

This document is an extract of a larger publication.

civilgrandjury.org is a project of UnGovr.org, a US-based 501(c)(3) nonprofit dedicated to government transparency and public accountability.



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CIVIL GRAND JURY OVERVIEW

The Civil Grand Jury is an independent institution that investigates the legislative and administrative agencies and departments that make up County, City, and Special District government in each of the 58 Counties in California. The California State Constitution has granted this power since 1850 to help ensure that these agencies are efficient, honest, and dedicated to serving the public.

The San Benito County Civil Grand Jury is composed of 19 members, selected annually under the supervision of the Presiding Judge of the San Benito County Superior Court, with the assistance of the Court's Administrative Office. The 2024-25 San Benito County Civil Grand Jury has been under the supervision of the Honorable Judge Omar Rodriguez. By law, a Civil Grand Juror must be a United States citizen, 18 years or older, be a resident of San Benito County for at least one year, have knowledge of the English language, and have no convictions for malfeasance in office, any felony, or any other high crime.

In addition to meeting the statutory requirements, a Juror will be most effective by committing 15 to 20 hours per week, with potentially more time required from Officers and Committee Chairs. Civil Grand Jurors need to demonstrate the ability to work cooperatively with others, be tolerant of all views and opinions, and have a genuine interest in having a positive impact on community affairs through local Governance. As a deliberative body, we are most effective by offering a path forward.

Oath of the Civil Grand Juror

I do solemnly swear (affirm) that I will support the Constitution of the United States and of the State of California and all laws made pursuant to and in conformity therewith, will diligently inquire into, and true presentment make, of all investigations carried on by the Civil Grand Jury, of which the Civil Grand Jury shall have or can obtain legal evidence. Further, I will not disclose any evidence brought before the Civil Grand Jury, nor anything which I or any other Grand Juror may say, or the manner in which I or any other Grand Juror may have voted on any matter before the Civil Grand Jury. I will keep the charge that will be given to me by the court.



DEFINITIONS & ACRONYMS

AAA – Accelerated Achievement Academy

BOS – (San Benito County) Board of Supervisors

CES – Calaveras Elementary School

CRIS – California Radio Interoperability System

CAO – Chief Administrative Officer

County Legal Counsel – One of the Civil Grand Jury’s authorized and designated legal advisors, and house counsel for San Benito County’s government.

COH – City of Hollister

CGJ – (San Benito County) Civil Grand Jury

CHS – Community Homeless Solutions

CSA – Community Services Areas

CGJA – California Civil Grand Jury Association

HHS – Health and Human Services

HAS – Hollister Animal Shelter

HOME – Housing, Opportunity, Meals, Empowerment Resource Center

HRC – Homeless Resource Center

HR – Human Resources

MOU – Memorandum of Understanding

MHSA – (State of California) Mental Health Services Act

O & M – Operations & Maintenance

PATH – Providing Access and Transferring Health

PIT – Place in Time

Plenary – Fully attended or constituted by all entitled to be present; a meeting of the full 19 members of the Civil Grand Jury panel.

Quorum – The minimum number of members of the Civil Grand Jury required to be present at a meeting to transact business is 12.

RMA – Resource Management Agency

SBC – San Benito County

SBCBH – San Benito County Behavioral Health



SBCWD – San Benito County Water District

SME – Subject Matter Expert(s)

Supermajority – The number of votes, greater than a majority, needed for a body to take certain actions. For the Civil Grand Jury, 12 votes are the supermajority for a 19-member Jury. The number does not decrease due to vacancies, absences, or recusals.

TK – Transitional Kindergarten

TTC – (San Benito County) Treasurer/Tax Collector

USBR – United States Bureau of Reclamation

YSC – (San Benito County) Youth Services Center



SAN BENITO COUNTY WATER DISTRICT

INTERPRETATION OF 1977 BOND MEASURE FOR \$19,900,000.00

INTRODUCTION

At the November 8, 1977, election, the voters of Zone 6 of the San Benito County Water Conservation and Flood Control District approved the following two ballot measures:

Proposition A

Shall the San Benito County Water Conservation and Flood Control District enter into a water service contract with the Bureau of Reclamation of the United States Department of the Interior for the importation of water into Zone 6 of said District?

Proposition B

Shall the San Benito County Water Conservation and Flood Control District, on behalf of Zone 6, a part of the San Felipe Division of the Central Valley Project, to supplement existing agricultural, municipal, and industrial water supplies, be authorized to do the following:

1. Borrow \$19,900,000.00 from the United States to provide funds to build a system to distribute imported water locally in Zone 6 of said District.
2. Operate and maintain said system.
3. Re-pay the United States for said District's share of the cost of the construction of the federal facilities portion of said project and the cost of operation and maintenance of said facilities.

The engineer's estimate of charges and taxes sufficient to repay the above is as follows, but does not include unknown increases in cost that must be paid and that may occur from time to time during the 40-year repayment period:

1. In the area served by a pressurized distribution system, there will be an annual maximum standby charge of \$10.00 per acre of land.
2. A land tax with a maximum of \$1.00 per \$100.00 of assessed valuation per annum.
3. A groundwater charge of \$5.00 per acre-foot of agricultural water pumped. A charge of \$34.00 per acre-foot of agricultural water delivered through a pressurized system.
4. A groundwater charge of \$29.00 per acre-foot of municipal and industrial water pumped.
5. A charge of \$90.00 per acre-foot of municipal and industrial water delivered directly to municipal and industrial water systems.



Question/Complaint: Did the voters intend to limit authorization of the land tax described in Measure “B” to expire 40 years after the date that the loan for \$19,900,000 was made to the United States Government?

BACKGROUND

The 2024-2025 San Benito County Civil Grand Jury received the response to Citizen Complaint #1 made to the 2023-2024 Civil Grand Jury. The question was regarding the San Benito County Water District’s (SBCWD) annual billing of a voter-approved ballot measure from 1977 that was understood to have expired. The 2023-2024 report findings included a request to add verbiage to the property tax bills to indicate that the tax collected was for ongoing Operations & Maintenance. A response from the Treasurer, Tax Collector & Public Administrator states that verbiage “ongoing O&M” was added to property tax bills.

“The TTC (San Benito County Treasurer/Tax Collector) acknowledged the line item and stated it was the Auditor’s office that would have additional information, as they oversee setting rates for various districts and putting direct charges on the tax bills. The auditor quickly responded and stated that in 2017, they received several calls from concerned taxpayers regarding the charges. The attorney for the SBCWD responded that there was nothing in the ballot measure that indicated the land tax expires, and that the ballot measure specifically authorizes the land tax for the continued operation and maintenance of the system.”

METHODOLOGY

The CGJ interviewed San Benito County Water District's current and past staff, management, and employees. Documents, including but not limited to tax documents, budget reports, line items, memoranda, and the 1977 Master Plan Report, were requested and reviewed. County Legal Counsel was included as part of the historical finding. The original ballot measure from 1977 was sought but not located. *See Attachment 1, Freelance Public Notice Section, August 1977 at the end of this Consolidated Report.*

In January 2018, a letter from the County Clerk, Auditor & Recorder requested clarification of the bond through the law firm Pipal Spurzem & Liem LLP. The response from attorney Jonathan P. Cristy and Daniel J O’Hanlon, and submitted by David E. Pipal, argues that the bond measure was ambiguous. Their response memo references:

“The estimate of the amounts of the necessary exactions included in the ballot was taken from a Master Plan Report prepared by Creegan & D’Angelo-McCandless, a joint venture, Consulting Engineers, in July 1977. The report was prepared specifically to support the Water District’s application to the Bureau of Reclamation for the loan to finance the construction of the Zone 6 internal distribution system. The anticipated term of the loan was forty years, from 1983 through 2022.”



The Civil Grand Jury consolidated reports, which contain reports regarding the water infrastructure in San Benito County for 2023-2024 and 2021-2022, were reviewed.

The 2023-2024 Civil Grand Jury Report issued the following Findings and Recommendations:

"FINDINGS AND RECOMMENDATIONS

Finding 1: The item on the tax bill appeared to have expired.

Recommendation 1: The Auditor's Office add verbiage such as "ongoing O&M" to the line item to denote there is no actual end date for the Operations and Maintenance (O&M) of the system while it services the agricultural community of San Benito County.

Finding 2: The ballot measure in question was not worded so that the voting public was made aware of actual end dates and items that will remain in perpetuity.

Recommendation 2: Ballot measures should be written with clear language and provide an opportunity for the public to examine the language and possible outcomes.

