediately.

Mayor Warren responded to Board Member Garcia's request for clarification regarding the contract ratification and as to whether the Government Code allows sole source.

Board Member Garcia commented that it was unfair that the competitive bid process was not used.

Board Member Green had no question. Her questions were answered.

Council Member Tahan requested clarification on the \$1.6 Million grant match and the other four providers.

Council Member Wibert commented on the list of concerns and allegations raised about the After School Program and needed to know how these allegations came about, who reported them and when they occurred. Council Member Wibert requested more details regarding the issue of falsifying documents and dates of occurrence regarding kids having sex in the bathroom. Council Member Wibert asked whether FUSD had the funds to continue the program if the partnership with the City came to an end.

Board Member Garcia responded that the list of concerns came from her, members of the commission, parents and board members. Information regarding falsifying documentation was provided by a current employee of the city. There was no police report made regarding kids having sex in the bathroom.

Council Member Slowik commented on the outrageous allegations; the audit finding, the eight incidents presented by Police Chief Jones, and Fontana ASP being a model to other school districts.

Council Member Tahan requested that the people who are giving Board Member Garcia information, to analyze and research the issues. He commented on the Nutritional School Snack Program; the ASES Grant 20:1 students to staff member ratio and Fiscal Management. In regards to the \$795 audit finding, Council Member Tahan asked if the school district has a perfect audit report. The aim is not to micro manage the program.

Board Member Green commented that there was a lack of communication between two key people (program managers), and that calls and emails were not being returned. She does not see any program that can work without communication. Communication is key to the board. She clarified that her "NO" vote was a no and there was no law that required her to explain why she voted

no.

Superintendent Olsen-Binks stated that there was definitely a need to work on communication.

City Manager Hunt commented there was no requirement that staff should like each other, but staff will be held responsible for working with each other in a professional manner.

Council Member Slowik and Tahan, City Manager Hunt, Superintendent Olsen-Binks and Board Members Garcia discussed the audit finding issue and the role of establishing a good working relationship and policy.

Board Member Garcia stated the audit finding issue needs immediate attention and cannot be ignored. The City is not the only entity that is capable of providing the grant matching funds. Member Garcia stated that FUSD will compromise the grant, but will not compromise the children in terms of safety.

Board Member Kathy Binks requested that the board deal with the two program managers that were not communicating and move on.

Mayor Warren commented that the purpose of this evening's workshop was to have a joint discussion between the elected bodies, audience, and that there was no right or wrong answer.

### **C. The workshop discussion was followed by Public Communications.**

## **PUBLIC COMMUNICATIONS:**

### **A. Public Communications**

Gil Navarro, a Community Activist requested the power point presentation to be available in Spanish and also to be sent to him via email. He requested the superintendent to investigate the \$2 minimum fee charged when kids are picked up late.

David Eshleman, former Mayor of the City of Fontana spoke in favor of the After School Program ("ASP"), and suggested that the City build a positive relationship with the FUSD. He thanked Mayor Warren for organizing tonight's meeting.

Edgar Montes commented on the ASP and shared his previous experience with the program. He stated his children did not receive educational help and in his opinion it was time for the City to surrender the program to FUSD.

Students Leilani Martinez and Said Martinez spoke in favor of the ASP and gave a student perspective of the program, their relationship with the staff and asked the City Council and Board Members to keep the program.

Carlos Contreras spoke in favor of the ASP and commented that since moving to Fontana three years ago his kids have been enrolled in the ASP program. His kids are happy, they like the program and their grades have improved tremendously. It's a good program and offers great benefits.

Amos Young spoke in favor of the ASP and asked City Council and Board Members to save the program. The program is educational, staff is passionate and hard working, saving the program will save jobs.

Linda Scialdone spoke in favor of the ASP.

Victor Sanchez spoke in favor of the ASP and asked the City Council and Board Members to move forward in a productive way to make the program effective. He stated that this was an opportunity for the two elected bodies to build a stronger relationship.

Cindy Davis, a Fontana resident and former City of Fontana and FUSD employee spoke in favor of the ASP. Ms. Davis was an employee of the City when the ASP was started. She gave a history of the program, shared her experience as a former program employee and the importance of the program to the students and parents.

