

Compliance and Continuity Report: Past Examination, Present Action

SUMMARY

The Mariposa County Civil Grand Jury (MCCGJ) is a group of volunteer citizens who, over the course of a one-year term, are tasked with investigating the operations of local government including county government departments and agencies, joint powers authorities, special districts, and school districts. The MCCGJ conducts multiple investigations, many based on public requests. The MCCGJ must also, by statute, inspect local detention facilities each term.

The goal of the MCCGJ is to determine if local government can be made more efficient, effective, and responsive to the needs of our community. If the answer is “yes,” the MCCGJ creates a report that includes findings on items that need to be addressed, recommended fixes, and due dates for responses from the elected officials who can ensure implementation as well as invited responses from relevant appointed officials. Because of the one-year term limit of each grand jury, it becomes the responsibility of the next grand jury to track responses. The 2023-2024 MCCGJ final report included findings and recommendations regarding the following:

- John C. Fremont Healthcare District
- Mariposa County Auditor
- Mariposa County Board of Supervisors

The 2023-2024 MCCGJ¹ issued 37 findings and 41 recommendations.

This continuity report was completed by the 2024-2025 MCCGJ based on elected and appointed officials' initial responses to the findings and recommendations of the 2023-2024 MCCGJ Final Report. It also includes the follow up responses those officials made when the 2024-2025 MCCGJ requested further clarification.

The MCCGJ received most of the initial responses from elected officials and entity boards within the required timeframe. Some of the agencies accepted the findings of the 2023-2024 MCCGJ final report and took recommended corrective actions in a reasonable time frame. When they did not agree with a recommendation, some provided explanations. In many instances, it seemed the respondents were not clear about California Penal Code requirements regarding what their responses must include. In these cases, the 2024-2025 MCCGJ requested more detailed responses

and, in most cases, received them. All instances of this are noted in Table 1 of this Compliance and Continuity Report.

GLOSSARY

BOD	Board of Directors
BOS	Board of Supervisors
C-Suite	Executive Management of JCFHD
CAO	Chief Administrative Officer (Mariposa County)
CEO	Chief Executive Officer (JCFHD)
CFO	Chief Financial Officer (JCFHD)
COB	Clerk of the Board Chief Nursing Officer (JCFHD)
CNO	Chief Nursing Officer (JCFHD)
COO	Chief Operating Officer (JCFHD)
FY	Fiscal Year
HHSA	Health and Human Services Agency
HR	Human Resources
IDF	Interview Debrief Form
JCFHD	John C. Fremont Healthcare District
MCA	Mariposa County Auditor
MCCGJ	Mariposa County Civil Grand Jury
RFI	Request for Investigation

BACKGROUND

In reviewing past Grand Jury final reports, the 2024-2025 MCCGJ found that not all included Compliance and Continuity Reports. These are not mandated and given the one-year time limit of service, each grand jury establishes its top priorities and utilizes its resources accordingly.

Given the responses received to the 2023-2024 MCCGJ Final Report, the current MCCGJ decided it was important this year to prioritize a Compliance and Continuity Report. In some cases, the MCCGJ found respondents had incomplete or missing answers to last year's findings and recommendations and/or a lack of clear understanding of the proper compliance required by the California Penal Code. In some cases, the jury had questions regarding the entity's timeframe for completing implementation.

Goals of Continuity and Compliance Report

By generating this report, the MCCGJ hopes to provide respondents a greater understanding of, and more accurate compliance to, the California Penal Code. The jury

believes that if respondents answer questions raised in findings and recommendations as clearly and comprehensively as possible, they will create a higher level of trust and support from the Mariposa County community at large. Additionally, this jury hopes that following up on responses from requested entities from the previous year will allow for a higher standard of accountability. This jury also hopes future MCCGJs will make the Compliance and Continuity Report a standing addition to its final reports.

Clarifying Penal Code

According to California Penal Code Section §933(a): “Each grand jury shall submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year.” When findings and recommendations are directed to an entity board, the board is required to respond within 90 days of the release of a grand jury’s report. Elected county officials or agency heads, on the other hand, are required to respond within 60 days. (PC §933(c)).