2023-2024 RESPONSE TO CITIZEN COMPLAINT #1

GRAND JURY REPORT CITIZEN COMPLAINT #1 and CITIZEN COMPLAINT

#2 San Benito County Civil Grand Jury; CITIZEN COMPLAINT: Since 2017, the Auditor's Office has received several complaints concerning the San Benito County Water District's (SBCWD) annual billing of a 1977 voter-approved ballot measure that was thought to have expired. On January 17, 2018, the County Auditor sent a request for a legal opinion to SBCWD legal counsel David Pipal to respond to the question posed below:

Did the voters intend to limit authorization of the land tax described in Measure B to expire 40 years after the date that the loan for \$19,900,000 was made to the Water District by the United States government?

The response (in part) to this question, "nothing in the plain language of either measure supports a conclusion that the voters intended the land tax to expire upon the retirement of the loan." was provided in a legal opinion dated March 13, 2018, by Kronick Moskovii Tiedemann & Girard, special counsel to the San Benito County Water District.

The County Auditor agrees with the findings and recommendations of the Civil Grand Jury concerning Citizen Complaint #1, The language in the description regarding the charge related to the SB WATER — SAN FELIPE can be improved. The Auditor's Office agrees to add verbiage of "O&M", however, there is a software limitation of the amount of letters that can be printed on the tax bill before the excess description creates



another page on the tax bill. It is believed that adding "O&M" may be within those limitations.

DISCUSSION

The original loan of \$19,900,000 has been paid in full. There have been additional loans taken against this ballot measure. SBCWD collected, through the office of the Tax Collector, \$10,000,000 (Ten Million) in the 2024-2025 tax year. All fees collected on behalf of the SBCWD by the Tax Collector's Office have been distributed to the Water District.

Between July 2013 to November 2024, the tax collector's office collected and distributed to the SBCWD \$76,625,080.79. (Payment records before 2013 were not available or could not be located.) Repayment of the loan was intended to begin in 1983 and end in 2022.

FINDINGS AND RECOMMENDATIONS

F1: The original text of the 1977 measure is open to many interpretations. The current practice of continuing to collect tax revenue is not reflected in the intention of the measure from 1977. This is an agreement that identifies terms and conditions for the construction of facilities and a payback plan. It's a loan from USBR to the SBCWD, and essentially, the voter-approved measure allows for the payback of the loan plus ongoing maintenance.

R1: The SBCWD should cease any further collection of tax revenue based on the 1977 Measure for the loan repayment. A new measure should be written and submitted to the county residents for a vote at the next upcoming election (June 2026).

F2: Stating "40-year repayment period" implies a sunset of part of the tax.

R2: Beginning with the 2025-2026 tax year, cancel the tax on the loan repayment. The repayment period of 40 years is over, and the loan has been paid off. According to the County Counsel, the only way to remove the tax collection is to take legal action to have it removed. If a person(s) or group would like to spend the time and funds in doing so, then they may be successful, but there is no guarantee of removal.

F3: Attorneys hired by SBCWD interpreted the language on the 1977 ballot as having no end date.

R3: The SBCWD and the County should jointly hire an independent law firm for an unbiased interpretation of the 1977 ballot measure within the next six months.

F4: SBCWD claims tax revenue currently provides for Operations and Maintenance (O&M) costs.

R4: An audit of the budgets from SBCWD should be completed to review the average cost for



O&M within the next 90 days.

F5: SBCWD accounting methods do not capture and bill the customers for O&M expenses.

R5: In the next 30-45 days, SBCWD should change its accounting methods to specifically identify loan repayment versus O&M charges.

F6: The original \$19,900,000 was paid off in 1995. The USBR said that if the loan was paid off early, there would be a discount down to \$19,200,000. The funds to pay off the loan were borrowed through the district with approval from the SBCWD Board of Directors, and the secondary loan was paid off around 2006-2007. Although enough money is collected each tax year to pay off these loans, SBCWD continues to make payments that are due to increase in 2026. The bond measure on the 1977 ballot did not authorize additional loans.

R6: The SBCWD should seek voter approval for additional loan encumbrances in the next election cycle of June 2026.

RESPONSES REQUIRED

San Benito County Water District
San Benito County Board of Supervisors

Disclaimer: This report was issued by the Civil Grand Jury, except for **Steve Wittry**, who is a former employee of the San Benito County Water District. This Civil Grand Juror did not participate in any aspect of the investigation, including interviews and deliberations, the preparation and writing of this report, or the approval of the report.



SAN BENITO COUNTY CORRECTIONS DIVISION AND THE CURTIS J. HILL REHABILITATION CENTER

INTRODUCTION

The intent of SBC CGJ's oversight is to ensure honest and effective operation of local government that serves the best interest of its constituents.

As per California Penal Code § 919(b), the SBC CGJ has the responsibility to visit the county jail without obligation to report.

METHODOLOGY

- Interviews of San Benito County Staff.
- Ride along with SBC officers.
- Review of pertinent penal code/state law.
- Review of evaluations conducted by other oversight entities.
- Review of pertinent studies.
- Examination of County Budget.
- Review of the SBC website.
- Attendance/viewing of SBC Board of Supervisors meetings.
- Review of pertinent news articles.
- Review of previous Civil Grand Jury Reports.
- Review of reports submitted to the County Board of Supervisors.

BACKGROUND

The Corrections Division of the SBC Sheriff's Office is responsible for administering the jail system in SBC. Its staff consists of 31 employees, of whom 21 are correctional officers. Hiring and retaining correctional officers in SBC is particularly challenging due to higher entry standards, demanding position requirements, and neighboring agency competition.

Adjacent to the SBC Jail is the Curtis J. Hill Rehabilitation Center. Construction of the facility commenced in 2017 with approximately \$20M in state funding. SBC financed the remainder of the project using a mix of borrowing and internal resources. The rehabilitation center opened in 2020 at a final cost of \$25M. The 22,000 sq. ft. facility features dormitory-style housing, a medical services suite, spaces for educational and rehabilitative development programs, and new equipment. In June 2023, the center was closed due to staffing shortages. Inmates were transferred back to the SBC jail. The rehabilitation center remains vacant and non-operational.



DISCUSSION

The Curtis J. Hill Rehabilitation Center was built to alleviate overcrowding and support inmates with greater medical, psychiatric, and reentry needs. \$25M in public funding was invested to fulfill these clear objectives, which have not and cannot be met if the facility remains closed due to staffing shortages. Inmates are currently confined to the SBC Jail, despite there being nearly double the amount of space available on the premises via the rehabilitation facility. This setup undermines the purpose of the Curtis J. Hill Rehabilitation Center while perpetuating the very conditions that justified its construction in the first place. This not only increases the County's liability but also compromises the quality of inmate custodianship. The lack of rehabilitation and reentry services that the facility was designed to provide is detrimental to inmates, jail staff, and the broader community.

Moving inmates back into the older jail facility was necessary due to insufficient trained staff. Opening space without sufficient supervision can be dangerous to both staff and inmates alike. With its current staff size, the Corrections Division maintains compliance and safe coverage of the jail but relies heavily on overtime. This is not a long-term solution and consequently compromises employee retention.

The SBC CGJ urges the County of San Benito to make reopening the center a top priority. This requires increasing the Corrections Division staff size to maintain jail operations, ensure effective oversight, offer rehabilitative services, and safely open the center. This can be approached in a number of ways but unavoidably necessitates greater support and dedicated resource allocation. The SBC Sheriff's Office should reassess local detention facility needs according to state and operational requirements and submit a reasonable recommendation to the County Board of Supervisors as soon as possible. Additionally, the SBC CGJ strongly encourages all SBC Board Supervisors to tour the Jail and Rehabilitation Center to speak with staff and evaluate the rehabilitation center's reopening needs in person.

The SBC CGJ recognizes the broad local hiring difficulties that amplify distinct challenges of hiring corrections officers. The SBC CGJ commends the County Board of Supervisors for increasing the competitiveness of its pay and benefits packages for correctional officers and encourages further investment in jail administrators. The SBC CGJ supports any initiative that improves hiring and retention outcomes, but suggests bolstering local recruitment pipelines via educational institutions (Hollister High, Anzar High, Gavilan College), more attractive hiring packages, reclassification of positions, longevity incentives, housing subsidies, uniform/equipment reimbursement, etc.



FINDINGS AND RECOMMENDATIONS

F1: The Corrections Division is understaffed, and its reliance on overtime is not sustainable. In its current unused state, the Curtis J. Hill Rehabilitation Center's continued closure is a depreciating asset unable to serve inmates and the broader community.

