



COUNTY OF SAN BENITO

BOARD OF SUPERVISORS

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November 19, 2019

Honorable Steven R. Sanders, Presiding Judge
Superior Court of California, County of San Benito
450 Fourth Street
Hollister, CA 95023

Re: Response to 2018/2019 San Benito County Grand Jury Report (Roads Report, Jail Report, & Juvenile Hall Report)

Dear Judge Sanders,

The San Benito County Board of Supervisors is hereby submits our response to the Grand Jury Report dated May 9, 2019, issued and received by email on August 27, 2019. The enclosed response fulfills Penal Code Section 933(c) that requires a response from the governing body within 90 days of the Grand Jury issuing a final report. The Board of Supervisors thanks the Grand Jury for their service to our community.

Sincerely,

Mark Medina
Chair, Board of Supervisors

San Benito County Roads (Resource Management Agency, Public Works Division)

FINDINGS

F1: “Inadequate funding for San Benito County roads has led to significant deferred maintenance and a ‘Very Poor’ PCI rating.”

Response to F1: The Board of Supervisors agrees with this finding.

F2: “SB-1 funding and Measure G funding will *maintain* county roads but will not provide funding for improvements.”

Response to F2: The Board of Supervisors disagrees with this finding. Both funding sources can provide limited “improvements”. The primary project that Measure G will improve is Highway 25, with roughly half of the funds committed to that project over the 30 year life of the measure and there will be improvements to other county roads as well.

F3: “According to a Google search, professional grant writers are available to assist counties in securing funds for road projects as well as for payroll expenses associated with said projects.”

Response to F3: The Board of Supervisors agrees that professional grant writers are available.

RECOMMENDATIONS

R1: *“The San Benito County Board of Supervisors hire a professional grant writer to assist with securing funds for the maintenance and improvement of San Benito County roads.”*

Response to R1: This recommendation will not be implemented. A full time grant writer just for roads is not an effective way to achieve new road funds. It would be more effective to contract with a professional grant writer when specific grants may be available. Most road funding is not based on a competitive grant basis, but often by formula, which is why the administration fought hard to maintain existing SB1 levels of funding for small counties when the formula was proposed to be changed in favor of larger counties.

R2: *“The Civil Grand Jury recommends that the San Benito County Planning Commissioners attend training on the effective negotiation of any new Development Agreement (DA) with persons or entities building new homes in San Benito County.”*

Response to R2: This recommendation will not be implemented as negotiating Development Agreements is not an appropriate role for Planning Commissioners. The negotiations are done by professional staff with the assistance of County Counsel, and in many cases are supplemented by experienced outside counsel. All development projects pay established impact fees for roads and other governmental services. Any assessment of fees and charges requires a nexus, meaning that there has to be a relationship between the project’s impacts on the existing road system, generally dealing with traffic capacity, not condition of pavement, which is a maintenance issue.

R3: *“That the San Benito County Board of Supervisors increase funding in the Resource Management [sic] Agency, Planning Division, and the County Counsel’s Office to assist*

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with effective management of resources, ensure compliance with all local, state and federal laws associated with same, to promote a more holistic approach to construction of new home subdivisions in the county, and the foster the promotion of San Benito County to potential investment by industry.”

Response to R3: This recommendation has been implemented. However, the Board recognizes that this is a continuing goal, and sets forth additional steps it plans to take in the future. This recommendation has several facets, including increasing staffing, as well as increasing funding to improve roads. The Board of Supervisors has already taken several steps in this direction by:

1. Approving the expenditure of approximately \$750,000, which provided for emergency pot hole repairs on over 70 miles of public roads. This was done to supplement the work of a small public works road crew of 5 people due to numerous vacancies.
2. Initiating a “Quick Start” Road resurfacing program utilizing Measure G funds, in the amount of \$8 million. The Board will issue a small financing program to leverage 5 years worth of Measure G dollars to be implemented in the next 12 to 18 months. This will resurface approximately 8 to 10 miles.
3. Reallocating \$4.8 million of Enterprise funds to the road resurfacing program, which will resurface another 4 to 6 miles of roads.
4. Approving the FY 19/20 budget which provided for maintenance of funding for existing staff levels. Administration has been aggressively pursuing the filling of vacancies (over 15 positions in the RMA Department).
5. Allocating \$100,000 per year over a 5 year period to the San Benito Business Council to hire an Economic Development Director.

Additional steps that will need to be taken include:

1. The commitment of resources for the hiring of Planning staff and preparation of environmental work to complete the implementation of the 2015 General Plan by appropriately rezoning areas slated for future commercial and industrial development. This will create more jobs and revenue for the county, which in turn will help further improve roads and enhance services.
2. Review the current traffic impact fees to make sure that they are in line with the cost of road improvements.
3. Continue to pressure Caltrans to re-think the currently approved plan for Highway 25 to bring it in line with available funding and free up additional funds for local roads.
4. Develop a funded on-call contract system to do more pot hole and emergency repairs.
5. Be more proactive in Sacramento and increase advocacy of projects.
6. Develop a robust legislative priority list for the State and Federal Government.

