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**1/22/2026**

**TO: Local Agency Formation Commission**

**FROM: Crystal M. Craig, Assistant Executive Officer**  
**Gary Thompson, Executive Officer**

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**SUBJECT: CHANGE OF ORGANIZATION REGISTERED VOTER PETITION POLICY**  
**(POLICY B-4)**

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**Executive Summary:**

This report outlines the need to implement a policy regarding the validity of voter-initiated annexation petitions. It addresses two distinct, but similarly situated, annexation proposals where original petition certifications predate the effective period for formal application submission, necessitating clarification by implementing the need to adopt a policy.

Policy B-4, Change of Organization Registered Voter Petition Policy, has been crafted by staff to provide clarity to fill a void in state law, as neither the election code nor the Cortese-Knox-Hertzberg (CKH) Act provides explicit guidance on the longevity or expiration of certified voter petitions once sufficiency has been determined.

In addition, this report addresses two potential annexations by voter petition, certified approximately three and a half and four years ago, respectively, which present questions regarding their current validity under LAFCO Policy B-4, if adopted.

**Background:**

We currently face two significant situations that highlight the critical need to adopt a Policy (B-4):

- 1. Large-Scale/Massive Proposed Annexation:** This proposal involves the annexation of approximately 134,000 acres, encompassing a city's entire Sphere of Influence (SOI) and representing roughly two-thirds of the city's current area. The voter-initiated petition for a proposed annexation was certified as sufficient almost 4 years ago (April 4, 2022) to the current date. The delay in formal application submittal has been attributed to the

preparation of a financial analysis by the community group, and a plan of service by the city.

Two primary concerns have arisen:

**Concerns:** The primary concerns are the petition's potential staleness, given the elapsed time since certification, and the fact that the original Chief Petitioner has passed away, with a possible different community group now spearheading the effort. This raises questions about the petition's ongoing validity, given no explicit expiration clause in existing state statutes or any existing general LAFCO policy.

- 2. Annexation within a Disadvantaged Unincorporated Community (DUC):** A second annexation proposal, located within a DUC, also presents a similar timeline challenge. The chief petitioner for this proposal circulated signatures approximately three and a half years ago and is reportedly close to submitting the full annexation application.

**Concerns:** This petition similarly raises questions about its continued validity due to the significant time elapsed between signature circulation/certification and the impending application submission.

In both instances, the prolonged interval between petition certification and formal application submission, coupled with the absence of specific state law on petition expiration, creates ambiguity about whether the signatures have become stale or should still be considered valid for supporting an annexation application three or more years later. Staff is recommending adopting Policy B-4, or something similar, to resolve situations like these.

The primary issue with petition longevity lies in any changes that would have occurred in the status of registered voters over such a lengthy period of time. This would include petition signers that are no longer living in the area, petition signers that would no longer support the proposal due to events that have subsequently occurred and the significant time that has passed, and changes in the number of registered voters due to population changes and the effect on sufficiency regarding petition thresholds.

**ANALYSIS AND POLICY APPLICATION:** Proposed LAFCO Policy B-4, titled "Change of Organization Registered Voter Petition Policy," directly addresses the issue of petition longevity, establishing clear timeframes since state law is silent.

Specifically, **Policy B-4, Section 3.v**, states: "The petition will remain valid for no more than one year (365 days) as of the date of the Certificate of Sufficiency." The intent is after issuance of a Certificate of Sufficiency the proponent has one year submit a complete application.

Furthermore, **Policy B-4, Section 3.vi**, clarifies that an application must be "deemed complete" by LAFCO staff prior to the expiration of this one-year deadline, or the petition "will be deemed invalid and a new petition will be required to be circulated and certified sufficient."

