

Mission Grove Neighborhood Alliance LLC (MGNA)

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This is MGNA's Second Community Advocacy Report Regarding the Riverside County Civil Grand Jury Report (RCGJ, March 21, 2024), regarding its Investigation into the March Joint Powers Authority (MJPA), and the March Joint Powers Authorities Responses To Grand Jury Findings and Recommendations (MJPA, May 8, 2024)

By MGNA Board Member: Bill Clark-Community Advocate Analyst

This MGNA Community Advocacy Report is informative and educational and does not constitute legal advice. It is not intended, does not, and may not be relied upon to create any rights, substantive or procedural, enforceable at law, by any party in any matter civil or criminal. Always report wrong doing to the appropriate regulatory or enforcement agencies or consult with an attorney to protect your rights.

Summary

This MGNA Community Advocacy Report narrowly addresses the details of the two above mentioned official documents published by the RCGJ and the MJPA. It has come to the attention of the Mission Grove Neighborhood Alliance and that of its Membership, the voters, taxpayers and citizens, that the MJPA's written responses to the RCGJ's Findings and Recommendations is unacceptable. The MJPA's written responses are objectionably unresponsive, they are vague and ambiguous and lack substantive and specific action plans having measurable goals to reconcile the RCGJ's discovery of policy, procedure and statute failures. First and foremost is that the MJPA has failed to achieve its Number One of Twelve Goals (RCGJ, pg. 3), "*Protect the interest and existing commitments to adjacent residents, property owners and local jurisdictions in planning new land uses*" for the former March Air Force Base (March Air Reserve Base), the March Inland Port and the surrounding zones/communities as detailed in the Riverside County Airport Land Use Commission report dated November 13, 2014 (#9).

The MGNA, in its early analysis of these two official documents recognized an apparent organized, influenced, sophisticated and complex set of questionable circumstances that needed a detailed analysis. MGNA in its deciphering of these two documents discovered that an abundant amount of information is embedded in the text by means of key words, phrases and statute jargon. Furthermore, MGNA in its efforts to substantiate and clarify its position on the RCGJ's Findings and Recommendations, and the written Responses of the MJPA; sourced government, academic and industry online public data for the purpose of preparing this report. The MGNA encourages its Allied Community Membership (voters-taxpayers and citizens) to read and make familiar all of the cited documents contained herein for their knowledge and understanding as "*The March JPA manages millions of taxpayer dollars and makes decisions influencing the quality of life for county residents*" (MJPA, pg. 1) **without direct regulatory, enforcement or citizen oversight.** The RCGJ is the only authority to incidentally and or indirectly oversee the MJPA upon receiving citizens and or other credible complaints. Otherwise, the MJPA has complete autonomy over its Closely Held-Closed Vertical Organizational Self Governance which according to the United States Attorney, the Federal Bureau of Investigations and other State agencies is prone to corruption and failed Honest Services under Title 18 USC 1346

California Government Code Section 54950 states: *In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.*

The people of this State do not yield their sovereignty to the agencies which serve them. (emphasis added) *The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The*

people insist on remaining informed so that they may retain control over the instruments they have created. (Added by Stats. 1953, Ch. 1588.)

Furthermore, California Government Code Section 87200 details who our public servants are: This article is applicable to elected state officers, judges and commissioners of courts of the judicial branch of government, members of the Public Utilities Commission, members of the State Energy Resources Conservation and Development Commission, members of the Fair Political Practices Commission, members of the California Coastal Commission, members of the High-Speed Rail Authority, **members of planning commissions, members of the board of supervisors, district attorneys, county counsels, county treasurers, and chief administrative officers of counties, mayors, city managers, city attorneys, city treasurers, chief administrative officers and members of city councils of cities, and other public officials who manage public investments, and to candidates for any of these offices at any election.** (Amended by Stats. 2012, Ch. 626, Sec. 1. (AB 41) Effective September 27, 2012. Note: This section was added on June 4, 1974, by initiative Prop. 9.) (emphasis added/herein after known as Officials)

Methodology

According to the United States Department of Justice and the Federal Bureau of Investigations, Public Corruption tears at the fabric of our communities and our national security. **Elected or appointed officials are entrusted and expected to protect the interests of the people with integrity.** (emphasis added) When that trust is betrayed, the security and stability of our government is put at risk. Since 9/11, combating public corruption has become the FBI's top criminal priority. This includes addressing corruption at all levels of government and monitoring corrupt activities of U.S. officials within and outside the nation's borders. Through intelligence analysis, the public corruption program seeks to identify any connection to terrorism or foreign intelligence that would pose an imminent threat to national security. Since 2001, the work of the public corruption program has led to nearly 8,000 arrests for corruption violations, helping to address the FBI's broader mission to protect the nation's borders and interests and people around the world. (fib.gov Public Corruption)

