



MONO COUNTY GRAND JURY

2019-2020

FINAL REPORT

Submitted July 20, 2020

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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF MONO

IN RE:

2019-2020 Grand Jury

GENERAL ORDER

I certify that the 2019-2020 Mono County Grand Jury Final Report, pursuant to California Penal Code § 933 (a), complies with Title Four of the California Penal Code and direct the County Clerk to accept and file the final report as a public document.

Dated this 28th day of July, 2020.



MARK MAGIT
Presiding Judge of the Superior Court

Dear Judge Magit and Citizens of Mono County,

The 2019-2020 Mono County Grand Jury has finished its work. First, we would like to thank the Mono County citizens who served on the Grand Jury for their hard work and diligence despite the obstacles they were faced with.

We would also like to thank the support team of the Grand Jury. This is my second year serving on the Grand Jury and all our supporters in the Superior Court and Mono County have always been extremely helpful and quick to come to our aid with their knowledgeable counsel.

We would also like to thank the community leaders who we contacted and interviewed for their cooperation, and their invaluable insight into the workings of Mono County and the Town of Mammoth Lakes.

We believe it is important to review responses to the recommendations of the previous Grand Jury and provide updates where appropriate. We would like to thank those who responded to our questions and gave us updates on their progress in implementing the recommendations of the previous Grand Jury.

I would like to thank Ken Brengle for his work as Assistant Foreperson, Barbara Philips for her work as Secretary, Lorinda Beatty and Carolyn Balliet for chairing their committees, and Wendilyn Grasseschi for her work with the editorial process.

Lewis Jones

A handwritten signature in black ink, appearing to read 'L. Jones', written over the printed name 'Lewis Jones'.

Grand Jury Foreperson

THE GRAND JURY SYSTEM

Shrouded in secrecy, the functions of a Grand Jury are not widely known. The following summary describes what a Grand Jury is and does:

The Grand Jury system dates back to 12th century England during the reign of Henry II. Twelve “good and lawful men” were assembled in each village to investigate anyone suspected of crimes. The jurors passed judgment based on what they themselves know about a defendant and the circumstances of the case. It was believed that neighbors and associates were the most competent to render a fair verdict. By the end of the 17th century, the principle that jurors must reach a verdict solely on the basis of evidence was established, and that practice continues today. Although California Supreme Court decisions have curtailed the historical criminal indictment function, the Grand Jury still serves as an inquisitorial and investigative body functioning as a “watchdog” over regional government.

The Mono County Grand Jury, as a civil Grand Jury, is not charged with the responsibility for criminal indictments except in the case of elected or appointed county officials. Its primary function is the examination of county and city government, including special legislative districts such as community service districts and fire protection districts. The Grand Jury seeks to ensure that government is not only honest, efficient and effective, but also conducted in the best interest of the citizenry. It reviews and evaluates procedures, methods and systems used by governmental agencies to determine compliance with their own objectives and to ensure that government lives up to its responsibilities, qualifications and the selection process of a Grand Jury are set forth in California Penal Code Section 888 et seq.

The Grand Jury responds to citizen complaints and investigates alleged deficiencies or improprieties in government. In addition, it investigates the county’s finances, facilities and programs. The Grand Jury cannot investigate disputes between private citizens or matters under litigation. Jurors are sworn to secrecy, and all citizen complaints are treated in strict confidence.

The Mono County Grand Jury is a volunteer group of 11 citizens from all walks of life throughout the county. Grand jurors serve a year-long term beginning July 1, and the term limit is two consecutive years. Lawfully, the Grand Jury can act only as an entity. No individual grand juror, acting alone, has any power or authority. Meetings of the Grand Jury are not open to the public. By law, all matters discussed by the Grand Jury and votes taken are kept confidential until the end of term.

One of the major accomplishments of a Grand Jury is assembling and publishing its Final Report. This document is the product of concentrated group effort and contains recommendations for improving various aspects of governmental operations. When it is completed, the Final Report is submitted to the presiding judge of the Superior Court. After release by the court, it is directed first to county department heads for review, then to the communications media. The Final Report is a matter of public record, kept on file at the court clerk’s office. It is also available online at:

<http://www.mono.courts.ca.gov/>

2019-2020 GRAND JURY MONO COUNTY JAIL FINAL REPORT

BACKGROUND

Penal Code Section 919(b) requires that the Grand Jury annually inquire into the condition and management of public prisons with the County.

METHODOLOGY

Due to the Covid-19 pandemic the Grand Jury was unable to visit the jail for an inspection or interview staff in person. The Grand Jury was able to question Mono County Jail staff remotely. The questions from the Grand Jury focused mainly on protocols for the mitigation of spread of the virus to personnel and inmates.