California Penal Code §933.05 mandates how the local governing board and how the elected officials must respond to the findings and recommendations that fall under their jurisdictions.

To begin, for each grand jury finding, the board or official must respond either (PC §933.05(a)):

1. The respondent agrees with the finding.
2. The respondent disagrees wholly or partially with the finding; in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons, therefore.

Next, for each grand jury recommendation, the board or official must respond (PC §933.05(b)):

1. The recommendation has been implemented, with a summary regarding the implemented action.
2. The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
3. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or

reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.

4. The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation, therefore.

California Penal Code §933.05 (c) goes on to say:

However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department. (§933.05 (c))

METHODOLOGY

For background, the MCCGJ read through a number of past MCCGJ Final Reports and studied their findings, recommendations, and responses. The jury read, analyzed, and used as guides Continuity and Compliance Reports generated by other county grand juries, especially those highlighted by the California Grand Jurors Association as being especially effective. The MCCGJ applied the California Penal Code section §933.05 in their analysis of the responses received to the 2023-2024 MCCGJ Final Report findings and recommendations to determine whether the responses were compliant. The jury also followed up on the responses in which the agreed upon recommendations had timeframes of completion that fell within the term of the jury. The jury sent letters to the respondents and met with respondents in person to follow up on timelines listed in responses to recommendations. Letters were sent to respondents which did not respond to requests for meetings. The jury mostly received acceptable responses back from all requested respondents. These are detailed in Table 1.

DISCUSSION

Using a table format, Table 1 provides a quick summary of each of the 2023-2024 MCCGJ reports, details the findings and recommendations from each report, the responses the grand jury initially received from respondents, and the follow up responses the grand jury received when it requested clarification from the respondent.

FINDINGS OF THIS CONTINUITY REPORT 2024-2025

F1. Some respondents did not make clear commitments (e.g., timeframes, further analysis) for implementing agreeable recommendations in the 2023-2024 MCCGJ Final Report.

F2. Some respondents gave clear deadlines on when to complete projects and fulfill agreed upon recommendations from the 2023-2024 MCCGJ Final Report.

RECOMMENDATIONS OF THIS CONTINUITY REPORT 2024-2025

R1. Respondents should include timeframes and commitments to implementing agreeable recommendations.

R2. Respondents should provide updates on each of the agreed upon recommendations in which deadlines of completion were provided by respondent from the 2023-2024 MCCGJ Final Report to ensure deadlines were actually met.

REQUEST FOR RESPONSES

The following elected county officials are required to respond to the current report within 60 days pursuant to Penal Code sections §933 and §933.05:

Mariposa County Auditor: F1, R1

Per Penal Code 933.05 (a)(1) and (2), responses must include acceptance, refutation, and/or clarification of the findings. Per PC 933.5 (b) (1) (2) (3) and (4) a commitment to implementing the recommendations, as appropriate. The following governing boards are required to respond within 90 days pursuant to Penal Code sections §933 and §933.05:

JCFHD Board of Directors: F1, R1, F2, R2

Board of Supervisors: F2, R2

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

Table 1

Each table has a brief overview of each of the 2023-2024 MCCGJ reports, the findings and recommendations of each report, the responses the 2024-2025 grand jury initially received, and the follow up responses the 2024-2025 MCCGJ received after requesting clarification and updates from the respondents. There are some observations that are summarized in the Findings and Recommendations listed above.

John C. Fremont Health Care District

FINDINGS AND RECOMMENDATIONS UNDER THE SECTION TITLED:

JOHN C FREMONT HEALTH CARE DISTRICT INVESTIGATION

Findings		Responses
F1	Significant instability in Board leadership (3 board resignations, and 6 interim/new Chief Executive Officers since 2022) and Executive C-Suite management led to the public's diminished confidence in the John C. Fremont Healthcare District.	<u><i>Response from JCFHCD received 10/7/2024</i></u> The Board partially agrees with this finding. The three resignations referenced in this report; only one was during the current term and that was for personal reasons. However, some of the turnover in the Chief Executive Officer position was due, in part, to the regulatory requirement that general acute care hospitals must have, at all times, a named an administrator (i.e. Chief Executive Officer) pursuant to 22 CCR 7070/. Due to this, when there was an unexpected departure of the Chief Executive Officer, the JCFHD Board was required to expeditiously name an interim administrator while the search for a permanent Chief Executive Officer was found. In general, recruiting for a Chief Executive Officer position in a rural area such as Mariposa has proven to be a challenge with either very few candidates responding, or those who do respond requiring a salary in excess of what the District can pay or being unqualified