MGNA in its efforts to analyze the RCGJ/MJPA documents chose to employ a Crime Pattern Analysis approach and reviewed the following cited articles as a comparative base:

1. Shell Companies and Government Corruption, by David Jancsics, School of Public Affairs, 2018,
2. Local Government Corruption, Chris Edwards, CATO INSTITUTE, December 19, 2023
3. Why California Dissolved Its RDA's, Shirley Svorny, CATO INSTITUTE, 2014
4. Administrative Investigation Report of Findings in the Matter of the City of Anaheim Investigation, JL Group LLC, 2024
5. Amazon thinks it's "Earth's best employer." Southern California would like a word, Jim Newton, Calmatters.org, January 4, 2024
6. Amazons leaked internal 6 page Community Engagement Plan 2024-Southern California, Jim Newton Calmatters.org,
7. Anaheim's Own Look at City Hall Finds Disneyland Resort Businesses Improperly Steer Policymaking, Hosam Elattar and Noah Biesiada, Voice of OC, July 31, 2023
8. About Foreign-Trade Zones and Contact Info, An Introduction to Foreign Trade Zones, The United States Customs and Border Protection, March 6, 2024
9. March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, Riverside County Airport Land Use Commission, Mead and Hunt, November 13, 2014
10. MJPA 2022-2024 Draft Budget, mjpa.com
11. California State Assembly Local Government Committee Hearing, Developments in the Use of Joint Powers Authorities and Agreements, March 21, 2012
12. Office of the U. S. Attorney and the FBI Press Release(s): 9 Criminal Matters re: RICO and Title 18 USC 1346 Honest Services violations, the Investigations, Arrests, Prosecutions and Incarcerations

At Issue

To better explain what the MJPA is, MGNA first researched the details of the RCGJ's Report, page 5, Illustration 1. What is the MARCH Land Use Authority, Public Utilities Authority, March Inland Port Airport Authority and the Successor Agency?

According to California State Land Use Laws a Land Use Authority functions within the elaborate statutes that govern land use decisions on Planning, Development, Conservation, Boundaries, Redevelopment, Environmental Reviews, Pay for Public Works, Pay for Public Services, Regional Decisions and State Planning (sgf.senate.ca.gov). These authorities include the legislation of local codes and ordinances, zoning, permitting and licensing.

The MARCH Public Utilities Authority in this case is granted its authority by means of the Foreign-Trade Zone (FTZ) Board, under the authority of the United States Customs and Border Protection Supervision according to the Foreign Trade Zones Act of 1934, and its subsequent Federal laws (#8). The March Inland Port Airport Authority according to the Federal Aviation Administration manages any one of five types of airport operations which are: Commercial, Primary, Cargo, Reliever and General Aviation Services (faa.gov). Successor Agencies were originally known as Redevelopment Agencies (RDA) and those agencies were dissolved by the State due to the issues of Viability, Control, Transparency, Solvency and generally, Constitutional Violations and Corruption as a whole. California shut down RDA's as part of the 2011 Budget Act, and in order to protect funding for core public services at the local level, the Legislature approved the dissolution of the state's 400 plus RDAs. After a period of litigation, RDAs were officially dissolved as of February 1, 2012, and hence, were renamed "Successor Agencies."

At that time when local governments were under severe financial strain and public agencies were looking for more efficient ways to work together, a collaborative tool like the joint powers agreement (JPA) became increasingly attractive. And despite the fact that JPA's have existed in California in some form for nearly 100 years, they remain relatively obscure and are an unregulated form of local self governance. (emphasis added) The California Assembly Local Government Committee reported in March of 2012 that JPA's tend to be susceptible to deficiencies in self governance, statute required reporting, transparency and data management (#11).

At the April 24, 2024, MGNA Board Meeting, an executive officer of the MJPA gave a presentation detailing the workings of the MJPA and the future ambitious development plans for expanding the International Trade Zone air services in the Inland Empire.

During the question and answer session of the meeting MGNA asked the official about the uncharacteristic and questionably undervalued real estate appraisals executed by the MJPA appraiser and the officials answers were equally questionable and inconclusive. MGNA also questioned the official about the absence of the required United States Customs and the United States Department of Agriculture presence at March Inland Port (MIP); and specifically regarding the absence of the Federal law requirements of an Animal Plant Health Inspection (APHIS) and Interdiction process a MIP which services international air cargo. And the officials response was unacceptable.