Contract to provide tele-psychiatric services to Mono County jail:

Mono County Board of Supervisors Meeting Minutes September 10, 2019

Link to original order to suspend standards for county jails:

<http://www.bscc.ca.gov/adult-facility-status-due-to-covid-19/>

link for real-time info on county jail status in California:

<https://app.smartsheet.com/b/publish?EQBCT=05cbaea0a5fd4e90baf0654ecdacfe1a>

DISCUSSION

The Mono County Jail, located in Bridgeport, CA is within the jurisdiction of the MCGJ. The current jail facility was built in 1964 with further construction done in 1988. The jail is a Type II Facility which constitutes a maximum of 48 beds with a current population of 23 at the time of the tour. Recent California State legislation has resulted in more offenders with longer terms being sent to county jail facilities rather than to state prisons. This has resulted in counties housing more inmates for longer periods time and all the additional costs associated with that legislation. As stated in The Marshall Project of April 23, 2019, "...changes were also supposed to help people convicted of nonviolent crimes, by letting them serve their sentences close to home in county jails with lots of education and training programs...County spending on medicine for inmates [statewide] has jumped (to almost \$64 million in 2017 from \$38 million in 2010), and the cost of psychotropic medication has recently spiked." (1) Note: Juvenile offenders may not be housed within sight of an adult, therefore,

given the space restrictions at the current Mono County facility, they are sent to other counties within California where they can be appropriately accommodated.

The Mono County Jail has a Coronavirus testing protocol in place. Personnel are tested on a case by case basis. If an employee complains of any flu-like symptoms they are sent for a medical evaluation by their primary care physician and tested if they meet the screening requirements. If they are tested, they are kept from work until the test results are received. If the test is positive, they will be immediately isolated at home and Public Health will be contacted to arrange testing for all personnel and inmates. Inmates have not been tested as of this writing. The Jail staff explained that all the inmates have been in custody since before the shutdown and have not exhibited any symptoms. Jail staff do not currently have social distancing protocols in place also due to the isolation of the inmates. If a new prisoner were to be brought into the Jail, they would receive a medical clearance at Mammoth Hospital prior to booking and would be tested if they had any symptoms. They would then be held in isolation until results are received.

Jail personnel are required to wear PPE (personal protective equipment) which is provided by Mono County. Mono County Jail staff stated that everyone coming into or leaving the jail must follow their "Exposure Control Program" which outlines precautions to be taken by all personnel (The Grand Jury did not see a copy of this document).

All in-person visits with inmates, excepting attorney visits through glass barriers, are currently suspended at least through June 25th. Video visits via Zoom are provided on request according to Jail staff.

The medical needs of inmates have not been significantly disrupted by the Coronavirus pandemic according to staff. Officers and inmates are required to wear masks when entering a clinic or hospital. Toiyabe Health Center in Coleville is the primary health facility for inmates. Mammoth Hospital is being used for emergencies and specialty appointments. Mono County has entered into a contract with North American Mental Health Services for the provision of Tele-Psychiatry Services at Mono County Behavioral Health and in the Mono County Jail which should help to provide badly needed mental health services for inmates.

FINDINGS

F1: The Grand Jury finds that Mono County continues to maintain a well-run jail facility and has responded to the Coronavirus pandemic in an appropriate manner.

RECOMMENDATIONS

R1: The Grand Jury finds that the Mono County Jail continues to be a well-run facility. The Grand Jury has no recommendations at this time.

19-20 Grand Jury Continuity Committee Final Report

BACKGROUND

While the Grand Jury will not continue investigations of past Grand Juries, we do feel it is important to follow up on their work and provide an update on what progress being made by the investigated agencies. First, to indicate if there was a response to the Grand Jury report and second, to report on what progress is being made to comply with their stated proposals in response to the recommendations of the Grand Jury

SUMMARY

All reports were responded to within the required time. The Grand Jury checked the status of the agencies' efforts to comply with the recommendations of the previous Grand Jury either through public records or by questioning individuals with knowledge of those efforts. The current Grand Jury did not find any items which we felt required further investigation at this time. Previous Grand Jury reports and responses to them can be found at <https://www.mono.courts.ca.gov/generalinfo/jury-grandjury.htm>

Continuity Committee Solid Waste Report

FINDINGS

TOML and Mono County are progressing with the recommendations made by the 18-19 Grand Jury. The 19-20 Grand Jury submitted questions and looked at public documents to provide an update on TOML and Mono Counties' progress to date.

F1: The 18-19 Solid Waste Committee recommended that TOML view the Mammoth Disposal transfer station as phase one of the solid waste plan with phase two being a larger site which could accommodate the processing of industrial waste, green waste and other programs which can be used to reduce landfill usage and reduce costs.

In their response to the 18-19 Grand Jury report, TOML agreed with the recommendation and stated that the new agreement would include construction of a new transfer facility and clean Material Recovery Facility (MRF) sized to accommodate the projected solid waste needs of TOML as well as Mono County. Participation in the use of the facility by Mono County would be an option as the County works to finalize their overall system changes in response to the landfill closure. The new

agreement will also require Mammoth Disposal to procure long-hauling agreements outside of the County to dispose of solid waste once Benton Crossing Landfill has closed. TOML also stated that a public outreach plan to ensure the public has sufficient time and information to plan for the closure and changes in services and cost. Development of other sites and facilities can be determined once the agreement with Mammoth Disposal is in place.