F2	The JCFHD Board of Directors withheld information between themselves leading to individual discontent and poor decision making.	<u><i>Response from JCFHCD received 10/7/2024</i></u> The JCFHD Board disagrees with this finding in that JCFHD Board members withheld information from each other only to the extent necessary in order to comply with the Brown Act. The JCFHD Board has been diligent in seeking out and obtaining training in the Brown Act and takes our responsibility to comply with the Brown Act very seriously.
F3	The JCFHD Board of Directors did not have an opportunity to vet interim CEO which led to a longer period until issues could be legally responded to and resolved.	<u><i>Response from JCFHCD received 10/7/2024</i></u> We agree with this finding. This Board inherited an Interim CEO, whose vetting process was done through the previous Board, and this current Board was not privy to the process. The last permanent CEO this current Board hired was vetted through an outside agency.
F4	JCFHD Human Resources did not properly vet executive level positions leading to instability at C-suite level.	<u><i>Response from JCFHCD received 10/7/2024</i></u> We agree with this finding. The previous Human Resources Personnel did not share vetting with the Board.
F5	Multiple CEOs exceeded contractual spending limits without JCFHD Board notification eroding inherent checks and balances in organizational structure and straining the hospital financially.	<u><i>Response from JCFHCD received 10/7/2024</i></u> We agree with this finding. The current Board took swift action to remove these CEOs.
F6	The JCFHD found themselves behind in regular financial	<u><i>Response from JCFHCD received 10/7/2024</i></u>

	audits jeopardizing funding from governmental agencies.	We agree with this finding. This current Board only had two accounting issues that were inherited. Our audits were not completed in a timely manner, by an administration that was replaced two years ago, and the audits were completed last fall. Our second problem was having a few of our monthly financials not completed on time. This was rectified in a few months when a previous CEO left. The problems were never due to "difficulties navigating the Brown Act, a lack of cooperation and the accountability between Board members, or inaccessible information"
F7	Work and dialogue outside of regular, special, and emergency meetings between directors of the JCFHD puts the Board at risk of violating Brown Act practices.	<u><i>Response from JCFHCD received 10/7/2024</i></u> While the JCFHD Board agrees that such conduct risks a violation of the Brown Act, the JCFHD Board disagrees with a finding that it has engaged in such conduct in that it believes it has been diligent in minimizing any work or dialogue outside of noticed meetings. The JCFHD Board takes its responsibilities under the Brown Act seriously. The JCFHD Board agrees to continue to monitor its conduct to ensure no inadvertent violation of the Brown Act occurs and to continue to receive such training on a regular basis.
Recommendations		Responses
R1	JCFHD Board should be more diligent in vetting CEO candidates.	<u><i>Response from JCFHCD received 10/7/2024</i></u> This recommendation will be implemented with a more robust process and greater support from the Human Resources Department.
R2	JCFHD Board should be more diligent in financial review of the Healthcare District.	<u><i>Response from JCFHCD received 10/7/2024</i></u> The board agrees and the treasurer was involved in vetting financial consulting firms to select Warbird Consulting Partners to verify bank accounts, payroll, financial statements, etc. The consulting firm will