R1: The County of San Benito should make staffing its jail system and reopening the Curtis J. Hill Rehabilitation Center a top priority for the upcoming fiscal year. This requires increasing the Corrections Division staff size enough to maintain jail operations, ensure effective oversight, offer rehabilitative services, and safely open the center. This can be approached in a number of ways but unavoidably necessitates greater support and dedicated resource allocation.

RESPONSES REQUIRED

County of San Benito Board of Supervisors
San Benito County Sheriff

Disclaimer: *This report was issued by the Civil Grand Jury, except for **Gary Hosman**, who is a current employee of the San Benito County Sheriff's Office. This Civil Grand Juror did not participate in any aspect of the investigation, including interviews and deliberations, the preparation and writing of this report, or the approval of the report.*



SAN BENITO COUNTY SHERIFF'S OFFICE

STALLED COMMUNICATION SYSTEMS UPGRADE

INTRODUCTION

The intent of SBC CGJ's oversight is to ensure honest and effective operation of local government that serves the best interest of its constituents. During the investigation, the common theme of communication system challenges were frequently reported.

METHODOLOGY

- Interviews of San Benito County Staff.
- Ride along with SBC officers.
- Review of pertinent penal code/state law.
- Examination of County Budget.
- Review of the SBC website.
- Review of pertinent news articles.
- Review of previous Civil Grand Jury Reports.

BACKGROUND

The Sheriff is the highest-ranking law enforcement position in the county, tasked with overseeing the jail, SBC Superior Court security, performing coroner duties, coordinating emergency disaster response, and managing search and rescue operations for San Benito County. The Sheriff's Office works in tandem with the city police department of Hollister and independently for San Juan Bautista, Aromas, and all unincorporated areas of the county. With an expansive 1,391 sq. mi. jurisdiction and a limited number of officers, the importance of a functional communication system cannot be understated. The current radio system has communication "dead zones" that present an obvious community safety risk.

The SBC Sheriff's Office was allocated funding by the SBC Board of Supervisors to resolve the communications challenge in 2023. Via an appointed ad hoc committee, the California Radio Interoperability System (CRIS) was selected for purchase. CRIS is a truncated radio system that features dedicated talk groups / interoperability channels, encryption, IP Backhubs, cellular radios, and interfaces with similar local radio systems that predominantly use CRIS throughout California. The agreement between SBC and the California Governor's Office of Emergency Services, Public Safety Communications, authorizing CRIS implementation has been under review by SBC's contracted legal firm, Prentice Long (Counsel), stalling an essential communications system upgrade. The CRIS agreement is a standardized agreement utilized by multiple law enforcement jurisdictions throughout the State of California.



DISCUSSION

The agreement authorizing CRIS implementation has been under review by SBC's legal counsel for over eight months. The CGJ was unable to identify a reason for the delay. In the absence of an approved agreement, allocated funding cannot be used to buy into CRIS implementation. Prolonged legal reviews are withholding this vital tool and compromising both Officer and community safety.

A reliable communication system is especially crucial for the SBC Sheriff's Office. Given its rural and disproportionately large jurisdiction, combined with limited staff, timely communication is a lifeline. The current inadequate communications systems increase the danger faced by deputies in the field. The Sheriff is adamant that the CRIS upgrade is imperative for the SBC Sheriff's Deputies to protect and serve the public to its fullest extent; delays have, and will continue to, jeopardize officer and community safety in SBC.

FINDINGS AND RECOMMENDATIONS

F1. The agreement authorizing the implementation of CRIS in San Benito County has stalled in SBC's legal counsel for over eight months.

R1. SBC's legal counsel should expedite its review of the agreement and communicate concerns with stakeholders within the next 30 days. The SBC Board of Supervisors should ensure the timely review of all items sent to SBC's legal counsel.

RESPONSES REQUIRED

San Benito County Board of Supervisors
San Benito County Sheriff

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SAN BENITO COUNTY RELATIONSHIP BETWEEN THE YOUTH SERVICES CENTER AND BEHAVIORAL HEALTH DEPARTMENT

INTRODUCTION

The intent of the SBC CGJ's oversight is to ensure honest and effective operation of local government that serves the best interests of its constituents. During the investigation, unclear interagency relationships and expectations were a recurring complaint.

METHODOLOGY

The information in this report was collected primarily via interviews of San Benito County staff from 07/2024 to 06/2025. Some of the information is subject to change given ongoing contract negotiations and new state laws.

- Review of pertinent penal code/state law.
- Review of evaluations conducted by other oversight entities.
- Review of pertinent scientific studies.
- Review of complaints.
- Examination of grants received by County Departments.
- Review of the SBC website.
- Attendance/viewing of SBC Board of Supervisors meetings.
- Review of pertinent news articles.
- Review of previous Civil Grand Jury Reports.

BACKGROUND

The San Benito County Youth Services Center (SBC YSC), formerly known as Juvenile Hall, is obligated under CA Title 15 § 1437 to provide youth with mental health services provided by licensed mental health professionals including, but not limited to, screening/assessment of needs, crisis intervention, counseling, psychiatric services, treatment planning, coordination of care, discharge planning and linkage to community-based services. The YSC coordinates care to cover all aspects of its youths' mental healthcare according to applicable laws and regulations (to the SBC CGJ's knowledge). Youth in its stead have emergency mental health service coverage via a contracted psychologist and medical provider, as well as the SBC Crisis Care Mobile Units. Psychiatric, screening/assessment, and treatment planning mental health services are offered via a contracted medical provider. Supplementary mental health services are informally covered by SBC Behavioral Health Department (SBC BHD), currently consisting of Substance Use Disorder Groups. SBC BHD has indicated it has plans to extend its involvement



with the YSC in the next six months to offer youth linkage to care and assist the YSC with building out pre-release programming.

Unlike the emergency and medical mental health services, which are delivered by contracted agencies, the supplementary mental health services offered by SBC BHD are not detailed in any formal agreement. SBC BHD has also historically assisted the YSC with screening/assessment and delivery of psychiatric care over the past decade. SBC Behavioral Health receives funding from the Mental Health Services Act (MHSA), which specifically provides increased funding to support county mental health programs and monitor progress toward performance outcomes for transition-age youth (ages 16-25) at risk of placement out of home (hospitals, criminal/juvenile justice systems). SBC BHD also receives Justice Involved Providing Access and Transferring Health (PATH) capacity building funds to implement mandated in-reach and outreach services for those coming out of YSC. However, a contract clearly outlining these services and the relationship between the YSC and SBC Behavioral Health does not exist.

DISCUSSION

The SBC YSC has legal obligations to make a full range of mental health services available to those in County custody. SBC BHD has a fiduciary responsibility to serve and prioritize service delivery to juveniles involved in the criminal/juvenile justice systems via the MHSA and the PATH Justice-involved Capacity Building Program.

The lack of formalized relationships between SBC BHD and SBC YSC results in unclear expectations of supplementary mental health service delivery for youth in county custody. It is SBC CGJ's position that a contract between these entities and SBC BHD would improve service delivery and promote dissemination of critical supplementary mental health services beyond the minimum requirements of Title 15. MOU compliance should be reviewed by stakeholders and overseen by the County of San Benito on a monthly basis to ensure timely, quality service delivery.

Individuals in custody (regardless of age) remain members of the SBC community. They deserve equitable, if not prioritized, access to behavioral health services. Beyond medical and emergency, supplemental mental health services are crucial for effective re-entry and rehabilitation. Youth is particularly susceptible to the benefits of increased behavioral health support. The SBC CGJ encourages inter-agency collaboration between SBC BHD and SBC YSC to offer a wider variety of comprehensive services to youth in county custodianship. A stronger relationship between SBC BHD and SBC YSC is in the community's best interest.



FINDINGS AND RECOMMENDATIONS

F1: Currently, there is no formalized relationship between the YSC and SBC BHD, resulting in unclear expectations of service delivery of supplementary mental health services for individuals in county custody.

R1: Develop a formal Memorandum of Understanding (MOU) between SBC BHD and the YSC to guarantee non-medical supplementary mental health services and clearly define responsibilities and the scope of mental health services for juveniles in custody. This should be completed in the next three to four months. MOU compliance should be reviewed by stakeholders monthly and overseen by the County of San Benito every month to ensure timely, quality service delivery.