As of this writing TOML and Mammoth Disposal have extended the current agreement three times. The latest extension of the contract will expire December 30, 2020. TOML has stated that they are waiting to have a proper rate analysis study completed before terms of a new contract can be discussed.

F2: The 18-19 Grand Jury recommended that TOML and Mono County partner to make necessary improvements to the Pumice Valley site so it could be a viable location for a biomass reactor, associated waste programs, and recycling operations. Timeline: Completed no later than January 1, 2023.

TOML responded to the 18-19 Report that a biomass facility will not be a condition of the Agreement, but the Agreement will allow for diversion of certain types of waste to such a facility should it be developed in the future. Impacts to the residents of Mammoth Lakes and Mono County will be better known once the Agreement is in place. Mono County had some questions about the economic, political, and environmental ramifications of a biomass reactor.

Mono County's response to the 18-19 Grand Jury also cited the need for further analysis and a better understanding of what the upcoming solid waste program will look like in Mammoth Lakes and Mono County overall.

TOML and Mono County agreed that while Pumice Valley was under consideration for such a site, it was not the only site under consideration.

F3: The 18-19 Grand Jury recommended that TOML and Mono County develop a plan for complying with the amounts of recycling and organic waste going to landfills in the likely event that State of California rural exemptions are changed by July 1, 2020.

Mono County informed the 19-20 Grand Jury that they have applied for an extension of the low population waiver of mandates concerning organic waste and methane emissions in SB1383. No changes to rural exemptions were being considered during the comment period. The waiver would expire in 2025, or later if the State were to meet organic waste reduction targets. Mono County will also be applying for an Elevation Waiver under section 18984.13(d) which is applicable indefinitely. In addition, Mono County has taken significant steps in improving capacity and efficiency of processing green material, more specifically, wood material. Wood material can be processed into several beneficial products including biomass feedstock, alternative cover, mulch and erosion control media. Specialized equipment has been acquired and implemented. Additionally, Benton Crossing Landfill has implemented a composting pilot program. Testing is under way to identify an appropriate recipe of ingredients based on incoming waste streams.

Mono County further stated that they are actively involved in regional efforts to address green waste diversion. Collaboration and planning on upcoming forest health improvement and water quality projects include entities such as the Town of Mammoth Lakes, Sierra Institute, Inyo-Mono Integrated Regional Water Management Program, Eastern California Water Association, Plumas Corporation, Inyo National Forest and CalTrout. Mono County has agreed to allow siting of TOML's proposed biomass infrastructure at Pumice Valley Landfill and assisted with production of the Town's RFP (request for proposal) for equipment and technology which would remove organic material from the waste stream and out of landfills which may be used in the production of valuable products such as biochar, energy, compost, or similar type products.

Recommendations:

R1: The Grand Jury recommends TOML continue to make progress in planning and researching innovative solid waste solutions which will benefit residents and the environment after the Benton Crossing Landfill closure and beyond. The delay in coming to a beneficial agreement with Mammoth Disposal is concerning but understandable considering what is at stake and recent difficult circumstances.

R2: The Grand Jury recommends that Mono County continue to move forward with planning for the Benton Crossing Landfill closure. We also recommend they continue to collaborate with other regional entities as they develop the infrastructure and expertise needed for Mono County to successfully move to a future transition without Benton Crossing Landfill.

Continuity Committee MCOE Report

FINDINGS

The Grand Jury Continuity Committee asked MCOE (Mono County Office of Education) for an update on their progress in meeting recommendations made by the 18-19 Grand Jury which were still in progress. The recommendations and MCOE's updated response follow:

F1. The 18-19 Committee recommended that MCOE BOT adopt a policy for Continuing Education classes as defined by California School Board Association Professional Governance Standards for The Individual Trustee and The Board Guidelines Recommended Guidelines. MCOE responded in 2019 that the recommendation would require further analysis.

MCOE responded to the 19-20 GJ that they had implemented a yearly training program for the Board of Trustees beginning in 2019. MCOE also stated that once per year is "standard" for County Boards of Education.

F2. The Committee recommended a systematic update of all policies and procedures. As of August 2019, MCOE had begun an update of their policies and procedures and expected to be complete by January 31, 2020. MCOE.

MCOE responded to the 19-20 Grand Jury that they are currently working with the California School Board Association to go through all MCOE policies for updating and to ensure all policies are current. MCOE further stated that following this process all their policies will be available to the public online.

F3. The Committee recommended expenses administered for oversight and administration of the Charter School be defined with separate a profit/loss sheet available to the public. MCOE responded to the 18-19 Grand Jury that the recommendation required further analysis. MCOE noted that county offices of education do not use or create "profit and loss" statements. However, the MCOE stated that the Superintendent would further study whether to implement the spirit of the recommendation, which is to demonstrate that the chartering of a charter school by MCOE benefits Mono County students.

MCOE responded to the 19-20 Grand Jury that the funding stream created by the charter school which benefits MCOE is part of their yearly budget. The ADA (average daily attendance) the charter school generates is part of the state calculation used to determine our yearly funding. This ADA is also used in the calculation the state uses to determine our county special education funding.