		make regular reports to the board during its nine-month contract.
R3	JCFHD should review existing vetting procedures for hiring C-suite level management within 6 months.	<u><i>Response from JCFHCD received 10/7/2024</i></u> The JCFHD Board will task the Human Resources Department with review of all policies for hiring of C-suite personnel and will work with legal counsel, as needed, to implement best practices. The JCFHD Board will require that Human Resources report to the JCFHD Board its progress on this matter to ensure completion within the Grand Jury's 6-month time frame.
R4	JCFHD Board of Directors should ensure adherence to existing vetting procedures for hiring C-suite level management.	<u><i>Response from JCFHCD received 10/7/2024</i></u> While the JCFHD Board is only responsible for engaging the CEO of the District and no other C-suite level management, the JCFHD Board will endeavor to adhere to vetting procedure when they hire the CEO and require staff (Human Resources) to adhere to such vetting procedures when other C-suite level management is hired.
R5	Immediately, JCFHD should make it a priority to work together and function cohesively as a team	<u><i>Response from JCFHCD received 10/7/2024</i></u> JCFHD Board agrees with this recommendation and will make this a priority.
R6	Immediately, JCFHD Board of Directors should ensure procedures for financial oversight of CEO are being followed at all times.	<u><i>Response from JCFHCD received 10/7/2024</i></u> JCFHD Board agrees with this recommendation and have made this a priority.
R7	JCFHD Board of Directors should review the organizational structure of the Healthcare District,	<u><i>Response from JCFHCD received 10/7/2024</i></u> JCFHD Board agrees with this recommendation and will ensure that this task is completed within the Grand Jury's 9-month time frame.

	specifically related to financial responsibilities of the CEO, COO and CFO with the intention of creating more financial oversight within their purview, within 9 months.	
R8	Immediately, JCFHD Board of Directors should review and establish mechanisms to guarantee timely production of accurate audits.	<i><u>Response from JCFHCD received 10/7/2024</u></i> JCFHD Board agrees with this recommendation and have made this a priority.
R9	Immediately, the JCFHD Board of Directors should continue with the reimplementation of the JCFHD compliance hotline.	<i><u>Response from JCFHCD received 10/7/2024</u></i> JCFHD Board agrees with this recommendation and is currently working on this high priority item,
R10	JCFHD Board of Directors should practice due diligence with the Board Clerk to make certain all meeting minutes are recorded and kept as required by law.	<i><u>Response from JCFHCD received 10/7/2024</u></i> JCFHD Board agrees with this recommendation and has always made this a priority and will continue to do so.

FINDINGS AND RECOMMENDATIONS UNDER THE SECTION TITLED:

PARALLELS BETWEEN COUNTY GOVERNMENT AND JCFHD

Findings		Responses
F1	JCFHD and Mariposa County do not have their own	<i><u>Response from JCFHCD received 10/7/2024</u></i>

	clearly defined whistleblower policies making it difficult for staff to report issues of non-compliance.	We agree to this finding. The JCFHD has a compliance officer who is currently working to establish compliance policies and procedures.
F2	JCFHD and Mariposa County do not have clear procedures for establishing, managing and reviewing contracts with external consultants which often leads to contract delays, deliverables that do not meet original objectives and excessive financial costs.	<u><i>Response from JCFHCD received 10/7/2024</i></u> We disagree with this finding. The JCFHD does have clear procedures for handling our contracts.
Recommendations		Responses
R1	JCFHD and Mariposa County Board of Supervisors should each create unique procedures of staff to report issues of non-compliance.	<u><i>Response from JCFHCD received 10/7/2024</i></u> The JCFHD 's compliance officer is already creating these procedures.
R2	JCFHD and Mariposa County Board of Supervisors should establish procedures that create more strategic engagement practices with external consultants to	<u><i>Response from JCFHCD received 10/7/2024</i></u> The JCFHD does have procedures and practices that deal with pre-contract negotiations, clear and timely project review mechanism and post contract review.

	include pre-contact negotiations, clear and timely project review mechanism and post contract review.	
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2025 Update from JCFHD:

The JC Fremont Board member that was contacted in January and had not responded in writing as agreed as of April 15, 2025 regarding a follow up on recommendations made by the 2023-2024 grand jury. A final request for response was sent on April 29th, 2025 with the end of the jury term approaching. The response received on May 20th, 2025 did not provide any answers regarding the recommendations to the prior grand jury. Observations of the public press releases to the Mariposan and Mariposa Gazette show that progress to improve the operations of the hospital are still in beginning stages. The discontinuance of the Home Health Services and Hospice through the hospital foundation has been replaced with private entities.

