

# SUPPLEMENT SPHERE OF INFLUENCE AMENDMENT

**INTRODUCTION:** The questions on this form are designed to obtain data about the specific sphere of influence amendment application to allow the Commission, staff and others to adequately assess the application. You may also include any additional information that you believe is pertinent. Use additional sheets where necessary, and/or include any relevant documents.

1. Please provide an identification of the agencies involved in the proposed sphere of influence change(s):

City of Adelanto; SOI amendment application is to determine the appropriate sphere of influence for the City.

SPHERE EXPANSION

SPHERE REDUCTION

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\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Provide a narrative description of the following factors of consideration as outlined in Government Code Section 56425. (If additional room for response is necessary, please attach additional sheets to this form.)

The present and planned land uses in the area, including agricultural and open-space lands.

The Adelanto General Plan incorporates a wide variety of land uses, including: Airport Development District, Airport Park, Business Park, Commercial, Light Manufacturing, Manufacturing/Industrial, Mixed Use, Open Space, Public Utilities and eight categories of Residential uses with varying densities. The City also recently approved designated "Cannabis Dispensary Zones" for medical/adult use cannabis-related uses.

The City of Adelanto's current sphere of influence encompasses approximately 13,217 acres located in three distinct, non-contiguous areas near the northern and southern portions of the City. The territory is largely vacant open space, with scattered large lot single family homes and two public schools. The City has previously expressed interest in expanding its sphere of influence to take advantage of its proximity to the future High Desert Corridor/E220 and potential commercial and industrial development opportunities in the future.

The present and probable need for public facilities and services in the area.

Because the territory is largely undeveloped open space, there is no need for additional public facilities and services to the serve the area at the present time. Future opportunities may include industrial and commercial development, however the timing and extent of such development is unknown at this time.

The present capacity of public facilities and adequacy of public services that the agency to be expanded provides or is authorized to provide.

The City provides or contracts for all municipal-level services within its current service territory. The City's Public Utility Authority provides retail water and distribution within its boundaries. LAFCO's 2009 Service Review for the City of Adelanto (LAFCO 3080) determined that there were serious financial, operational and management challenges for the City and its Adelanto Public Utilities Authority. The 2018 Countywide Service Review for Wastewater (LAFCO 3190) did not reveal significant improvement in these deficiencies. The FY 2015-16 independent auditor's report indicates that the APUA's flawed reporting could lead to financial misinformation, abuse, or fraud if not changed. The 2014 audit stated that APUA may not be able to continue as a going concern due to the inability to secure financing to address the payment of an outstanding settlement. The APUA was able to satisfy this obligation, but had to incur bond debt secured by water and wastewater rates to do so. The APUA 2014-15 and 2016-17 audits are incomplete. The lack of current financial statements makes the financial picture of the City and APUA, and its ability to provide adequate public services, unclear.

The existence of any social or economic communities of interest in the area.

The City of Adelanto is the social and economic community of interest for the Adelanto community. There is no distinct social community wholly within the Adelanto sphere, but the community of El Mirage extends into the western Adelanto sphere, as defined by the boundaries of County Service Area 70 Improvement Zone P-6. Economic communities of interest are the Highway 395 and Hi-Desert Corridors and the industries adjacent to the Southern California Logistics Airport. The community is within the Adelanto Elementary School District (western county line to the Mojave River) and the Victor Valley High School District (western county line to I-15).

The present and probable need for public facilities or services related to sewers, municipal and industrial water, or structural fire protection for any disadvantaged unincorporated community, as defined by Govt. Code Section 56033.5, within the existing sphere of influence.

Not applicable

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3. If the sphere of influence amendment includes a city sphere of influence change, provide a written statement of whether or not agreement on the sphere change between the city and county was achieved as required by Government Code Section 56425. In addition, provide a written statement of the elements of agreement (such as, development standards, boundaries, zoning agreements, etc.) (See Government Code Section 56425)

An agreement between the County and the City has not been reached.

4. If the sphere of influence amendment includes a special district sphere of influence change, provide a written statement: (a) specifying the function or classes of service provided by the district(s) and (b) specifying the nature, location and extent of the functions or classes of service provided by the district(s). (See Government Code Section 56425(i))

Not applicable

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5. For any sphere of influence amendment either initiated by an agency or individual, or updated as mandated by Government Code Section 56425, the following service review information is required to be addressed in a narrative discussion, and attached to this supplemental form (See Government Code Section 56430): **(Not Required)**
- a. Growth and population projections for the affected area.
  - b. Location and characteristics of disadvantaged unincorporated communities within or contiguous to the sphere of influence.
  - c. Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies, including those associated with a disadvantaged unincorporated community.
  - d. Financial ability of agencies to provide services.
  - e. Status of, and opportunities for, shared facilities.
  - f. Accountability for community service needs, including governmental structure and operational efficiencies.

If additional sheet are submitted or a separate document provided to fulfill Item #5, the narrative description shall be signed and certified by an official of the agency(s) involved with

the sphere of influence review as to the accuracy of the information provided. If necessary, attach copies of documents supporting statements.

**CERTIFICATION**

As a part of this application, the City/Town of N/A, or the N/A District/Agency, \_\_\_\_\_ (the applicant) and/or the \_\_\_\_\_ (real party in interest - landowner and/or registered voter of the application subject property) agree to defend, indemnify, hold harmless, promptly reimburse San Bernardino LAFCO for all reasonable expenses and attorney fees, and release San Bernardino LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it.

This indemnification obligation shall include, but not be limited to, damages, penalties, fines and other costs, imposed upon or incurred by San Bernardino LAFCO should San Bernardino LAFCO be named as a party in any litigation or administrative proceeding in connection with this application.

As the person signing this application, I will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. I understand that if this application is approved, the Commission will impose a condition requiring the applicant and/or the real party in interest to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

I hereby certify that the statements furnished above present the data and information required to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE January 14, 2019

\_\_\_\_\_  
SIGNATURE

SAMUEL MARTINEZ

Printed Name of Applicant or Real Property in Interest  
(Landowner/Registered Voter of the Application Subject Property)

LAFCO Executive Officer

Title and Affiliation (if applicable)