RECOMMENDATIONS:

R1 and R2: The Grand Jury finds that MCOE has complied with the recommendations they agreed to in their original response.

R3: The Grand Jury recommends that while MCOE has stated the Charter School brings in additional State funding to the benefit of Mono County students, they should also provide a comparison of the Charter School expenses which offset revenues from the State generated by the Charter School. And, provide a method for that information to be available to Mono County residents.

Continuity Committee Mono County Jail Report

FINDINGS

F1: The 18-19 Grand Jury recommended that the Mono County Board of Supervisors and Department of Public Works should make every effort to progress the final planning and construction phases of the New Jail building to avoid cost overruns, provide the best possible long-term facility and be able to incorporate the health clinic for locals. Timeline: End of 2019.

In their response the Mono County Sheriff's Office agreed with the recommendation. According to Mono County staff the jail project was delayed due to the construction of the new County Building in Mammoth Lakes. That is still the case as of this writing.

F2: The 18-19 Grand Jury recommended that the Mono County Board of Supervisors should fund all open jail staff positions. Timeline: The next Fiscal Budget.

In their response The Sheriff's Office agreed with the recommendation. Sheriff Braun requested the funding of all positions during the budget process, and the 2019-2020 Mono County Budget funded 18 out of 20 positions in the Jail, leaving two Public Safety Officer positions unfunded. The Sheriff's Office is currently in the hiring process for three funded positions: one current vacancy and two anticipated vacancies.

The 19-20 Grand Jury verified with the Mono County Jail that the situation is still as the Sheriff's Office described in their response.

F3: The 18-19 Grand Jury recommended the Sheriff's department to provide additional camera coverage for any potential blind spots within the current jail facility. Timeline: Within the next six months.

In their response, the Sheriff's Office agreed with the recommendation and stated that they were assessing the positioning of the current cameras to ensure that all aspects of Jail operations are covered. It should be noted that some aspects that are not covered by cameras are in the constant line of sight of the control center. We will also work with Public Works staff in the planning of the New Jail to install cameras to cover all aspects of Jail operations.

The 19-20 Grand Jury found the cameras have yet to be installed.

F4: The 18-19 Grand Jury recommended that Mono County continue discussions of a possible Joint Powers Authority to manage a new 911 system shared by Mono and Inyo Counties and their appropriate emergency agencies (Police, Fire, Etc.) to provide improved and consistent services to the community.

The Sheriff's Office agreed with the recommendation and is actively engaging with partner agencies in Mono and Inyo Counties on the potential for a regional dispatch center. On August 13, 2019, the Mono County Board of Supervisors approved an expenditure of up to \$25,000 toward a Feasibility Study and Implementation Plan for a regional dispatch center. The Town of Mammoth Lakes also approved a \$25,000 expenditure, and requests are pending with the Bishop City Council and Inyo County Board of Supervisors.

Mono County Jail staff indicated to the 19-20 Grand Jury that Mono County's efforts to create a regional emergency dispatch center in partnership with Inyo County are ongoing.

F5: The Mono County Board of Supervisors is recommended to make an annual visit/tour of the Mono County Jail. Timeline: Annual.

The Sheriff's Office agreed with the recommendation and said they would welcome a visit by the Mono County Board of Supervisors.

The 19-20 Grand Jury finds that no Mono County Supervisors have paid a visit to the Jail Facility

RECOMMENDATIONS:

R1-4: The Grand Jury finds that Mono County and Mono Sheriff's Office have made every effort to comply with the recommendations of the 18-19 Grand Jury.

R5: The Grand Jury finds that, given current circumstances, a visit to the Jail would not be appropriate at this time.

Hilton Creek Continuity Report

FINDINGS

F1: The 18-19 Grand Jury recommended the HCCSD (Hilton Creek Community Service District) review and restructure their policies and procedures to ensure adequate information is communicated to allow a level of competition and fairness to avoid any appearance of impropriety. Timeline: By January 1, 2020.

HCCSD responded that they had requested help from County Counsel to devise a "quick-reference contracting and purchasing rules" chart and "contract thresholds and requirements" guide. In addition, HCCSD stated they had been trying to get more information about AB2249 regarding its application to HCCSD's public contracts. Their goal was to implement this recommendation as soon as they received the information from County Counsel.

The HCCSD provided the 19-20 Grand Jury with a copy of a detailed chart and guide as referenced above. They also indicated that they have dropped their request for clarification of AB2249 because they still have not heard from County Counsel.

F2: The 18-19 Grand Jury recommended HCCSD create and provide consistent bidding documentation and a delivery process of said documents to interested third-party service providers.

HCCSD responded to the 18-19 Grand Jury that they were in the process of creating consistent bidding documents and procedures relevant to the varying types of HCCSD projects they do. Our goal is to meet all deadlines set by the Mono County Grand Jury.