RESPONSES REQUIRED

County of San Benito Board of Supervisors
County of San Benito Sheriff

INVITED RESPONSES

San Benito County Behavioral Health Department
San Benito County Youth Services Center

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SAN BENITO COUNTY

CODE ENFORCEMENT

INTRODUCTION

The Civil Grand Jury (CGJ) received various complaints regarding the County's operations. Matters of concern included the Code Enforcement process and levels of staffing.

METHODOLOGY

The Civil Grand Jury interviewed the complainant, county employees, and elected officials to investigate the concerns brought forward. The CGJ also reviewed relevant online data.

BACKGROUND

The Resource Management Agency (RMA) for the County of San Benito is a large and complex department within the County structure. The RMA is responsible for Planning Services, Building Services, Code Compliance, Parks Operation, Capital Improvement Services, Facilities, Housing Programs Division, Public Works Division, Integrated Waste Management, Community Services Areas (CSA), and Administrative Services. The overriding goal of the RMA is to ensure reasonable and safe development, plan for the future needs of the County, manage infrastructure and County facilities, and protect natural resources.

The nature of the RMA requires the ability to interface with the community on a variety of important topics. This report specifically investigates the ability of the RMA to provide consistent contract management for various Capital projects, programs, and expenditures.

DISCUSSION

The CGJ held several interviews with various County staff members who were familiar with the topics of concern from a complaint received by the CGJ.

Code Enforcement

The CGJ discovered that recently, there was a framework put in place to handle and address code enforcement issues. Approximately two years ago, the county hired a certified level 3 code enforcement officer to replace the use of a contract firm to perform code enforcement duties. At the time of the transfer, there were approximately 100 open cases that were under review. Approximately 18 months ago, the County initiated a file transfer process to provide digital records of all code enforcement cases. Currently, the County receives approximately 8-12 complaints a month. At the present time, there are approximately ninety open cases.

The process begins with a complaint filed with the division. The County receives complaints via phone, mail, or the online Complaint Form. The Code Enforcement officer enters the data into the system and determines priority based upon active caseload and type of complaint. Some cases are resolved in a timely manner (within a few days) while others require extensive



investigation, which can take several months or longer to complete. The department logs the status of each complaint in a software package.

Several interviews pointed out the difficulties associated with a lack of staffing within the division. The County is currently seeking to hire a second code enforcement officer to assist with the workload, but unfortunately, two recent hiring advertisements have resulted in no qualified candidates. The County is currently advertising a code enforcement officer position for a third time.

Currently, Code Enforcement staff does not provide any kind of update to the reporting party concerning the status of the case for the following reasons:

1. The sensitive nature of the case.
2. The reporting party is anonymous.
3. The current staffing levels do not allow this to be a priority.

It was also noted that there is no appeal process for actions from the Code Enforcement division. The division works with the County Counsel's office to interpret the County Code in relation to the given case. Since the interpretation follows legal review, once a decision is made, it is not appealable through the County process. Reporting parties that feel their determination is erroneous are required to file a new complaint, or if it is a civil issue, they may seek their own legal counsel.

Multi-Jurisdictional Issue (County/State)

As part of the investigation, the CGJ inquired about a fire near the intersection of Shore Road and San Felipe Road. The fire occurred at a site that was currently working through several code enforcement actions with County and State regulators. While the CGJ did not investigate the specific details of the infractions, the CGJ reviewed the process for cases that involve multiple agencies.

The process utilized to enforce multi-jurisdictional issues needs to be improved and understood by all parties. The CGJ could not determine a clear path of information or agency responsibility when dealing with (County/State) issues. The lack of a unified front between the State and local enforcement allows code violators to place one agency at odds with the other. In this instance, swift resolution failed due to the following:

1. The lack of an outline of responsibilities between the agencies.
2. Changes in personnel within agencies had differing interpretations of responsibilities.
3. Failure to designate a lead enforcement agency.

These factors created loopholes that were exploited by the party responsible for delaying compliance with the applicable code.

Further, as Code Enforcement issues evolve and are addressed, it is important for the field staff to be apprised of determinations and agreements that have been reached between County Management and/or County Counsel, and the violating party. The lack of robust communication and consistent status updates to field staff when dealing with multiple agencies allows the violating party to portray that an issue has been resolved, while it is still an open issue.



FINDINGS AND RECOMMENDATIONS

F1: The Code Enforcement division is understaffed and unable to complete the duties of the office in a timely fashion. Qualified applicants are difficult to recruit.

R1: Within the next 60 days, the RMA needs to hire and/or re-evaluate the duties of support staff (clerical) to assist current County personnel in the completion of Code Enforcement duties. There are several aspects of the work that could be completed at a support services level that would allow the code enforcement officer to focus on the caseload.

F2: The Code Enforcement division does not have a process to notify a reporting party of the outcome/closure of a case (when appropriate).

R2: The County recently updated its electronic filing/tracking system for the Code Enforcement division. The software should be utilized and, if necessary, upgraded to 'automate' notifications for reporting parties (when appropriate) in the next 90 days.

F3 There is a lack of understanding among staff regarding who is the enforcement authority on code enforcement issues and violations for multi-jurisdictional issues. Among the staff, there is no consensus between the County's responsibilities and the State's responsibilities.

R3: The County must develop a flow chart identifying which agency is responsible for which activity. It must be clear among staff who are responsible for what enforcement activity. This should be completed within the next 30-45 days.

RESPONSE REQUIRED

San Benito County Board of Supervisors

INVITED RESPONSE

San Benito County RMA Director

Disclaimer: This report was issued by the Civil Grand Jury, except for **Roger Brown**, due to a conflict of interest and perceived bias with the Code Enforcement Department of San Benito County. This Civil Grand Juror did not participate in any aspect of the investigation, including interviews and deliberations, the preparation and writing of this report, or the approval of the report.



SAN BENITO COUNTY

RESOURCE MANAGEMENT AGENCY

INTRODUCTION

The Civil Grand Jury (CGJ) received various complaints regarding the County Resource Management Agency operations. Matters of concern included Capital Projects Management, contract oversight process, and levels of staffing.

METHODOLOGY

The Civil Grand Jury met with private individuals, county employees, and elected officials to investigate the concerns brought forward. The Civil Grand Jury also reviewed reports and documents submitted by County Staff, as well as the San Benito County website.

BACKGROUND

The Resource Management Agency (RMA) for the County of San Benito is a fairly large and complex department within the County structure. The RMA is responsible for Planning Services, Building Services, Code Compliance, Parks Operation, Capital Improvement Services, Facilities, Housing Programs Division, Public Works Division, Integrated Waste Management, Community Services Areas (CSA), and Administrative Services. The overriding goal of the RMA is to ensure reasonable and safe development, plan for the future needs of the County, manage infrastructure and County facilities, and protect natural resources.

The nature of the RMA requires the ability to interface with the community on a variety of important topics. This report specifically investigates the ability of the RMA to provide consistent contract management for various Capital projects, programs, and expenditures.

DISCUSSION

The County Committee of the Civil Grand Jury set up several interviews with various staff who are responsible for the oversight of the Public Works Division, budget, and contract management duties.

The CGJ reviewed the process by which the County prioritizes projects. Specifically of concern was how the County determines the process for road maintenance and improvements. The CGJ was also interested in how the RMA updates the Board of Supervisors and the public regarding the status of the work. County staff provided documentation that indicated the planned order of road work for the near future. It was noted that the repair work was highly dependent upon funding and staffing levels. The County Board of Supervisors has identified funding in the near term; however, staff indicated that competing economic responsibilities may delay program implementation.

RMA staff also indicated that there is a challenge in hiring and maintaining sufficient levels of staffing to complete the projects in the timeline presented. The RMA is attempting to complete the program in a timely fashion by using consultants to advance projects. However, due to the



lack of appropriate staffing to provide contract oversight, the scheduled implementation of some projects has been delayed.

The road projects under consideration may cost several hundred thousand or millions of dollars to complete. The process by which the funds are allocated to these projects is straightforward. The RMA develops project estimates and implements budget requirements. The RMA presents the financial information to the Board of Supervisors for action. The BOS considers the request and if appropriate approves the project budget for implementation. Once the BOS acts to approve the project, it authorizes the RMA to implement the contract and expend funds. Notwithstanding that approval, the RMA is required to bring contracts for professional services or construction services to the BOS prior to work proceedings.

Apart from contract approval actions by the BOS, the RMA has complete control over project schedule and budget control. The BOS and the public are not aware of the status of significant projects unless a member of the BOS asks for a project update.