Mariposa County Auditor

FINDINGS AND RECOMMENDATIONS UNDER THE SECTION TITLED:

Analysis of Fiscal Year 2023-2024

Findings		Responses
F1	The annual financial audit for FY 2021-22 has not been completed for Mariposa County leading to incorrect fiscal year budget projections for FY 2023-24.	<u>Response from MCA received 9/6/2024</u> I agree with this finding.
F4	Daily activities not completed and left incomplete over a long time put the County at risk, as shown with the lack of a completed audit for FY 2021-22.	<u>Response from MCA received 9/6/2024</u> I agree with this finding.
F5	Working relationships between the Auditor's Office and County Administration were negatively affected by the combination of miscalculated budget for FY 23-24 projections and lack of completed FY 21-22 audit.	<u>Response from MCA received 9/6/2024</u> I agree with this finding.
Recommendations		Responses
R1	The Auditor should establish written procedures for how audits for the fiscal	<u>Response from MCA received 9/6/2024</u> I will implement this recommendation.

	year shall be completed on a timely basis within the next three (3) months.	
R2	The Auditor must complete two (2) management/leadership trainings totaling a minimum of 16 hours within 12 months. Successful completion of this activity shall be documented with the 2024-25 Civil Grand Jury within 30 days of completion.	<u>Response from MCA received 9/6/2024</u> I will implement this recommendation.
R4	Within six (6) months, the Auditor and Assistant CAO/Finance should participate in a facilitated debrief of activity and decisions reached between their offices over the last two (2) years.	<u>Response from MCA received 9/6/2024</u> I will implement this recommendation.
R5	After completion of R4, the Auditor and Assistant CAO/Finance will develop a plan to continue a strong working relationship.	<u>Response from MCA received 9/6/2024</u> I will implement this recommendation.

FINDINGS AND RECOMMENDATIONS UNDER THE SECTION TITLED:

Continued Technology and Software Lessons

Findings	Responses
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F1	Incomplete implementation of Oracle and continued use of multiple software systems has necessitated double entry of data, which has led to increased rates of error and time dedicated to data entry in County services.	<u><i>Response from MCA received 9/6/2024</i></u> I agree with this finding.
Recommendations		Responses
R1	Within six months, the Auditor, CAO, and Assistant CAO/finance should complete a plan for elimination of AS400 from 90% of County activities by the end of FY 2025-26.	<u><i>Response from MCA received 9/6/2024</i></u> I will implement this recommendation.
R2	The County should examine methods of eliminating double entry in County functions within six (6) months.	<u><i>Response from MCA received 9/6/2024</i></u> I will implement this recommendation.
R4	The County should fully implement the Oracle Accounts Receivable module within one (1) year, in addition to any other areas of incomplete implementation.	<u><i>Response from MCA received 9/6/2024</i></u> I will implement this recommendation.

2025 Update from the Mariposa County Auditor:

A member of the 2024-2025 Grand Jury was able to meet with the Auditor's Office and confirmed they were still planning to move forward with following the recommendations given from the 2023-2024 Grand Jury.

Mariposa County Board of Supervisors

There were many findings and recommendations from the 2023-2024 MCCGJ Final Report which were responded to by the Board of Supervisors on October 4th, 2024. The table below highlights the sections which the BOS agreed with or partially agreed with in which the BOS gave a deadline for completion which the 2024-2025 MCCGJ would like to receive an update on completion.

FINDINGS AND RECOMMENDATIONS UNDER THE SECTION TITLED:

Workplace Culture, Training, and Organization

Findings/Recommendations		Response from Oct 4, 2024
F1/R1	F: Lack of written policies and procedures across multiple Mariposa County departments make it difficult for staff to perform duties efficiently and for new department managers to lead effectively. R: Board of Supervisors should direct all department directors and managers to provide a review of essential policies and procedures within six (6) months.	In Mariposa County Board of Supervisors' Response to the 2023-2024 Mariposa Grand Jury, the Board partially agreed to 2023-2024 MCCGJ's recommendation to direct all department directors and managers to provide a review of essential policies and procedures. The planned timeline for such action to be completed within 12 months starting from September 17, 2024.
F2/R2	F: Inconsistent communication between Mariposa County departments has led to a lack of continuity and	In Mariposa County Board of Supervisors' Response to the 2023-2024 Mariposa Grand Jury, the Board agreed to 2023-2024 MCCGJ's recommendation for the BOS to identify a central point of contact for review of necessary written policies and procedures within six (6) months, and that