RECOMMENDATIONS

R1: The Grand Jury finds the HCCSD has complied with the 18-19 Grand Jury recommendations and continues to improve its contracting and purchasing rules. The Grand Jury has no further recommendations

19-20 Grand Jury Emergency Preparedness Final Report

Background

With the escalating dangers people everywhere face, the Mono County Grand Jury thought it important to report on some of the unique challenges facing Mono County, should the county be faced with a catastrophic event. We focused our report on the ability of Mono County's first responders and emergency planners to respond to such an event by looking at three main emergency response capacities: one, training and personnel, two, infrastructure, and three, communications. We will call these "Response Capacity One/Training and Personnel," "Response Capacity Two/Infrastructure and Response," and "Response Capacity Three/Communications" in the following report.

As the Grand Jury was pursuing its investigation, Mono County found itself confronted with just such an event; the ongoing coronavirus pandemic that was declared to be a county-wide emergency on March 16 and was still ongoing at the time of the writing of this report. At that time, the Grand Jury met and made the decision to discontinue the investigation into emergency preparedness for two reasons: first, in order not to create any distraction as Mono County's leaders responded to the pandemic and second, because the Grand Jury recognized that there will likely be a better opportunity to assess Mono County's emergency response capacity at a future date, once the Covid-19 emergency is over and there is an ability to look back at how the Covid-19 emergency, the longest lasting and most profound in the county's history, was handled.

Summary

Mono County faces a number of potential threats. For example, as a rural county surrounded by forest and desert, wildfires are one of the greatest threats to the county. Along with these increasingly large wildfires, another threat, Public Safety Power Shutoff events, where power can be shut off by utilities for multi-day stretches, are another.

Other events, such as emergencies due to large snowfall and avalanches are a relatively unique threat. Long winters and potentially large amounts of snow can create obstacles to emergency response.

Mono County also lies in an active earthquake zone; earthquakes are a serious threat.

More common threats to Mono County are multi-fatality automobile accidents, or a public health emergency.

What also makes Mono County unusual in facing these threats is two main things: one, its remoteness and geographical distance from large population areas and two, the fact it is a tourist-based economy.

For example, Mono County has a population of about 14,000 people, with a corresponding amount of public resources, staffing and infrastructure, but the county also sees more than 4.7 million visitor days per year.

Mono County's remote location also creates difficulties in receiving help from neighboring agencies. Mono County is considered to be a one of only a half dozen counties in the state considered to be a "frontier county" by state and national authorities--(According to the National Center for Frontier Communities, "Frontier America consists of sparsely populated areas (less than six people per square mile) that are geographically isolated from population centers and services. Frontier, like rural, suburban, or urban, is a term intended to categorize a portion of the population continuum. Frontier refers to the most remote end of that continuum...")

As such, significant help by highway is hours away at best, with the most accessible emergency help located in either the Carson Valley about 140 miles away to the north, or in the Ridgecrest/ Palmdale area, about 140 miles away to the south. Plane and helicopter access is also limited, due to the county's extreme weather and terrain.

Methodology

The Grand Jury conducted interviews with Mono County and Town of Mammoth Lakes (The TOML is the only community in Mono County that is incorporated) leaders in the areas of emergency response and communications. We also reviewed publicly available documents. We did not ask TOML or Mono County to provide documents, once the Coronavirus crisis arose, after March 13, 2020.

Supporting documents:

- <https://www.sierrawave.net/mammoth-lakes-fire-council-receives-grant-for-lakes-basin/>
- Resolution 2016-02, Mammoth Lakes Fire Department
- Community Planning for Wildfire "Final Recommendations for the Town of Mammoth Lakes" 2018
- Chapter 26.040 Transient Standards & Enforcement Mono County General Plan
- First Net info: <https://firstnet.gov/newsroom/press-releases/firstnet-authority-unveils-roadmap-plans-investment-principles>
- Quick Reference Contracting and Purchasing Rules
- Mono County HCCSD Contract Thresholds and Requirements (2019):
- All Hazards Team Contract
- Interagency Mutual Aid Agreement
- AB2249 Contracts by Public Agencies

Discussion

The TOML maintains an EOC (Emergency Operations Center) that is set up in the Minaret Mall's second floor (in a room called Suite Z) for emergency response purposes. This is the main EOC for the town; other places have included the Community Center on Forest Trail or field offices when needed. The county has a mobile EOC capacity, where an EOC can be set up in a trailer and moved, if need be, as well.

Response Capacity One: Training and Personnel

For the purpose of looking at the county's response capacity in terms of personnel and training, the Grand Jury focused on interviews with the MLFD (Mammoth Lakes Fire Department), the TOML (Town of Mammoth Lakes) government, and MCSO (Mono County Sheriff's Office).

The county responds to most emergencies using a "Mutual Aid" system, which is an agreement entered into by the TOML, Mammoth Fire District, and Mono County. From this group, an EOC can be created.

The county is also working on creating and training and certifying an AHIMT (All Hazards Incident Management Team) that would be available during emergencies. The team consists of a standing group of personnel from the three agencies taking part in the agreement. According to interviews with these groups, anyone on the AHIMT team must be given time by their prospective agencies to take part in training exercises. They will still be employed by and receive their normal benefits from their employer when they are working with the AHIMT.

At the time of this report, it was estimated that they are about halfway through their training regimen, which is based on the ICS noted above.