During the investigation, a concern was raised regarding the lack of transparency of project expenditures. The issue is that the perception is that project updates only occur to the BOS/public when a project has been delayed or is in danger of going over budget. Presently, there is no standard process for the RMA to present project status to the BOS. The lack of communication leads to the assumption that 'all is well' with various projects by the BOS and the public when there could be delays or budget impacts that RMA staff have knowledge of and is working to address.

While the CGJ did not find any evidence of inappropriate contract management activities, the lack of communication leads to the perception that the RMA is not managing projects appropriately. A clear project update for significant projects conveyed to the BOS/public at regular intervals would address the negative perception. At minimum, the update should contain the approved project budget, a summary of project expenditures to date, initial competition date, revised project completion date (if required), as well as upcoming project milestones.

FINDINGS AND RECOMMENDATIONS

F1: The RMA does not provide regular project status updates to the Board of Supervisors or the public regarding the status of projects.

R1: The RMA should provide a written report to the BOS regarding the status of capital projects or contract agreements that are valued more than \$250,000 at quarterly intervals.

RESPONSE REQUIRED

San Benito County Board of Supervisors

INVITED RESPONSE

San Benito County RMA Director



SAN BENITO COUNTY

STAFFING, RECRUITMENT, and RETENTION

INTRODUCTION

The Civil Grand Jury (CGJ) received various complaints regarding the County's operations. During the investigations, the common theme of a lack of staffing was frequently reported.

METHODOLOGY

The CGJ interviewed county employees and elected officials to investigate the concerns brought forward. The CGJ also reviewed relevant websites and online data.

BACKGROUND

The County of San Benito is a large and complex institution. Due to extensive legal requirements, the recruitment of all county staff positions is overseen through the Human Resources Division (HR). HR is responsible for recruitment, testing, and selection activities associated with the onboarding of new County staff.

DISCUSSION

Through various interviews with County staff, it was apparent that there were issues regarding the lack of ability to hire and retain staff. These interviews revealed a clear issue that must be addressed to provide improved employee recruitment.

The HR department noted that they utilized a software system to help standardize the employment recruitment process across the entire County. HR indicated that the normal procedure is to list the available jobs on a website. HR posts the 'Job Position' online. Applicants must apply by a specific deadline, or, in some cases, the job is listed as "open until filled." At the appropriate time, HR screens the applications to perform a cursory review of the applications to ensure that the minimum job requirements are met. Those that do meet the minimum requirements are forwarded to the appropriate department for review by Subject Matter Experts (SME) to rate and rank the applications. The top applicants are then scheduled for an interview, and ultimately, if there is a candidate who has been successful through all of the screening process, an offer of employment is extended to the best candidate. This is a standard process that is used by many agencies across California. However, since HR is heavily involved, it limits how many recruitments can be administered.

The amount of pay is frequently stated as the reason that the County has had difficulty recruiting top applicants. While this is a concern, and it is true for County positions in neighboring jurisdictions, the pay is more attractive. The CGJ found that there are other factors that may be impacting recruitment success.

Over the past 10 years (or more), to effectively deal with budgetary issues, the County has counted on various senior employees to 'step up' and cover more duties than originally contemplated. In some cases, these new duties were incorporated into updated job descriptions; in other cases, the job descriptions were not updated. The unintended



consequences of this are that, in many cases, the job descriptions are out of date or inaccurate. Non-HR departments report that inaccurate job descriptions are a common occurrence. The job descriptions on the HR website do not indicate a 'revision date' for the job descriptions, so the CGJ cannot verify the accuracy of these statements. However, simply because there may be disagreement in this area strongly suggests that a higher level of communication is necessary between Departments. Updating job descriptions can be a tedious process that involves working with unions or other bargaining groups. However, as labor contracts are negotiated, updating job descriptions can be effectively accomplished.

The CGJ found that the departments are not allowed to have their SME review all of the applicants for the recruitment. The issue with this is that there may be an applicant who is eliminated from consideration because they do not meet the requirements as interpreted by HR, while the SME may recognize transferable skills and other redeeming qualities that may merit an interview. Review by the SME may reveal an applicant who is not quite ready for a position advertised but potentially could be offered a lower position to obtain appropriate experience and training. In addition, non-HR departments noted the lengthy time required to begin recruitments after they have been approved by the Board or CAO. Incorporating the SME into the application review process creates shared accountability for the review process currently performed by HR staff, which will allow them to be more efficient.

FINDINGS AND RECOMMENDATIONS

F1: Many positions' job descriptions are outdated.

R1: Within 45-60 days, department heads should review and update job descriptions with HR and labor groups, ensuring all are dated with the most current revision date.

F2: HR is often overwhelmed by recruitment volume, which can lead to hiring delays.

R2: Within the next 30 days, HR should partner with departments to streamline application reviews by involving subject matter experts (SMEs) in initial screening and identifying transferable skills. HR should require formal training plans from SMEs on these hires.

F3: Budget constraints often delay or cancel recruitments.

R3: HR and other County departments should continuously explore internships (paid or unpaid) to support staff, build talent pipelines, and mitigate budget-related hiring gaps.

RESPONSE REQUIRED

San Benito County Board of Supervisors

INVITED RESPONSE

San Benito County Director of Human Resources



Disclaimer: *This report was issued by the Civil Grand Jury, except for **Maria Alcantar**, who is a current employee of the San Benito County Health and Human Services Department. This Civil Grand Juror did not participate in any aspect of the investigation, including interviews and deliberations, the preparation and writing of this report, or the approval of the report.*



SAN BENITO COUNTY

HEALTH AND HUMAN SERVICES H.O.M.E. RESOURCE CENTER

INTRODUCTION

San Benito County offers several resources for the unhoused community, including the Housing, Opportunity, Meals, Empowerment (HOME) Resource Center. The shelter fulfills its core mission: providing clean, safe, and temporary emergency housing with meals, security, and daily oversight. However, it falls short in addressing the complex needs of the unhoused population, many of whom face mental health challenges or substance use disorders. Transitioning to stable housing often requires repeated efforts and consistent support.

METHODOLOGY

The Civil Grand Jury (CGJ) conducted interviews with numerous local officials from many agencies within local government, as well as community and non-government services. The CGJ reviewed policy and procedural guidelines, rules and regulations, maintenance records, budget reports, and public media, as well as social network commentaries. Interviews of the staff were conducted. The CGJ reviewed surveys that are regularly conducted by both the County and CHS regarding the services they receive through the shelter. Previous CGJ reports and responses were reviewed. Members toured the facility on two separate occasions. HOME provided historical and current complaints for inspection and review.

BACKGROUND

San Benito County offers several resources for the unhoused community. These resources are sourced from multiple county agencies, including, but not limited to, Health and Human Services (HHS), Workforce Development, Behavioral Health, and private sector organizations. One of the resources available in Hollister is the homeless shelter, identified as the Housing, Opportunity, Meals, Empowerment (HOME) Resource Center. Community Homeless Solutions (CHS) of Monterey is the contracted service provider. The executive director works in the Monterey area. There is a local, onsite manager and assistant, along with additional staff members. The shelter is located at 1161 San Felipe Road, next to the Community Food Bank and the County Health and Human Services Department.

According to the San Benito County Resource Center website, the facility opened its doors on December 1, 2017. The shelter is a 44-bed facility (50 in total, with 6 units connected to the main building of the shelter, but under separate control) that is open every night from 5:00 p.m. until 8:00 a.m. Between October 31 and May 1, the shelter remains open during daytime hours, as well as for nighttime sheltering and meals. In addition to the shelter, there are transitional housing units that are attached to, but separate from, the primary shelter. These units are managed through the County, not Community Homeless Solutions.



The shelter has two large dorms to house men and women separately. When the shelter is open on a 24-hour basis (Nov-May), guests are offered three meals daily. Meals are prepared for and provided by staff, with limited collaboration by local churches and community outreach organizations. There are lockers available, and guests have access to showers, laundry facilities, and hygiene products. HRC has a dedicated team that is focused on outreach services, working to connect the homeless community with support services. The county website indicates the following services are available to clients seeking support at the shelter:

- Case Management
- Housing Navigation
- Advocacy
- Financial Planning and Budgeting Assistance
- Mental Health and Behavioral Health Services
- Employment Development
- Transportation
- Daily Meals
- Referral and Linkage to Additional Services

Requirements for admission are listed on the website as follows:

- Must be 18+
- Able to live in a group setting and follow shelter guidelines and rules
- Ability to provide self-care (dressing, bathing, meals)
- Concerns have been expressed regarding the services provided at the H.O.M.E. Resource Center. Questions have been raised regarding the center's safety, transparency, funding, fairness, and the decision-making process.

