

Opinion: Hit piece proves grand jury's irrelevance

By Larry Weitzman

Supervisor Ron "Mik" Mikulaco doesn't always vote with the majority of the Board of Supervisors. His most important vote was a dissenting no vote on the last budget (FY 2014-2015 which had a large structural deficit), which happened to be the last budget submitted by ex-CAO Terri Daly.

Someone during this last grand jury term must not like Mik as this last GJ produced a report (GJ 14-15) that looked more like a political hit piece by a potential future opponent. Mik is up for re-election next year. And one of the most frequent, if not the most frequent visitor to this GJ, is none other than Terri Daly.



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In its opening background statement the GJ had the audacity to belittle Mik's campaign style in his first election campaign commenting that he wore a "depression style" sandwich board sign on El Dorado Hills Boulevard asking for votes. Much to the chagrin of the GJ it worked. Who and in what place is the GJ to write a report on campaigning? It's not within their charge or purview. This is just another reason why the GJ should be eliminated.

Penal Code Section 933.05(e) provides that if the subject of a

GJ investigation is a department head or other official then it is mandatory that the subject be interviewed by the GJ. There is no question the subject of this investigation is Mik. Mik claims he was never interviewed by the GJ with respect to anything within the report. If that fact is true, and I see no reason why it wouldn't be, not only is the report unfounded, but it is just another reason for its illegitimacy. This GJ of 2014-2015 may have been operating beyond its legal capacity.

But there is so much more. The GJ complained that Mik used his approximately \$250,000 discretionary budget, which pays for assistants and office and other sundry expenses, was misused. Every supervisor gets such a discretionary budget. Mik spent about \$25,000 of his budget on a second office in El Dorado Hills near Town Center. The GJ claims this wasn't proper use of his discretionary budget. What doesn't the GJ understand about the meaning of the word "discretionary"?

Perhaps the GJ needs a course in remedial English, which in the UC system is known as "dumbbell English." Since the GJ obviously doesn't know the definition of "discretion or discretionary," let's enlighten them. According to Webster the definition of discretion is: "1. the freedom or authority to make decisions or choices." Discretionary is defined as "left to one's own discretion; regulated by one's own choice." What does the GJ not understand about the supervisor's having a \$250,000 discretionary budget? Mik made the conscience choice to have an office in his district. It's solely his choice and the GJ has no right or basis to say anything. Yet they make a big deal about the use of Mik's discretionary budget. One could say the GJ's claim is an oxymoron.

Of course, the other explanation for this oxymoron is the real purpose of the GJ report. When combined with the opening paragraph it should be considered a political hatchet job. It only further cements the argument that the BOS should abolish the GJ or in the least defund it.

In a final attempt to smear the independent thinking Mik, the GJ says his behavior is odd. He "can be moody or he terrorizes many female employees." They claim this information was from testimony. Does that mean sworn testimony or from an interview? Since the GJ is allowed to conduct non-sworn interviews, such statements or answers to questions are nothing more than hearsay or gossip. According to the district attorney, much of the GJ testimony is nothing of the sort as it is not sworn and therefore not testimony or legal evidence as the GJ is a legal forum. Because grand juries are secret and considering the ridiculous and ludicrous things said in several other reports which were misleading or untrue, their claimed "evidence" has little, if any, weight. Mik denies all their allegations.

Even more telling is the GJ's own admission that the other four supervisors "do not recognize Mikulaco's aberrant behavior" Maybe it doesn't exist so the GJ goes on to claim that the other supes "turn a blind eye to his antics" What kind of self-assuming GJ is this? That's the kind of thinking that happens in Third World kangaroo courts like Iran, Venezuela and Cuba.

But wait there is more. One of the GJ members for the year 2014-2015 was Kenneth Steers. According to a recent examination (July 7) of political contributions Form 460 for recently announced District I supervisorial candidate Beth Gaines, Steers contributed twice to her campaign coffers, an amount totaling \$5,900. Gaines is running for the seat now held by Mikulaco who is the subject of this hit piece by the GJ of which Steers was a member. You can draw your own conclusion. Perhaps that tells the entire story of this civil grand jury.

Larry Weitzman is a resident of rescue.