Frank Montes spoke in favor of the ASP and stated that the aim is to build a community and not tear it apart.

Mark Nuaimi, former Mayor of the City of Fontana spoke in favor of the ASP and commented that this is a program held by the state as a model with a 93% satisfaction rate.

Jeane Eusley, 47<sup>th</sup> Assembly candidate spoke in favor of the ASP.

## **ELECTED OFFICIALS COMMUNICATIONS/REPORTS:**

The following Elected Officials Communications were received:

### **A. Elected Officials Communications/Reports**

Superintendent Olsen-Binks clarified the nutritional visits, how she handled the list of complaints when she received them, program efficiency, communication and areas that need improvement.

Council Member Wibert thanked the audience, viewers at home, Fontana Police Chief Jones and Fontana School Police Chief Megenney for all the hard work put into the report. Council Wibert stated that elected officials act as mandated reporters and it is their responsibility to act immediately. ASP is a program well needed, very beneficial and creates jobs for students and residents.

Board Member Green thanked her husband and co-workers for their support, and thanked the City Council too.

Board Member Garcia thanked the City for arranging the joint meeting, reminded the residents that the program was voted down and that the City and FUSD partnership in the program and contract would end as of June 30, 2012. She invited the public to attend the FUSD Board Meeting on Wednesday, March 21, 2012.

Council Member Slowik thanked the audience and tonight's public speakers, gave special thanks to Cindy Davis for providing the history of the specifics of the program. Council Member Slowik commented that there is no program that is perfect and elected officials need to focus on having a discussion that should not be politicized, but a discussion that can be done for the benefit of the children. Safety is the number one aspect of the program and communication is very important.

Council Member Tahan shared the same concerns of safety and communication being key to the program and thanked Mayor Warren for her leadership. Council Member Tahan suggested a four step proposal to keep the program going: 1) create a subcommittee; 2) subcommittee should include the City Manager and the Superintendent; 3) extend the program for two years to allow the program to be evaluated by the subcommittee; 4) at the end of the two years re-evaluate the program.

Board Member Binks clarified Board Member Garcia's statement regarding the program being voted down. Board Member Binks stated that the program was not voted down the vote was 2-2. She thanked Mayor Warren for the invocation prayer and asked the community to continue praying for the FUSD and to remember that the FUSD has the most valuable asset – the children of the community.

Vice President of the FUSD Board, Gus Hawthorn further confirmed that the vote on the program was 2-2 and that the program was not voted down as stated by Board Member Garcia. He thanked Mayor Warren and City Staff for a great presentation.

Mayor Warren concluded by thanking everybody for participating in the process and spoke in support of Council Member Tahan's four step proposal. Mayor Warren stated the ASP helps to get kids off the street, it's a safe program, kids get to do their homework and learn social skills. She has met with over 600 people in the last few weeks with a majority being children and they all want the program to be kept.

## **CITY MANAGER COMMUNICATIONS:**

## **A. City Manager Communications**

City Manager Hunt concluded by providing a brief history of the program and also stated that the decision on the ASP was now a FUSD Board issue, and should the Board decide not to continue with the partnership, the City needs to be informed as soon as possible. No program is perfect, but this program can be improved going forward. Kids in the absence of the ASP will have the tendency to get into trouble. The initial aim of the program was to get kids off the streets. He thanked the Board for its partnership with the City and hoped that the program will continue.

Superintendent Olsen-Binks also clarified that the vote was 2-2 and with no action. Superintendent Olsen-Binks concluded by providing a brief history of the program, the bid process, partnership with the City and Board Members concerns. Superintendent Olsen-Binks stated issues come up but it's the job of upper management to fix the issues such as the audit finding, and to work diligently and move forward.

## **ADJOURNMENT:**

The Joint Adjourned Regular Meeting of the City Council and Fontana Unified School District adjourned at 10:03 p.m. to the next Regular City Council Meeting on Tuesday, March 27, 2012, with a Workshop at 5:30 p.m. in the City Hall Executive Conference Room and the Regular Meeting at 7:00 p.m. in the Glover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana California.



Evelyne C. Ssenkoloto  
Administrative Analyst

**THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON  
THE 10TH DAY OF APRIL, 2012.**



Tonia Lewis  
City Clerk