DISCUSSION

Funding streams to support the homeless shelter and the homeless population in general can be complex, stemming from state, local, and county resources, as well as grants and private funding. The homeless shelter is primarily funded through grants from the City of Hollister and San Benito County and is operated by CHS of Monterey under contract. The County of San Benito provides an annual budget of \$500,000. This is according to a three-year contract that expires in June 2026. County funds are generated through grants and not from the General Fund. Last year, the City of Hollister also contributed funds towards the support of the Shelter. Additional funds are generated through HOME sources, including donations.

On January 31, 2024, a Place in Time (PIT) count of all homeless individuals was conducted for the cities of Hollister, San Juan Bautista, and all of the unincorporated areas of San Benito County. The results of that count showed a total of 621 unhoused individuals. This is an increase of 73.9% from the previous PIT count. Most unhoused people were located in the City of Hollister.



Members of the CGJ visited the shelter on two separate occasions. The first visit occurred in September during the day when no clients were at the facility. The second visit was in April 2025. The CGJ conducted a second site visit to view the recent remodel of the computer room, as well as verify that previously collected information was still valid and correct. During the visits, members of the CGJ made the following observations:

- The shelter was very clean, tidy, and well-organized.
- Many people were socializing and watching TV in the common area.
- Bunks were occupied with people sleeping or resting quietly.
- Personal belongings were neatly stored under the bunks.
- Personal lockers were available in the bathroom/shower areas.
- Floors, halls, walls, and bathrooms were clean and free of marks or scuffs.
- The shelter was free from odors.
- Pets are welcome at the shelter, and there are kennels to safely house pets.

The CGJ examined a transportation van used for clients to attend meetings, medical appointments, etc. Clients had previously submitted written complaints within the shelter regarding safety concerns about the vehicle. These written complaints were made available to the CGJ after request.

The CGJ discovered that, among other concerns, the maintenance records for the van were incomplete. A rear-facing door on the van had been damaged, which made it unsafe for client transportation. Vehicle service records could not be initially located. The records that were available were incomplete. Records are maintained through and by Community Homeless Solutions (CHS). Before the completion of this investigation, the van in question was replaced by CHS with another fully serviceable vehicle. The CGJ noted that other maintenance records for equipment were also incomplete.

The shelter is managed as a 90-day facility. This means they offer services for clients in 90-day increments. In February 2025, the shelter was at maximum capacity of 44 people. The process of admittance is that the clients currently receiving services have reserved “bed space”. A new client would receive services only as an existing client transitions out. Clients might transition out into other housing, they could voluntarily leave, or could be “exited out” for other reasons.

The current shelter is not designed for, and cannot accept, families with children under the age of 18. CHS staff report that each month, they turn away three to five requests for emergency housing for families.

During this year, and due to changes from the state legislature and guidance from the Board of Supervisors, a sweep and cleanup of the San Benito River area was planned for April 21, 2025.

To prepare for additional potential clients, the county had directed the remodeling of the previously designated “computer room” to an additional men’s dorm capable of housing six



additional clients. An outdoor patio area is also being remodeled. There are kennels and crates available for pets, both inside and outside the shelter.

In April 2025, shelter staff were notified that the shelter would be closing for day use and reverting to a night-time only shelter beginning May 1, 2025. These downsizing and budget concerns prompted the immediate layoffs of the housing navigator and shelter monitor.

The downsizing will occur at the same time as the intended river cleanup project and the opening of the secondary dorm area. Additional clients would increase the food budget and necessitate additional security or “shelter monitors,” however, no provisions for these costs have been made.

The shelter receives donations of money and food from private and public sources. The Community Food Bank has worked cooperatively with the shelter, providing fresh fruits, vegetables, dry goods, and salads for shelter meals. Members of the local LDS church regularly pool private resources to prepare and deliver meals for shelter clients. Other churches and faith-based organizations do not regularly support the shelter.

While staff offer case management and housing navigation, limited funding restricts effectiveness. Each May, full-time operations cease due to budget constraints, resulting in staff layoffs and disrupted client services. Clients who were working with housing navigators and case managers no longer have regular access to those services. Their progress is hindered or falls apart altogether. Staff indicate that an annual increase of \$400,000 would enable year-round operations and support sustained progress toward housing stability.

FINDINGS AND RECOMMENDATIONS

F1: The seasonal reduction of open hours during the summer months by closing the shelter during the day leads to the loss of key staff members, reduced services, and setbacks for clients. Staff estimate that an additional \$400,000 annually is projected to maintain year-round, full-time operations for a 44-bed facility, including expanded case management, housing support, meals, and security. The HRC shelter is funded through grants received by the County, which require regular applications and extensive management and reporting.

R1: The City of Hollister and San Benito County should increase funding for the shelter, ideally through additional grant sources, to meet the \$400,000 annual cost to operate on a year-round basis. This funding is necessary to provide stability and continuity in services for unhoused people in San Benito County. These grant sources should be identified and application processes started now to have the funding sources in place by fiscal year 2026-27.



F2: When the shelter is open full-time, it can accommodate clients who work nights and sleep during the day. Day sleepers do not have a quiet, isolated area for sleeping.

R2: Within the next 45 days, modify an area of the shelter to accommodate individuals who need a quiet area for those clients who work during the night and need a safe place for sleeping during the day.

F3: The staff at the Homeless Shelter currently provides meals with a monthly budget of \$1,400 to feed 44 clients three meals daily.

R3: The HRC staff should be recognized for their budgeting skills and resourcefulness. Private sector, non-government, and faith-based organizations should be contacted and encouraged to participate in community service opportunities, providing meals to the shelter.

F4: Behavioral Health Services lacks adequate outreach to potential clients at the homeless shelter, including those currently receiving limited support.

R4: Behavioral Health staff should conduct regularly scheduled outreach at the homeless shelter to provide services upon the HRC's return to a full-time schedule in November.

F5: Records of client complaints and maintenance (vehicle and building) are not organized in a standard fashion.

R5: All complaints and maintenance records should be assigned a unique alphanumeric ID and recorded in a permanent log. The log must accurately match each received complaint to ensure proper tracking, auditing, and review.

REQUIRED RESPONSES

San Benito County Board of Supervisors
City of Hollister City Council

INVITED RESPONSE

Community Homeless Solutions of Monterey Director

Disclaimer: This report was issued by the Civil Grand Jury, except for ***Maria Alcantar***, who is a current employee of the San Benito County Health and Human Services Department. This Civil Grand Juror did not participate in any aspect of the investigation, including interviews and deliberations, the preparation and writing of this report, or the approval of the report.



CITY OF HOLLISTER

PROFESSIONAL SERVICES CONTRACTS

INTRODUCTION

The Civil Grand Jury (CGJ) received a complaint regarding the City of Hollister's (COH) management of contracts and agreements. Of specific concern is the handling of Professional Services Contracts.

SUMMARY

This investigation focuses on the COH entering, administering, and amending professional services contracts. The COH, as is common practice among local municipalities, contracts for various services that require special skills, training, and experience. Among other contracts, Hollister has a Professional Services Contract to perform the duties of the Building Department. Hollister has used this strategy to staff the Building Department for approximately 20 years. The issue under investigation is the appropriate management of the Building Department contract to ensure transparency to the public and allow oversight by the City Council. Also, due to recent staffing turnover, new (unfamiliar) staff may have inadvertently incorporated practices of other agencies without fully realizing the policy and procedures utilized in the COH.

METHODOLOGY

The CGJ interviewed the Complainant and several COH staff members to understand how the COH administers contracts. The CGJ also reviewed budget documents, contracts, and agreements utilized in the administration of Professional Service Contracts.

BACKGROUND

The CGJ received a complaint that the COH Administration was not adhering to best management practices regarding the administration of Professional Services Contracts. The COH utilizes Professional Services Contracts to allow the COH to perform specific duties required to serve the needs of the public. The specific concern is how the individual departments report the status (expenditures, delivery timelines, performance) of each of these contracts and how they keep the City Council and the public informed of the quality and timeliness of these services.

DISCUSSION

The CGJ investigated a complaint claiming mismanagement of a Professional Services Contract within the COH. The complaint alleged the following:

1. Senior administrative staff within the COH did not follow the best management practices.
2. The contract for Building Department Services within the COH was substantially over budget.
3. The contract was over 10 years old.
4. The contract was not budgeted properly within the COH's Annual Operational Budget.
5. Amendments to the contract were made without proper approval by the City Council.