	transparency in County services. R: Board of Supervisors should identify a central point of contact for review of necessary written policies and procedures within six (6) months. This should include review of policies and procedures to guarantee compatibility and consistency across departments.	it should include review of policies and procedures to guarantee compatibility and consistency across departments.
R5	Board of Supervisors, working with Human Resources, should review and develop standardized training opportunities for all County employees within six (6) months.	In Mariposa County Board of Supervisors' Response to the 2023-2024 Mariposa Grand Jury, the Board partially agreed to 2023-2024 MCCGJ's recommendation for the BOS to work with Human Resources, to review and develop standardized training opportunities for all County employees within six (6) months. Consequently, BOS planned to create an Internal Services Department, which will be comprised of Finance, Technology Services, and Human Resources, aiming to provide consistent services to all employees for their roles, and to improve the training opportunities for all employees within 12-18 months.
Analysis		
Board of Supervisors should give a status update on whether all department directors and managers are on schedule to provide a review of essential policies and procedures within the stated 12-month timeframe ending September 17, 2025, within three (3) months. Board of Supervisors should provide a status update on the County intent to reorganize the County Administrative Office and several departments to improve on the continuity		

and transparency of County departments, and whether it was completed in the 2024-2025 fiscal year ending June 30, 2025, within three (3) months.

Board of Supervisors should provide a status update on the planned development of standardized training opportunities across all departments and establishment of the Internal Services Department within six (6) months.

FINDINGS AND RECOMMENDATIONS UNDER THE SECTION TITLED:

Analysis of Fiscal Year 2023-2024

Recommendations		Response from Oct 4, 2024
R3	Board of Supervisors should establish procedures for regular financial review, including "check ins," for the completion of annual fiscal year audits within six (6) months.	In Mariposa County Board of Supervisors' Response to the 2023-2024 Mariposa Grand Jury, the Board agreed to 2023-2024 MCCGJ's recommendation for the establishment of procedures for regular financial reviews, or "check-ins," in order to ensure that County's fiscal year audit is completed in a timely fashion.
Analysis		
BOS should provide a detailed update whether an establishment of procedures for regular financial reviews, or "check-ins, has been implemented in the County, in order to be able to ensure that the County's fiscal year audit is on time, within (3) months.		

FINDINGS AND RECOMMENDATIONS UNDER THE SECTION TITLED:

Continued Technology and Software Lessons

Recommendations		Response from Oct 4, 2024
R3	The County should allow for ample time to implement Tyler while being aggressive about complete implementation of the new system.	In Mariposa County Board of Supervisors' Response to the 2023-2024 Mariposa Grand Jury, the BOS agrees to 2023-2024 MCCGJ's recommendation that The County should allow for ample time for implementation of the Tyler Enterprise Permitting System while being aggressive about complete

		implementation of the new system and requiring a phased transition plan to assist employees and the public.
R4	The County should fully implement the Oracle Accounts Receivable module within one (1) year, in addition to any other areas of incomplete implementation.	In Mariposa County Board of Supervisors' Response to the 2023-2024 Mariposa Grand Jury, the Board agrees to 2023-2024 MCCGJ's recommendation that The County should fully implement the Oracle Accounts Receivable module within one (1) year, in addition to any other areas of incomplete Implementation.
R5	The County should review use of private cell phones for work activities.	In Mariposa County Board of Supervisors' Response to the 2023-2024 Mariposa Grand Jury, the Board agrees to 2023-2024 MCCGJ's recommendation that the County should review use of private cell phones for work activities.
Analysis		
BOS should provide a detailed update on the progress of the implementation of the Tyler Enterprise Permitting System, within (3) months. The Board should provide an update on the implementation of the Oracle Accounts Receivable Module within three (3) months. The Board should provide an update on the review process of private cell phones used for work activities within three (3) months.		

