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THE 2017-2018 MONO COUNTY GRAND JURY FINAL REPORT

June 2018

INTRODUCTION

The Mono County Grand Jury is charged with reviewing county government, investigating citizen complaints, and making appropriate recommendations to county officials and agencies as part of its year-end report. This Grand Jury felt it was important to advise the community of the status of its work in a timely manner, which is why an interim Final Report was issued previously. This Final Report contains the last of the completed investigations by the 2017-2018 Mono County Grand Jury. Both our Interim Report and this report are considered final reports with completed content.

All Mono County Grand Juries write and submit a final report of their investigations, findings, and recommendations at the end of their term, usually on or before June 30th of the year in which they serve. This final report is reviewed by the Superior Court of California, Mono County, released to named agencies and individuals for accuracy, and finally distributed to the press and the public.

It is appropriate that agencies and elected officials and department heads who are named in the Grand Jury's report and who are obligated to respond, do so in a timely manner so the public may read and review these responses and reach their own conclusions about each case. The goal of the Grand Jury is to be a "citizens' watchdog." If mandated response deadlines are ignored and timely responses not made available to the public, an important part of that "watchdog" function is lost.

Where applicable, certain members of the Grand Jury recused themselves due to conflicts based upon previous or current employment or relationships, from all parts of the investigation, including interviews and deliberations.

It is the responsibility of the citizens of Mono County to review each Grand Jury's report and determine for themselves what action, if any, they should take.

SUMMARY

This 2017-2018 Mono County Grand Jury Final Report consists of 5 investigations.

California Penal Code § 933 requires elected officials or agency heads to respond within 60 days of the issuance of a Grand Jury report that requires their response and requires governing bodies to respond within 90 days. Elected officials and government agencies are required to respond to recommendations made in Grand Jury reports, indicating their agreement or disagreement with those recommendations with their reasons and actions taken pursuant to those recommendations. These responses are to be addressed to the Presiding Judge of the Superior Court.

Mono County Grand Jury Final Report for the Year 2017 – 2018

Investigation #1

Town of Mammoth Lakes: Mammoth Lakes Tourism Final Report by Grand Jury Investigative Committee

Analysis:

Based upon a previous Grand Jury investigation, the current Grand Jury decided to further investigate Mammoth Lakes Tourism (MLT) by opening our own investigation.

Methodology:

The Grand Jury requested various documents on numerous occasions and subsequently subpoenaed said documents. Grand Jury members attended an MLT Board meeting and also conducted an interview of the MLT Board Chairman.

Findings:

- The Grand Jury found at least one instance of inaccurate public noticing of MLT Board meetings and as such a violation of the Brown Act.
- The MLT Board has not adopted requirements for its members to receive either Brown Act or Ethics Training.
- Based on our inquiries and interview of the Board Chairman regarding the negotiations for air service, it was represented in the interview, that there is now a better definition of the responsibilities and expenditure authority of key MLT Staff, based on recently adopted guidelines. However, there still appears to be a lack of transparency and communication between the Executive Director, the Board and the public at large. It was represented that the Board is not provided any information regarding the actual contract.
- Although not involved in the contract or negotiation of the contract to secure air service to Mammoth Lakes, MLT has committed to subsidizing those services on behalf of the Town. The actual negotiations are performed by Mammoth Mountain Ski Area, a private company.

Recommendations:

- That all staff and Board members of MLT be required to receive regular Brown Act and Ethics training.
- That the Executive Director provide written updates to all MLT Board members on a monthly basis, or more often as circumstances dictate, of ongoing negotiations, decisions and issues.
- In addition to the MLT Executive Director, that at least one Board member be involved in any negotiation that would result in a financial obligation above \$10,000 to MLT, even if MLT is not a signatory to said agreement.
- Any action that results in a financial obligation by MLT, based on a contract negotiated by others, must include a copy of said contract as part of the public record.