



Hon. Thomas Cahraman
Presiding Judge of the Superior Court
4050 Main Street
Riverside, CA 92501

June 4, 2009

Honorable Judge Cahraman:

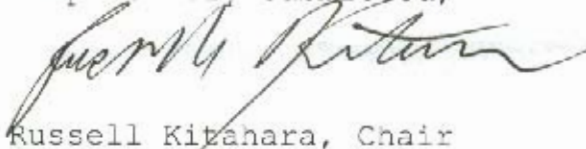
The Commission appreciates the time and effort expended by the Grand Jury in gaining an understanding of the provision of public services in Riverside County. The following is the Commission's response to the Grand Jury finding and recommendation within the scope of the Commission's duties.

1. Regarding Finding No. 6, the Commission agrees with the finding. However, it should be noted that the sphere of influence study referenced refers to the probable future boundaries of the District, not an immediate plan to expand the District's service area.
2. Regarding Recommendation No. 6, the recommendation will not be implemented because it is unwarranted at this time. The Commission cannot unilaterally expand the boundaries of an agency. Proposals to expand boundaries can only be initiated by 1) petition of registered voters or landowners; or 2) resolution of application of an affected agency (the County, an affected city or an affected special district). No entity has initiated such a proposal. Therefore, there is no action before the Commission to defer.

Furthermore, even if there were an application before the Commission, the Commission could not commit to defer approval solely on the basis of recommendation within the Grand Jury Report, regardless of merits of that recommendation. LAFCO is charged by the Legislature with acting on proposals for boundary changes within the context of an open public process. This process is set out in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

The potential large annexation referred to within the Grand Jury Report could be decided upon only after a duly noticed public hearing was held. The legislature has established a long list of factors that LAFCOs must consider in the review of a proposal. To commit to a decision in advance of a hearing, based only upon factors presented in the Report, most of which are not related to LAFCO's charge, would be inconsistent with LAFCO's governing Act. Nevertheless, if the Commission does receive such an annexation request, the Grand Jury recommendations will receive due consideration.

Respectfully submitted,



Russell Kitahara, Chair
Riverside Local Agency Formation Commission