FINDINGS AND RECOMMENDATIONS UNDER THE SECTION TITLED:

Complaints and Code Compliance

Recommendations		Response from Oct 4, 2024
R1	The County should codify code enforcement standards and provide clearly written procedures	In Mariposa County Board of Supervisors' Response to the 2023-2024 Mariposa Grand Jury, the Board agrees to 2023-2024 MCCGJ's recommendation The County should codify code enforcement standards and provide clearly written procedures for

	for case management through the Code Compliance Advisory Committee with one (1) year.	case management through the Code Compliance Advisory Committee with one (1) year.
R2	The Board of Supervisors should require that uniform standards for managing complaints specific to County operations be established within one (1) year.	In Mariposa County Board of Supervisors' Response to the 2023-2024 Mariposa Grand Jury, the Board agrees to 2023-2024 MCCGJ's recommendation that The Board of Supervisors should require that uniform standards for managing complaints specific to County operations be established within one (1) year.
Analysis		
The Board should provide an update on the Code Compliance Advisory Committee (CCAC) and the County's staff created Code Compliance Program recommendations, within three (3) months. The Board should provide an update on the reorganization, prepared by the County Administrative Office for the BOS, which is designed to address workload, workflow, complaints, and expected time of delivery of services, within three (3) months.		

FINDINGS AND RECOMMENDATIONS UNDER THE SECTION TITLED:

Development Services: Environmental Health Division, Building Department, and Planning Department

Recommendations		Response from Oct 4, 2024
R3	Immediately, effort should be made to address the Planning Department Deputy Director and other staff vacancies	In Mariposa County Board of Supervisors' Response to the 2023-2024 Mariposa Grand Jury, the Board agrees on the 2023-2024 MCCGJ's recommendation to address the Planning Department Deputy Director and other staff vacancies, and therefore to implement a strategy to address the unmet staffing needs to build a team that supports the work of the department and for the Planning Department to also solicit for a contract

		planning firm to be available to assist in processing planning entitlement applications during times of any staffing gaps that may occur in the future, so the organizational study implementation underway evaluates the determination of additional needs for deputy-level positions for the Planning Department.
R4	Working with Administration, the interim Building Department Director should evaluate and establish an effective reflection of the department's budget as an enterprise within six (6) months.	In Mariposa County Board of Supervisors' Response to the 2023-2024 Mariposa Grand Jury, the Board partially agrees on the 2023-2024 MCCGJ's recommendation that Working with Administration, the interim Building Department Director should evaluate and establish an effective reflection of the department's budget as an enterprise within six (6) months. Consequently, the BOS proposed a remedy, in which the County Administrative Officer will complete the budget review as part of the organizational review, and the review to be concluded in the following six (6) months.
R5	Immediately, policies and procedures should be written for the Departments of Planning and Building and the Division of Environmental Health.	In Mariposa County Board of Supervisors' Response to the 2023-2024 Mariposa Grand Jury, the Board agrees on the 2023-2024 MCCGJ's recommendation on the needs for written policies and procedures for the Departments of Planning and Building and the Division of Environmental Health to be reviewed for consistency and accuracy across the units within one (1) year.
Analysis		
Within three (3) months ,the Board should provide an update on the implementation of a strategy to address the unmet staffing needs to build a team that supports the work of the department and on the progress of soliciting for a contract planning firm, which firm is to be available to assist in processing planning entitlement applications during times of any staffing gaps that may occur in the future for the Planning Department.		

Within three (3) months, The Board should provide an update whether the County Administrative Officer was able to complete the budget review as part of the organizational review within the specified timelines.

Within three (3) months, The Board should provide an update if the departments' written policies and procedures are reviewed on an annual basis to ensure that the policies and procedures remain viable based on any changes required due to state law changes or efficiencies garnered through the implementation of the Tyler permitting system.