The county and TOML employees have already been through hundreds of hours of training in the ICS: they "are all at the 100 to 200 to 300 levels" according to Town officials.

That said, there are limits to what the team, called a 'Type 3 Team' under the ICS training, would take on alone. For example, active wildfires would generally be outside the scope of the team, as wildfires are generally handled by state or federal agencies who specialize in wildfire management, such as the U.S. Forest Service, the Bureau of Land Management, CalFire, etc.

The AHIMT has been used recently on some small events. The system was used last summer at times when fire danger was extremely high, but it operated in coordination with other wildfire responding agencies. The team receives technical assistance from the California Office of Emergency Services, or OES.

If an incident goes on for more than 24 hours, an EOC could be formed in Suite Z. This is a different multi-agency group comprised of various entities within the county, such as Public Health, the Mammoth Lakes Police, the Mammoth Fire Department, the Town's various departments such as Public Works, the county and various agencies from the county, Mammoth Hospital and possibly more, which could then make an emergency declaration.

A declaration can then pave the way to receive funding and resources from State or Federal agencies.

RESPONSE CAPACITY 2: INFRASTRUCTURE

For the purpose of examining how an emergency is responded to in terms of infrastructure capacity, the Grand Jury looked at wildfires in the most detail. Here is what the Grand Jury found:

Wildfire hazard mitigation is an important part of being prepared. Mono County has a three-pronged approach to fire mitigation. The first, initial focus is at the parcel level, because the most common method of fire spread within a community is from embers blown in front of a fire. So, efforts to harden the structure and manage fuels on and around the property are an important aspect of fire prevention.

The second priority is to focus on hot spots around the area where debris or vegetation or terrain would make a fire especially hard to put out, once started; for example, a ravine, or heavily wooded or very steep area.

The third focus is perimeters around towns and neighborhoods. The Mammoth Lakes Fire Safe Council received a grant last year for \$1 million dollars from the Sierra Nevada Conservancy to be used for a 'Lakes Basin Hazardous Fuels Reduction Project.' This is a project which focuses on thinning and fuels reduction on Inyo National Forest lands in the Lakes Basin area, located at the end of Lake Mary Road above the town of Mammoth Lakes. The grant is especially useful because the U.S. Forest Service Inyo National Forest, which manages the Lakes Basin, has no funds set aside for fire mitigation work at this time, mostly because of the heavy financial toll of recent wildfires. However, a CalFire organization, the California Conservation Corps, has received funds to do fire cleanup projects and MLFD is in talks with them to see if they are able to do any projects in Mono County.

Another issue that presents a challenge to Mono County during fire season is that many property owners in fire-prone areas in California are increasingly having problems getting fire insurance. Insurance companies often deny insurance based on zip code, the Grand Jury was told, without considering the actual fire mitigation efforts that have been done, whether they are community wide or at the parcel level. That said, there is currently a bill, AB2167, working its way through the California legislature which forces insurance companies to consider individual and regional efforts to reduce fire risk and provides the resources for them to do so.

Another issue is that during a fire or other catastrophic event, it could become necessary to evacuate parts of the TOML or the rest of Mono County. There are several challenges which could impact the TOML's ability to evacuate some areas in an efficient manner. One is that there are only two points of egress from TOML, the Mammoth Scenic Loop and State Route 203. If a significant evacuation was ordered within the Town, especially during a busy period with large numbers of visitors in town, the two routes and internal routes within the town could become overwhelmed.

To add to the difficulty in evacuating some neighborhoods, such as Old Mammoth, or the Juniper Lodge area, have limited routes out of their neighborhoods, which makes access for firefighters, as well as evacuation, difficult.

The Lakes Basin in summer has many campsites and cabins with limited access, in or out, and very narrow, winding roads that are little more than one lane roads in some cases. And, there is only one viable way out of the Lakes Basin: Lake Mary Road.

Any resources which are not available locally would be at least 24 hours in getting to our area, even in the best of times. High winds, typical during fire weather, could hamper high profile vehicles from reaching our area. In addition, Mono County, as a governmental agency established to meet the needs of a permanent population of about 14,000, has limited resources to respond to an evacuation order. Even local responders could be coming from some distance away due to the large geographical area of the county.

Another challenge is providing temporary shelter for evacuees, especially if a large number of people were evacuated. Shelters take time and specialized resources to set up. Depending on the nature of the hazard most of the hard buildings which could be used as temporary shelter are in a small area in Mammoth Lakes and might not be out of danger.

There are also some solutions to these challenges currently in place. For example, MLFD can work with CalOES to facilitate pre-placement of remote resources in the local area, if CalOES parameters indicate a severe fire hazard exists in the area.

Another partial solution is that during the PSPS events last summer, the local radio station tasked by law with getting out emergency information to the public, KMMT at 96.5 FM, found out that their generator was not working. AmeriGas donated a generator and the TOML is now supporting that propane tank to power the generator.

RESPONSE CAPACITY THREE/COMMUNICATIONS:

This topic will be broken down into two parts: a) communication within emergency response agencies and b) communication to the public.

a) Communication within the County/TOML agencies:

Communications between Mono County leadership and citizens in both directions is an important component of emergency preparedness. The Grand Jury focused on interviews with the EOC's Public Information Officer and the Mono County Sheriff. (The Covid-19 emergency interrupted interviews with the county's IT department and many others.)