The CGJ interviewed the Complainant to gain a better understanding of the issues and



specifics. The Complainant's broad background and extensive employment history with other State and Municipal organizations were a primary reason for his interpretation of inappropriate contract management.

One specific incident concerned the amendment of the Building Services Contract. The amendment was to increase the scope of project management duties above those initially contracted for a large commercial property that was being developed. COH senior administrative staff determined that the amendment did not need to go to the City Council for approval, but rather, the value of the amendment was within the City Manager's approval. (As a matter of policy, the Hollister City Council sets the contract approval limits for the City Manager.) Also, in question was whether the scope of the existing contract was consistent with the work identified in the amendment.

Through a review of City policy and annual budgets, it became clear that the base contract was within the COH's procedures. In financial terms, the amendment was also clearly within the City Manager's approval threshold. However, it is the position of the CGJ that the scope of the amendment was not consistent with the base contract. The base contract was for building services/inspections, while the amendment was for public works inspection. While the word "inspection" is common to both documents, the performance of those duties typically requires completely different personnel and a knowledge base to execute successfully. Therefore, this contract amendment should have gone to the City Council for approval.

The construction project was approved by the City Council, and the costs for the public works inspection would be borne by the applicant. Although the construction schedule required quick action to complete the project, it appears that there would be few issues to bring the item before the City Council (and public) for review and approval. If there was any question among senior staff concerning whether an amendment should be advanced to the City Council, the question should, at minimum, be brought before the City Attorney for review and likely to the City Council for approval.

Interviews with COH staff agree that the issue could have been handled in a better fashion. City Administration had been in a state of turnover over the past 18 months and had little "historic" knowledge regarding how the COH administers contracts.

FINDINGS & RECOMMENDATIONS

F1: Management-level staff must be fully aware of the requirements and processes for administering professional service contracts and it was apparent that new processes have been implemented.

R1: The oversight of contracts must be uniform and compliant with the COH municipal code. The COH should continue to formalize and unify the Professional Services Contract Administration process. They should provide an annual (at minimum) training session specifically devoted to the responsibilities associated with contract administration. The training must include a flow chart identifying the current processes and responsibilities associated with contract administration. On an annual/yearly basis, the City Attorney should provide an update of any rules or legal changes associated with the administration of public contracts and professional service agreements. This update must be included in the training session.



F2: The COH Administrative Staff did not provide regular updates regarding the status of contracts to the COH City Council.

R2: Provide a written quarterly status of each professional service contract with an annual expenditure above \$150,000. The report, at minimum, must include the approved contract amount, the current balance expended to date, and the remaining balance. In addition, the report must document all amendments or expenditures with the provider that were not part of the original contract.

RESPONSES REQUIRED

City of Hollister City Council and Mayor

INVITED RESPONSE

City of Hollister City Manager



CITY OF HOLLISTER – HOLLISTER ANIMAL SHELTER

INTRODUCTION

The Hollister Animal Shelter (HAS) was established in 1982 and falls under the jurisdiction of the Hollister Police Department. It serves both the City of Hollister and the County of San Benito under a long-term contract that, at its completion date, converted to a month-to-month agreement. HAS is the only government facility to house domestic animals who are abandoned, lost, injured, neglected, or unwanted.

METHODOLOGY

The San Benito County Civil Grand Jury (CGJ) toured the HAS during its normal business hours in January of 2025. The last time that the CGJ toured the facility was during the 2021-2022 CGJ term.

BACKGROUND

Although the shelter has faced misconceptions about its practices, it does not euthanize animals based solely on the length of their stay. The staff work diligently to evaluate and ensure each animal has the best chance at adoption. A fenced, outdoor play area has been created to provide the best opportunity for prospective adopters and adoptees to interact.

DISCUSSION

The HAS works diligently to reunite lost pets with their owners. If an owner cannot be located and their hold has expired, the animals are made available for adoption. The shelter hosts Adoption Fairs and regularly shares animal profiles on social media to help each one find a loving, forever home.

At the time of the CGJ's visit, no cats or kittens were being housed at the HAS. There were cats and kittens available through local rescue organizations with which the HAS works closely. The HAS was very clean and well-organized. The CGJ was provided with an overview of the Hollister Animal Shelter's volunteer program, which was impressive and had a lot of thought and energy put into its design. The HAS continues to evolve options for volunteer opportunities.

The City of Hollister's website houses the Hollister Animal Shelter under the "City Hall" tab, "Police Department". Under the FAQ section, there is a "Do You Have Volunteer Opportunities" option. However, the "see our volunteer page" is not set up as a link, and no 'volunteer page' could be found.

FINDINGS & RECOMMENDATIONS

F1: The contract between the COH and the County is now a month-to-month arrangement and may not reflect the financial requirements and logistical operations of the HAS.

R1: Within the next six months, conduct an audit of the animal services, financial impact, and logistical needs between San Benito County and the COH. Following completion of that audit, enter into a new contract or MOU within six months that would provide long-term stability, planning abilities, ensure that the services provided are being compensated fairly, and that is in alignment with the needs of both agencies.



F2: The HAS lacks proper shade for the outdoor dog exercise area, which can make it unusable during peak days and times due to excessive heat.

R2: In the next 60 days, HAS should invest in the installation of shade structures, such as canopies, pergolas, or shade sails, over the outdoor dog exercise and play area at the HAS. Providing adequate shade will help protect the animals from excessive heat and sun exposure, promote animal welfare, optimize the adopter/adoptee experience, and align the facility with best practices in humane shelter design.

F3: The HAS does not have an on-site, dedicated Veterinarian or Vet Tech. This limits its ability to provide timely medical care, routine health monitoring, and preventive treatment for the animals in their care.

R3: Over the next fiscal year, HAS should secure an on-site Veterinarian and Veterinary Technician to serve the needs of both the County and the COH. Having a dedicated Vet Tech on staff would improve the quality of animal care, support timely medical assessments, and enhance overall shelter operations and animal welfare.

RESPONSES REQUIRED

City of Hollister
San Benito County Board of Supervisors

Disclaimer: This report was issued by the Civil Grand Jury, except for **Andrew Rollins** and **Sandra Patterson**, due to a perceived bias towards this Agency. These Civil Grand Jurors did not participate in any aspect of the investigation, including interviews and deliberations, the preparation and writing of this report, or the approval of the report.



SAN BENITO HEALTHCARE DISTRICT COMPLAINT BACKGROUND

INTRODUCTION

The 2024-2025 Civil Grand Jury (CGJ) received a complaint regarding the swearing-in process of the recently elected Board of Directors for the San Benito Healthcare District (SBHD).

METHODOLOGY

The CGJ conducted multiple interviews, including, but not limited to, witnesses, County staff, and other persons deemed knowledgeable of the incidents. Reviewed were the current and past 2024-2025 swearing-in document confirmation.

BACKGROUND

According to Title 1, Division 4, Chapter 1, Article 8, Code 1225 - Who is authorized to administer oaths lists the officers who can officially administer and certify oaths. Title 3, Division 2, Part 1, Chapter 1, Code 24000, lists the county officers who are allowed to administer oaths. For complete information regarding these Government Codes, log onto <https://leginfo.legislature.ca.gov> for detailed information.

DISCUSSION

In November 2024, three seats for the Board of Directors at the SBHD were up for election. Each newly elected seat was sworn in separately in December 2024.

Based on our investigation, it was determined that the three newly elected Board of Directors who were elected to the SBHD were NOT sworn in according to the government codes listed above. It was also determined that this error was subsequently remedied (corrected).

Oath Not Administered Correctly Date	Date Error Remediated by San Benito County Officials	Number of Unauthorized Days
12/5/2024	12/19/2024	14
12/5/2024	12/13/2024	8
12/4/2024	12/13/2024	9

In reviewing documents obtained by the CGJ regarding the Oath of Office being administered to the Board of Directors of the SBHD, it was determined that elected officials before December 4, 2024, were not sworn in by persons authorized to do so. The CGJ did not decide as to whether or not meeting and voting rights may have been violated during the period between being incorrectly sworn in and the remedial action to correct the status of the Board member.



The review of previous years' procedures has brought to light a significant issue concerning the administration of the Oath of Office to the Board Members of the SBHD. It has been observed that before December 4, 2024, individuals who were not authorized to administer the oath were performing this vital function. The unauthorized administration of the Oath of Office has several potential implications: (1) Validity of Board Members' Positions: The legitimacy of the Board Members' positions may be questioned, as the oath was not administered by authorized individuals. This could potentially invalidate their roles and responsibilities. (2) Meeting and Voting Rights: If the Board Members were not validly inducted, any decisions made during meetings and any votes cast may be subject to legal scrutiny and potential invalidation. This can severely affect the governance and operational decisions of the Healthcare District.

