



If approved, Adelanto would be the first city in San Bernardino County to disincorporate

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ADELANTO — It was just the second meeting of the Adelanto City Council on Jan. 13, 1971 when City Manager Eugene Nazarek laid out the newly-incorporated city's priorities.

"Revenue-producing measures must be adopted right away," Nazarek told the council, then comprised of people who championed the city's incorporation, such as Rex Bean, Adelanto's first mayor, and Pat Chamberlaine.

On July 18, 2019, more than 48 years later, Finance Director Ward Komers re-emphasized the same goal of generating revenue during a special budget meeting, but with an added caveat.

"Disincorporation is likely without closing the deficit," Komers said. "There's just not enough money."

The city is edging toward a financial crisis, one brought on in recent years by Adelanto's spending of millions of dollars more than it earns.

In order to reverse the deficit — forecast to be \$6.3 million this fiscal year — new sources of income are desperately needed, Komers said during the meeting, or the disincorporation process needs to begin.

If Adelanto disincorporates, it would become the first city in San Bernardino County history to do so, said county spokesman David Wert. And the first in California since the 1970s, when Cabazon in neighboring Riverside County disincorporated in 1972, he said.

The process to disincorporate is not an easy one, however.

In 2014, former City Manager Jim Hart was in the middle of a similar financial situation. Money from the 2010 sale of the former state prison for \$28 million was nearly gone. Bankruptcy or disincorporation appeared to be two obvious options.

The city carried little debt, which virtually ruled out bankruptcy. Disincorporation also had disadvantages.

Hart said the county told him residents would need to vote to disincorporate, “just like they voted to incorporate.”

A funding mechanism such as a tax would also need to be adopted to pay for the municipal services the county would now be expected to provide.

“They’re not just going to assume the city’s responsibilities,” Hart said. “That’s what they told us, basically.”

To Hart, disincorporation was no more viable an option than bankruptcy — if residents are going to be taxed anyway, the city might as well attempt to pass its own tax to retain local control.

With disincorporation, residents would be governed by the county Board of Supervisors 40 miles away in San Bernardino.

Hart’s solution was a utility users tax. Such a tax which would keep Adelanto under local control, which was the predominant reason why voters on Dec. 15, 1970 chose to move from Adelanto’s community services district into cityhood.

The City of Adelanto placed a 7.95% tax on electricity, natural gas, water, cable television and other utilities on the ballot in the November 2014 election. Billed as a temporary fiscal fix which would be in place for just seven years, it was rejected by 63% of voters.

A few months later, in early 2015, Hart, whom residents identified as the face of the proposed tax, was out as city manager.

If attempted today, the disincorporation process would be a first for the county and the Local Agency Formation Commission for San Bernardino County, said LAFCO executive officer, Samuel Martinez.

“I’ve never done a disincorporation,” Martniez told the Daily Press. “We’ve never done one,” he said, referring to LAFCO.

The process would start with a petition signed by 25% of Adelanto’s registered voters, Martinez said. That petition would then be handed to LAFCO, whose commission would vote to approve the disincorporation.

Martinez called disincorporation a “convoluted process.” Adelanto would need to show LAFCO a viable plan for service, or a plan detailing who assumes responsibility of the municipal services the city now provides Adelanto residents.

Once a plan is agreed upon by LAFCO and stakeholders, it would go to voters.

Other avenues for disincorporation include the county itself beginning the application with LAFCO, or, Martinez said, a “legislative fix” through the state legislature.

Adelanto’s liberal allowance of full-scale cannabis production and sales complicates the issue. The county does not allow such activities in unincorporated portions of the county. But when asked if Adelanto would be grandfathered in, Wert, the county spokesman, said state laws regarding disincorporation have changed since Cabazon’s disincorporation in 1972.

“The county’s attorneys would have to study that question,” Wert said, “which probably wouldn’t occur unless and until disincorporation became more of a likelihood.”

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