Internal communications among local first responders is critically important to daily operations, as well as during emergencies. The MLFD is using a radio system which has become outdated and unreliable. There have been many recent instances where the system has been down for as long as 24 hours at a time according to MLFD. To create an up to date system, it will be necessary to upgrade from the current VHF system to a digital system. The estimated cost for such an upgrade for Mono County is \$12 million dollars.

That said, the radios being used by the Sheriff's Office, which are within a system called "Land Reach Radio" or LRR, are under constant upgrading at this time; and, they are modern radios. The radio system itself functions in a rudimentary way, and there are significant issues with the ability to fully hear the information coming across the radio due to static. The terrain of the county limits some working radio signals; cost issues have limited the fixing or upgrading of the bigger system, such as repeaters and other infrastructure. This is a critical issue because the existing LRR system is used by far more than emergency responders; it is used by the schools, by the county's public work department, by the county sheriffs' dispatcher, by the public schools, and many other organizations and agencies.

Two organizations in the Eastern Sierra, the Mono County Sheriff's Office and Mono County paramedics, have a different communications system which is used alongside the LRR system. Their vehicles have a unique communications infrastructure; every patrol vehicle has a computer in it that is linked to the county dispatch system and as such, every deputy can hear all dispatch traffic and calls through their patrol car computers. In the Mono County Sheriffs' Office, this vehicle-computer-based system is used "98 percent of the time," in place of the radio system. (That said, a LRR radio system is still considered to be critical and must be maintained county wide, in the event of a cell service

disruption or an internet shutdown. In that case, the LRR radios could be the only way to communicate. “We are also committed to a non-digital system,” the county sheriffs’ department said.) The computers in the Mono County sheriff’s office vehicles are GPS-enabled, allowing, for example, dispatch and responders to know which deputy is closest to the scene of a 911 call. Sheriffs’ deputies can run a license plate or rap sheet using the computers; again, they are the only agency in the county or the region that can do this directly. All other agencies, such as the Bishop Police Department, the Inyo County Sheriff’s Office, the MLFD and more still must use their dispatch centers, either in Bishop or in Bridgeport, and get the info over the radio, which triggers privacy concerns since all people monitoring the radios can hear all information. The GPS system in the sheriff deputy vehicles also can show the best route to the scene of an incident, another valued capacity in a large county with more gravel and dirt roads than paved roads. Some other agencies, such as the MLPD, do have mobile apps on their cell phones where they can hear some dispatch information, such as the information available on RIMS, but they do not have computers in their patrol vehicles at this time.

Another challenge is that some agencies operating in the Eastern Sierra, such as the CHP, are not open to allowing access to their communications to be heard by other agencies. They have a separate communication system which other agencies are not allowed to listen to (although CHP can monitor the rest of the county’s emergency traffic).

Mono County has a unique opportunity to be an early adopter in this project to provide a proof of concept. Mono County is currently involved in a demo project of a nationwide program called FirstNet, which has created a public/private relationship to set up a network which enables existing cell towers, wi-fi, and VHF repeaters to be accessed from the same device. The system could also be utilized by a possible ‘regional’ dispatch system manned by the Mono County Sheriff’s Office. The project, which is a collaboration between the First Responder Network Authority (a branch of the Commerce Dept.) and AT&T, is in development now. There was a demonstration of the system scheduled for March, 2020 but the Grand Jury was unable to obtain any information about it (or if it even occurred) partly due to an NDA (non-disclosure agreement) Mono County is a party to.

There is also a study going on now involving the county, the City of Bishop, Inyo County and the TOML to support an option that would use this FirstNet system if it were to be implemented and each of these agencies has contributed \$25,000 toward it; the study is looking at implementing a new, regional dispatch center in the Eastern Sierra (see more on this below). The state is a party to this study and has agreed to fund part of the study. It is considered a “pilot program” concept. This idea of regional, versus local only, dispatch centers is a relatively new concept for the state, which is increasingly interested in getting more regional dispatch centers operating. In fact, such centers are slowly becoming more common; there is one in Shasta County, for example, called SHASCOM, and more in the pipeline coming soon for Imperial County and several other counties in the state. They are a “force multiplier” and, as such, are more efficient in terms of cost and capacity. But there are still major issues to be worked out with such a regional dispatch center, such as who would fund them, who would train the employees, where they are located, a myriad of union issues associated with each agency’s respective purposes, and more. For example, a significant issue is that the room holding a dispatch centers must be “hardened” by law so they are secure and very few buildings in the Eastern Sierra can be repurposed for this – the current dispatch buildings in both Mono and Inyo

county are too small for a regional dispatch center. This will cost money and that is a big issue that needs to be worked out as well.