In attendance at the MGNA meeting were voters, taxpayers and citizens who are also active with another community advocacy organization known as R-NOW who is in fierce opposition to the proposed development of the West Campus Upper Plateau Project. This proposed project along with the already existing logistic and e-commerce facilities in operation in the MGNA area and those facilities already approved of or are under construction now, will further cause and subject the MGNA Communities to further intolerable and disproportionate threats to the health, welfare and safety of the voters, taxpayers and citizens generally. The local infrastructure and government services are already pressed to nearing failure as evidenced by the freeway gridlock caused by the commercial-heavy truck traffic clogging Interstate 215 and the surface streets in the MGNA Community.

With the ambitious plans to develop an International Trade Zone (#8) as proposed by the MJPA, the MGNA Community can expect that an increased level of aviation will occur which will likely impede March Air Reserve Base's (MARB) ability to operate affectively. MARB is home to the 452nd Air Mobility Wing, Air Force Reserve Command, MARB is the Reserve's largest wing, with more than 4,000 personnel, nine C-17As and 14 KC-135Rs. MARB supports the worldwide airlift and air refueling operations. MARB also supports active duty, National Guard and Reserve mission partners from the Air Force, Army, Navy, and Marines as well as Department of Homeland Security personnel with the Air and

Marine Operations Center. MARB is also a significant regional economic partner in the Inland Empire and also supports local and state agencies.

Findings

The RCGJ is a *group of ordinary citizens* (emphasis added) who take an oath to serve as grand jurors. Their function is to investigate the operations of the various officers, departments and agencies of local government. Each Civil Grand Jury determines which officers, departments and agencies it will investigate during its term of office. (<https://www.courts.ca.gov/civilgrandjury.htm>) And as previously mentioned above, the Civil Grand Jury's authority is often incidental to receiving formal complaints from citizens or other credible sources. The MGNA believes that the RCGJ did discover in its investigation that there were verified policy, procedure and statute violations. Similarly, the Mission Grove Neighborhood Alliance and its Membership are also ordinary citizens who possess a broad representation of knowledgeable citizens. Therefore, MGNA has further concluded that there is sufficient information to have a reasonable cause to believe that criminal misconduct has occurred due to the evident lack of *Honest Service* owed to the voters, taxpayers and citizens of the MGNA Community. MGNA believes that by means of scheme or artifice; criminal misconduct has occurred, is occurring and may likely continue to occur, as it appears that the MJPA has likely been Influenced by nefarious actors and one or more of the MJPA Official's have been corrupted.

Closing Statement

Based on the findings to date, regarding the RCGJ Report and MJPA's Responses, MGNA is compelled to voluntarily submit copy of this Community Advocacy Report to the following authorities for their review and consideration for further regulatory and enforcement actions:

- Sean Petersen, Chief of the Riverside Branch of United States Attorney's Office, Central District, 3400 Tenth St, #200, Riverside CA., 92501
- Colonel Bryan M. Bailey, MARB Commander, 14560 2nd St, Building 2640, March Air Reserve Base, CA. 92518
- Michael A. Hestrin, District Attorney of Riverside County, 3960 Orange St., Riverside, California, 92501
- Chad Bianco, Sheriff of Riverside County, 4095 Orange St, Riverside, CA 92501
- Larry Gonzalez, Chief of Police, City of Riverside, 4102 Orange St, Riverside, CA 92501

MGNA will continue its efforts to analyze, monitor and report on the developments related to the Riverside County Civil Grand Jury's investigation into the MJPA and report to its Membership as this work evolves. MGNA will also continue to communicate with and voluntarily cooperate with the regulatory and enforcement agencies. MGNA will continue to remain committed to its reviews already in progress:

- The Western Municipal Water District/Riverside Public Utilities Water Service Disparity
- The U. S. Postal Service/Riverside County Registrar of Voters Integrity Issues
- The City of Riverside Planning, Zoning, Permitting and Licensing processes regarding Marijuana Business' and High Density Residential Developments

MGNA can't encourage its Membership enough to get involved and make it a point to be informed and educated as to how our local officials conduct themselves as our representatives. The people of this State do not yield their sovereignty to the officials which serve them. The people, in delegating authority, do not give their public officials the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over their local government.///bc

"The world suffers a lot. Not because the violence of bad people, but because of the silence of the good people." author unknown