San Benito County Jail

FINDINGS

F1: “The central air conditioning system is not adequate to maintain a safe temperature for the inmates during hot weather.”

RESPONSE TO F1: The Board of Supervisors partially disagrees. While the central air conditioning system does not function optimally, the temperature maintained is safe for inmates.

F2: “The kitchen is not being used to full capacity. The plumbing under the kitchen floor is clogged and the sewer backs up into the kitchen drains. As a result all food preparation is contracted with an outside source.”

RESPONSE TO F2: The Board of Supervisors disagrees. Repairs have been made to the plumbing as of October 1, 2019 and the kitchen is currently being utilized for food preparation.

F3: “The Jail only has part-time mental and physical health services, sometimes resulting in a waiting period for inmates to get help.”

RESPONSE TO F3: The Board of Supervisors partially disagrees. The Sheriff’s Department is in compliance with state law. The County’s Behavioral Health Department is able to provide support services and care for those inmates with mental health needs at all times, but are not on-site. A medical nurse is available 8 hours per day, seven days per week. Urgent situations are addressed by transport to Hazel Hawkins Hospital. Non-urgent situations often result in reasonable wait times of less than 24 hours.

RECOMMENDATIONS

R1: “The County should apply for grants and/or the San Benito County Board of Supervisors should allocate funds for needed repairs to the central air conditioning system, so that it will maintain a safe temperature for the inmates during hot weather.”

RESPONSE TO R1: This recommendation will be implemented in this fiscal year. Though the current temperatures are maintained at safe levels, the Board of Supervisors recognizes the need to upgrade the central air conditioning system and is in the process of implementing this recommendation. \$500,000 has been budgeted under the Public Works Department Capital Improvement Project Budget for this purpose.

R2: “The San Benito County Board of Supervisors should allocate money to fix the plumbing to make the kitchen useable.”

RESPONSE TO R2: This recommendation has been effectively implemented already in that the kitchen has been repaired. There is no need to allocate money as the kitchen is currently useable and the plumbing has been fixed (through funds from the San Benito County Community Corrections Partnership).

R3: “The County should obtain additional mental and physical health services in the County Jail, to fill the needs of the inmates.”

RESPONSE TO R3: This recommendation is currently being implemented. The Sheriff's Office has added eight additional daily hours to its on-site medical care program and 40 additional weekly hours of mental health care provided by a licensed Clinical Social Worker. It is anticipated that these additional services will be available by the end of Fall 2019.

San Benito County Juvenile Hall

FINDINGS

F1: *“The Juvenile Hall staff are [sic] committed to help each youth reach their potential with a positive attitude and an overall caring for each youth.”*

RESPONSE TO F1: The Board of Supervisors agrees.

F2: *“There were no vocational programs for the youth to help them be able to study and learn a new trade after their time spent in Juvenile Hall.”*

RESPONSE TO F2: The Board of Supervisors agrees.

F3: *“More mental health time is needed to help the youths cope with the daily life of Juvenile Hallx [sic]”*

RESPONSE TO F3: The Board of Supervisors partially agrees. The Juvenile Hall is currently in compliance with state law, but a higher level of services is desirable.

RECOMMENDATIONS

R1: *“Institute an on-site vocational program to include classes in auto, electrical, plumbing or carpentry trades, with an instructor that has a background in these areas.”*

RESPONSE TO R1: This recommendation will not be implemented because it is not reasonable. As noted in the Grand Jury's report, there is a low population in the Juvenile Hall. At the time of the Grand Jury's inspection on November 13, 2018 the population of the facility was four youths. In the first quarter of 2019, the average length of stay for youths at the Juvenile Hall was 38.5 days. In the second quarter of 2019 the average length of stay for youths at the Juvenile Hall was 24.6 days. The average length of time the youths are in the care of Juvenile Hall is not long enough for the completion of a vocational education program. The majority of students that enter Juvenile Hall were previously enrolled in an alternative education program through the San Benito County Office of Education where such vocational education classes are not currently available. Furthermore, the Juvenile Hall does not have a location where vocation education for the trades specified in the recommendation could be safely conducted.

The Juvenile Hall has implemented the Agriculture Program as noted in the Grand Jury's report. In conjunction with the San Benito Office of Education youths at the Juvenile Hall receive experience with growing produce, learning about irrigation, and other aspects of agricultural production.

R2: *“Increase mental health services to counsel and advise youths during their time spent in Juvenile Hall and after they are released.”*

RESPONSE TO R2: The recommendation has not yet been implemented, but will be implemented in the future. Additional mental health services are being pursued through the San Benito County Behavioral Health Department and through WellPath, the medical provider at the Juvenile Hall. It is anticipated that additional services will begin by January 1, 2020.