FINDINGS AND RECOMMENDATIONS

F1: Three members of the 2024 Board of Directors for the SBHD were not administered the Oath of Office by a person who is authorized to do so. The error was remediated in December 2024, after it was brought to the attention of the Board of Directors.

R1: The SBHD must ensure that only those persons duly authorized to administer the oath of office for elected officials in all government areas or departments, as detailed in Government Code 24000, should be performing this function. It is imperative for the integrity of the electoral process and the validity of the official actions taken by board members that these authorized individuals properly administer the oath of office.

REQUIRED RESPONSES

San Benito Healthcare District Board of Directors

Disclaimer: This report was issued by the Civil Grand Jury, except for **Stacie McGrady**, due to a perceived bias towards the San Benito Healthcare District. This Civil Grand Juror did not participate in any aspect of the investigation, including interviews and deliberations, the preparation and writing of this report, or the approval of the report.



HOLLISTER ELEMENTARY SCHOOL DISTRICT CALAVERAS ELEMENTARY SCHOOL

INTRODUCTION

The Civil Grand Jury (CGJ) became aware of a social media post regarding a Transitional Kindergarten (TK) child who had walked away from the Calaveras Elementary School (CES) campus unattended. An investigation was conducted into the school security systems, processes, and policies that provide for a secure school environment.

The safety and protection of children while away from their parents and caregivers is a critical task. Every day, children are entrusted to the custody of schoolteachers, staff, and administrators. Our community must have faith that their children are safe and well-tended while attending public school.

BACKGROUND

Calaveras Elementary School shares a campus with the Accelerated Achievement Academy (AAA). It is part of the Hollister Elementary School District and is one of 12 schools in the district. The campus serves a combined 700-plus students in grades TK (Transitional Kindergarten) through 8th grade. The school is in a chiefly residential neighborhood, with nearby parks, orchards, and agricultural fields. Currently, there is a major residential housing development and construction in progress, which impedes student movement to and from school.

On September 23, 2024, a TK student (age 4) left Calaveras Elementary School without permission or parental knowledge.

METHODOLOGY

The CGJ interviewed personnel from the Hollister Elementary School District, conducted a campus site visit, reviewed social media documents, online school resources, job descriptions from the school district, and documents provided by Calaveras Elementary School. The CGJ reviewed California Assembly Bill 1747, Comprehensive Safe Schools.

DISCUSSION

California Education Code (EC) Section 32281(a) requires every kindergarten through grade twelve school, public and public charter, including community and court schools, to develop and maintain a Comprehensive School Safety Plan (CSSP) designed to address campus risks, prepare for emergencies, and create a safe, secure learning environment for students and school personnel.

The law requires designated stakeholders to annually engage in a systematic planning process that develop strategies and policies to prevent and respond to potential incidents involving emergencies, natural and other disasters, hate crimes, violence, active assailants/intruders, bullying and cyberbullying, discrimination and harassment, child abuse and neglect, discipline, suspension and expulsion, and other safety aspects.



A review of school documents and interviews with school and district personnel revealed that CES has not complied with California Education Code (EC) Section 32281(a). For the 2024-2025 school year, there is no documentation verifying stakeholder participation in scheduled meetings to develop the CSSP, nor was there evidence that the CES made efforts to engage with key stakeholders. Sign-off pages of the CSSP were not completed that verify stakeholder participation and review of the plan. The school safety plan does not appear to have been shared with staff or parents; however, access is available on the district website for a generic plan.

CES has seven full-time campus monitors to supervise student movement and maintain a safe campus. CGJ observed campus monitors clustering in pairs or small groups, leaving areas of the campus unsupervised. All security gates were locked from the inside, preventing unauthorized visitors from gaining access to the interior of the campus. Four cameras are monitoring the interior walkways of the campus, but there are none to monitor the exterior of the campus, including exit gates. Visitors to the campus must enter from the front of the school.

Teachers have minimal supervision responsibilities, limited to before and after school at the exterior of the front of the campus. Teachers receive mandatory training via Keenan & Associates video classes, relating to school safety and mandated reporting. They must pass all sections with 80% accuracy.

The CSSP recommends the development of a disaster preparedness plan. There is no evidence that CES has a written plan with assigned personnel. There is no physical evidence that they have adequate emergency supplies in case of a major medical need due to a major disaster readily available, including safe drinking water.

The campus monitors, yard supervisors, and school personnel are the first line of defense in protecting vulnerable children. They are expected to be diligent in their duties. They must be fully trained on the job expectations and held accountable to fulfill those expectations.

FINDINGS AND RECOMMENDATIONS

F1: There is no articulated or written supervision assignment for campus monitors. During the CGJ site visit, campus monitors were observed viewing/scrolling on their phones, and visiting with peers, distracting them from their duties.

R1: The school principal should develop an assignment plan for all campus monitors before the start of the 2025-26 school year. The principal, or their designee, must routinely observe campus monitors to ensure they are at their assigned position and focused on the safety of the children at the time and duration expected. This needs to be an ongoing and continuous process.

F2: CES is not adhering to the mandates of AB 1747 and California Education Code (EC) Sections 32280–32289.5: CSSP in the development of their school plan.

R2a: CES should adhere to the mandates of California Education Code (EC) Section 32281(a), requiring key stakeholder participation in the development of the Comprehensive School Safety Plan. The school should schedule a series of meetings, document participation, and have the plan dated and signed off as evidence of participation and acceptance. This plan should be in place no later than September of each school year.



R2b: As part of that plan, CES should develop a written major disaster plan and share it with the district office, staff, and parents. Emergency supplies and a safe water supply should be safely stored in each room.

F3: Student and staff safety is adequate during school hours of operation in the interior of the campus. Campus safety is not as secure as it can be on the exterior of the campus. For example, CES does not have a gated, age-appropriate play/exercise facility for TK and Kindergarten pupils.

R3: CES should explore the implementation of exterior electronic devices to enhance the monitoring of student movement during school hours, as well as possible intruders prior to the new school year for 2025-26. Additionally, the school should install a gated, age-appropriate play/exercise facility for TK and Kindergarten pupils.

REQUIRED RESPONSE

Hollister Elementary School Board

INVITED RESPONSES

Calaveras Elementary School Principal
Hollister School District Superintendent



 PUBLIC NOTICE

NOTICE

In the matter of fixing time for submission of arguments for or against the following measures to be submitted at the Special District Election to be held on Tuesday, November 8, 1977.

Notice is hereby given by the County Clerk of San Benito County, pursuant to provisions of the Election Code of the State of California, that Thursday, Sept. 15, 1977 is hereby fixed as a final date on which arguments for and against the following measures appearing upon the ballot may be submitted to the County Clerk, room 206, Courthouse, Hollister Calif. 95023, for printing and distribution to the voters as provided by law.

PROPOSITION "A"

Shall the San Benito County Water Conservation and Flood Control District enter into a water service contract with the Bureau of Reclamation of the United States Department of the Interior for importation of water into Zone 6 of said District?

PROPOSITION "B"

Shall the San Benito County Water Conservation and Flood Control District, on behalf of Zone 6 a part of the San Felipe Division of the Central Valley Project, in order to supplement existing agricultural, municipal and industrial water supplies, be authorized to do the following;

1. Borrow \$19,900,000 from the United States to provide funds to build a system to distribute imported water locally in Zone 6 of said District;

2. Levy charges and taxes sufficient to operate and maintain said system and to re-pay said loan;

3. Also, to levy charges sufficient to re-pay the United States for said District's share of the cost of the construction of the Federal facilities portion of said project and the cost of operation and maintenance of said facilities, the Engineers's estimate of charges and taxes sufficient to re-pay the above being as follows, but does not include unknown increases in cost that must be paid and that may occur from time to time during the 40 year repayment

a) in the area served by a pressurized distribution system there will be an annual maximum stand-by-charge of \$10.00 per acre of land.

b) A land tax with a maximum of \$1.00 per \$100.00 of assessed valuation per annum.

c) A groundwater charge of \$5.00 per acre foot of agricultural water pumped.

d) A charge of \$34.00 per acre foot of agricultural water delivered through a pressurized system.

e) A groundwater charge of \$29.00 per acre foot of municipal and industrial water pumped.

f) A charge of \$90.00 per acre foot of municipal and industrial water delivered directly to municipal and industrial water systems.

ADVERTISED AUG. 26/30, 1977
FREELANCE