Another challenge facing communications during an emergency is that the existing dispatch center for the entire county is in Bridgeport in the county jail. There is an unusual personnel situation in place here; the dispatchers on duty at any given time are also jailers; this is part of the job – to be both. This is unusual in the state of California; in most cases, dispatchers are trained to be dispatchers; and jailers are jailers. But in Mono County, the two jobs are combined. This can be an obstacle to training and retaining good employees, since the two jobs are very different; a good dispatcher might not be a good jailer. While isolation and limited housing in the Bridgeport Valley area are a challenge, the County Sheriffs' Office said they have been able to keep positions staffed relatively well.

b) Communicating with the public:

The other side of the communications coin is emergency responders must also, in times of widespread emergencies such as a wildfire or a pandemic, communicate with the public at large, or with a group of people who might be affected by the emergency. In that case, they have a few options; one is a governmental alert system called IPAWS (Integrated public alert and warning system) which is now integrated into most mobile phones and can only be disabled by the user, if they choose to do so. Most users do not know the alert system is there and, as such, it is usually not disabled. IPAWS can be “geo-targeted”, that is, set to send alerts to only a geographically defined area, such as in the case of the big winter of 2016-17 when it was used to inform residents of the Down Canyon area of June Lake that the dams on Rush Creek were in danger of overflowing. The system can also be set for a wider, or smaller, geographical area and all users within that area will get the alert. That capacity is useful in Mono County where a large part of the population is likely to be visitors, not residents, at any given time.

This IPAWS is a “redundancy to what we have, which is CodeRed,” according to the sheriffs' department. CodeRed is based on a resident or visitor choosing to sign up and can only be used if the owner of the phone has signed up.

To communicate with the public, there is also something called “Next Gen 911” which is in place in Mono County but is not yet common in many other parts of the state. If someone calls Mono County dispatch, they are automatically identified using this technology; “we can pinpoint someone moving through their house” according to the sheriff's department. That means the location or address of the person is automatically entered into the call; this is called “ANI/ALI” or Automated Name Identification/Automated Location Identification. It allows the dispatcher to save time as they do not need to ask the public where they are located, etc.

The county is also looking at large, electronic signs which can be placed in strategic areas on roadways and updated as needed. And, free-standing boards placed in areas frequented by the public, such as the Post Office and Vons in addition to other ways of communicating. The County and/or the TOML can place signs at all the transit centers, and bus shelters, if there is no power as an alternative to getting information out digitally. The TOML, in conjunction with the EOC, may also utilize the large CalTrans digital signs to inform the public. There is a move by local officials to get

the CalTrans signs powered by solar; as of now, if the power goes out they cannot run these large signs.

Another challenge is the patchwork nature of cell service in Mono County. While cell service has greatly expanded in the past ten years, due to Digital 395 and an investment in the area by various companies, there are still issues. For instance, the eastern part of the county, the Tri-Valley area, can only be accessed using AT&T, while other parts of the county, such as the Crowley Lake area, can only be accessed using Verizon.

Another challenge is that cell towers typically have had only have enough backup battery power for a few hours. This was revealed during last year's PSPS situation. Now, the main cell tower companies have committed to creating backup systems that could provide power for 24-48 hours but that is not entirely in place at this time. Verizon had a better backup battery system at the time; ATT was lagging but has since "stepped up."

The media, which includes local radio stations and newspapers, will be given up to date information for public access, based on protocols set by the town and the county. To be sure there is a unified message, the EOC will dedicate one person to do it; most likely the EOC PIO (Public Information Officer). The PIO is trained and meets regularly with all PIOs up and down the Eastern Sierra regularly, including the PIO for Caltrans, the U.S. Forest Service, the County Sheriff's Office, and more.

The TOML and the County are also talking about designating a "one stop shopping" website where the EOC PIO downloads approved information in real time and as such, people can get up-to-the-minute details on any given emergency. It will probably be located on the county page. They will also send information out via a subscriber list. Then, radio and print can pick it up, but they do have to opt in, as does the public.

Transient rentals, or short term rentals, such as condominiums, hotels, cabins, etc., are required to include signage which list local emergency phone numbers; however, the required signage does not include listings of websites where visitors can find emergency information in the event of a town or county wide emergency event and as such, get updated information. Transient use properties are inspected at the time their permits are issued but are not re-inspected on a routine basis, only if there is a complaint. The TOML has the right to enter these properties at any time.

Findings:

F1: The radio system currently being used by MLFD and much of Mono County is fast becoming obsolete and unreliable. The TOML, Mono County, and other agencies within the County have begun the process of upgrading internal communications. They also have a unique opportunity to participate in the "FirstNet" nationwide communications system, they have been asked to participate in a pilot project which would bring this system to Mono County to provide a proof of concept.

F2: MLFD, Mammoth Lakes Fire Safe Council, and other agencies throughout the County are making good progress in wildfire mitigation efforts.

Recommendations:

R1: The Grand Jury recommends that Mono County and the TOML continue to support Mono County's participation in the FirstNet communications system and/or any appropriate improvements to the system as resources allow. The Grand Jury further recommends that these improvements be made within the scope of a unified plan for the entire County.

R2: The Grand Jury recommends that Mono County and the TOML continue to support wildfire mitigation efforts in the areas surrounding Mammoth Lakes and in the County as a whole.