FINDINGS AND RECOMMENDATIONS UNDER THE SECTION TITLED:

Parallels Between County Government and JCFHD

Findings/Recommendations		Response from Oct 4, 2024
F1/R1	F: JCFHD and Mariposa County do not have their own clearly defined whistleblower policies making it difficult for staff to report issues of noncompliance. R: JCFHD and Mariposa County Board of Supervisors should each create unique procedures for staff to report issues of non-compliance.	In Mariposa County Board of Supervisors' Response to the 2023-2024 Mariposa Grand Jury, the Board agrees on the 2023-2024 MCCGJ's recommendation that JCFHD and Mariposa County Board of Supervisors should each create unique procedures for staff to report issues of non-compliance, and therefore The BOS plans for training to be developed so that all employees understand how to utilize the existing procedures for grievances, whistleblowing, and reports of non-compliance.
F2/R2	F: JCFHD and Mariposa County do not have clear procedures for establishing, managing and reviewing contracts	In Mariposa County Board of Supervisors' Response to the 2023-2024 Mariposa Grand Jury, the Board agrees on the 2023-2024 MCCGJ's recommendation that JCFHD and Mariposa County Board of Supervisors should establish procedures that create more strategic engagement

	with external consultants which often leads to contract delays, deliverables that do not meet original objectives and excessive financial costs. R: JCFHD and Mariposa County Board of Supervisors should establish procedures that create more strategic engagement practices with external consultants to include pre-contract negotiations, clear and timely project review mechanisms and post contract review.	practices with external consultants to include pre-contract negotiations, clear and timely project review mechanisms and post contract review.
Analysis		
Within three (3) months, The Board should provide an update on whether a clear plan for training has been developed so that all employees understand how to utilize the existing procedures for grievances, whistleblowing, and reports of non-compliance. Within three (3) months, The Board should provide an update on the results of the implementation of the review of contracts in the County, which has been assigned to the County Administrative Officer by the BOS.		

FINDINGS AND RECOMMENDATIONS UNDER THE SECTION TITLED:

Continuity Report

Findings/Recommendations		Response from Oct 4, 2024
R1	County Counsel should develop and provide educational material for Board of Supervisors, Directors and staff for how to affectively work with civil grand jury in the next six months, Board of Supervisors should welcome comment from any named invited responses.	In Mariposa County Board of Supervisors' Response to the 2023-2024 Mariposa Grand Jury, the Board agrees on the 2023-2024 MCCGJ's recommendation that County Counsel should develop and provide educational material for Board of Supervisors, Directors and staff for how to affectively work with civil grand jury in the next six months starting September 17, 2024.
Analysis		
Within three (3) months, The Board should provide an update on the results whether County Counsel was able to develop and provide educational material for Board of Supervisors, Directors and staff for how to affectively work with civil grand jury within the specified timeframe of six (6) months.		

Table 2

The following is the full text of the California State Penal Codes that are referenced in this report.

929.

As to any matter not subject to privilege, with the approval of the presiding judge of the superior court or the judge appointed by the presiding judge to supervise the grand jury, a grand jury may make available to the public part or all of the evidentiary material, findings, and other information relied upon by, or presented to, a grand jury for its final report in any civil grand jury investigation provided that the name of any person, or facts that lead to the identity of any person who provided information to the grand jury, shall not be released. Prior to granting approval pursuant to this section, a judge may require the redaction or masking of any part of the evidentiary material, findings, or other information to be released to the public including, but not limited to, the identity of witnesses and any testimony or materials of a defamatory or libelous nature.

933.

(a) Each grand jury shall submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year. Final reports on any appropriate subject may be submitted to the presiding judge of the superior court at any time during the term of service of a grand jury. A final report may be submitted for comment to responsible officers, agencies, or departments, including the county board of supervisors, when applicable, upon finding of the presiding judge that the report is in compliance with this title. For 45 days after the end of the term, the foreperson and his or her designees shall, upon reasonable notice, be available to clarify the recommendations of the report.

(b) One copy of each final report, together with the responses thereto, found to be in compliance with this title shall be placed on file with the clerk of the court and remain on file in the office of the clerk. The clerk shall immediately forward a true copy of the report and the responses to the State Archivist who shall retain that report and all responses in perpetuity.

(c) No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. One copy shall be placed on file with the applicable grand jury final report by, and in the control of the currently impaneled grand jury, where it shall be maintained for a minimum of five years.

(d) As used in this section "agency" includes a department.

933.05.

(a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding.

(2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

(b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, with a summary regarding the implemented action.

(2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

(c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

(d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.

(e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.

(f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.