Applying proposed Policy B-4 to both situations:

- **Large-Scale/Massive Proposed Annexation:** The petition for this annexation was certified approximately four years ago. As this period significantly exceeds the one-year validity period established by proposed Policy B-4, the petition would no longer be considered valid if Policy B-4 were adopted. The subsequent change in the Chief Petitioner, while notable, becomes a moot point as the original petition has already expired by proposed Policy B-4, if adopted.
- **DUC Annexation Proposal:** Similarly, the petition for this annexation, having had signatures circulated and presumably certified approximately three and a half years ago, also falls outside the one-year validity window defined by proposed Policy B-4. Despite being "close to submitting" the application, the underlying petition would no longer be valid.

### **Conclusion:**

Based on the explicit provisions of proposed LAFCO Policy B-4, both voter-initiated annexation petitions, having been certified approximately three and a half and four years ago, respectively, would be deemed invalid due to exceeding the established one-year validity period from the date of their Certificate of Sufficiency. This policy is crafted to provide clarity in such situations where state law provides no explicit guidance.

### **STAFF RECOMMENDATIONS:**

Based on the provisions of proposed LAFCO Policy B-4, the voter-initiated annexation petition, certified approximately three and a half and four years ago, respectively, would be deemed invalid due to having exceeded the one-year validity period from the date of the Certificate of Sufficiency.

It is recommended that the Commission:

1. Adopt proposed LAFCO Policy B-4
2. Formally notify the current community group and proponents of both annexation proposals that their petitions are deemed invalid in accordance with LAFCO Policy B-4. Any future annexation proposals for these areas would require the initiation of new voter-initiated petition processes, adhering to all current requirements of Policy B-4, including the timely submission of a "deemed complete" application.

Respectfully Submitted,

  
Gary Thompson  
Executive Officer

  
Crystal M. Craig  
Assistant Executive Officer

Attachments:

- a) Draft Policy B-4

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# **DRAFT POLICY B-4**

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# Riverside LAFCO

## Policy B-4

### Change of Organization Registered Voter Petition Policy

#### Purpose

Government Code section 56700 et seq. specifies the requirements for a proposed change of organization for cities or special districts by registered voters through a petition process. The statutes provide specific criteria for the petition format, noticing of intent to circulate the petition, signature gathering timelines, submittal timeline requirements, signature verifications and LAFCO sufficiency/insufficiency certification. The statutes do not specify a timeframe regarding how long the petition remains valid when the annexation application has not been “deemed complete” and accepted for filing as an official proposal. This policy provides for a definitive timeframe when a petition becomes invalid due to an application not meeting the requirements to be “deemed complete.”

#### Policy

It is the Policy of LAFCO to:

- 1) Establish a local LAFCO Policy for determining the length of time a petition for a change of organization remains valid prior to submittal of an application that is “deemed complete.”
- 2) Require a majority vote of the Commission to revise the established change of organization Registered Voter Petition Policy.
- 3) All applications for a change of organization to a city or special district by petition of registered voters shall adhere to the requirements of Government Code sections 56700 et seq. for proposal description and boundary map, designation of chief proponents, signature gathering and submittal timelines, and sufficiency certification process.
  - i. Petition shall be on the Riverside LAFCO prescribed petition form.
  - ii. The chief proponents must file a timely Notice of Intent to circulate the petition, and a draft petition to LAFCO for approval, prior to circulation for signatures.
  - iii. The chief proponents are responsible for obtaining the registered voter count for the proposed change of organization area from the Riverside County Registrar of Voters prior to circulating the petition.
  - iv. Once a petition is submitted, meets the timelines for submittal to LAFCO, and is certified valid, a Certificate of Sufficiency will be issued.
  - v. The petition will remain valid for no more than one year (365 days) as of the date of the Certificate of Sufficiency.

# **Riverside LAFCO**

## **Policy B-4**

### **Change of Organization Registered Voter Petition Policy**

- vi. An application for the change of organization must be “deemed complete” by LAFCO staff prior to the expiration of the one-year deadline from the Certificate of Sufficiency or the petition will be deemed invalid and a new petition will be required to be circulated and certified as sufficient under the aforementioned statutes and the process.

Adopted January 22, 2026