



FILED
1-27-14
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ATTACHMENT 1

Minkin, Angela K.

From: Stephen Collins <stecllns@aol.com>
Sent: Friday, December 06, 2013 8:47 AM
To: mikea@taproduce.com; tnelson@donchapin.com; snelson@plantsciences.com; zlouish@aol.com; jarmst270@aol.com; rjstefani@aol.com; brian@bfinegan.com; brianrianda@rianda.com; bsemilof@mcmanislaw.com; btaylor@taylorfarms.com; bwhughesjr@acemalibu.com; dchapin@donchapin.com; cherylwardkaiser1@gmail.com; cheryl@razzalink.com; alec.arago@mail.house.gov; andrew@ausonio.com; Minkin, Angela K.; ashleesong@aol.com; awhite@mclw.org; bob.gray@agleaders.org; boba@taproduce.com; Aaron@AJohnsonLaw.com; aanaya1952@gmail.com; aleach@taylorfarms.com; abby@growershipper.com; jstrachan@thegiant.com; kay@abkcherry.com; jmcmanis@mcmanislaw.com; jstrachan@GrowersExpress.com; konstanzeassaad@sbcglobal.net; kwagner@thegiant.com; kelly@carmelpinecone.com; kimbley@ci.salinas.ca.us; janetecollins31@aol.com; jason@burnettecoenergy.com; idachesshire@hotmail.com; itsholly1@aol.com; jjohnson@montereyherald.com; jmarkman@rwglaw.com; jeff@shermansrx.com; jim@growershipper.com; dicknutter@earthlink.net; diana.brooks@cpuc.ca.gov; dennisd@radicchio.com; dellasal@ci.monterey.ca.us; hollowbuilt@gmail.com; harry.wardwell@rabobank.com; kurt@scheidvineyards.com; edmitchell70@hughes.net; dale.ellis@sbcglobal.net; clarsen@mcmanislaw.com; CHuntington@steinbeckproduce.com; chilibob@riofarms.com; dcollins47@yahoo.com; jeff@agdavi.com; DavidGill@RIOFARMS.COM; danmatterson@yahoo.com; roth@ci.monterey.ca.us; rrubio@ci.seaside.ca.us; santalechuga@gmail.com; sara@mcweekly.com; redbryan@earthlink.net; Rauschmeier, Richard; richardhorrigan@sbcglobal.net; ronweitzman@redshift.com; bamboorods@saber.net; dunsmuirrodcompany@sbcglobal.net; RAlameda@rmcwater.com; rcalkins@montereyherald.com; naderagha43@gmail.com; nobadwater1@aol.com; mjdelpiero@aol.com; mfogelman@friedumspring.com; morradre@aol.com; McCrary, Monica L.; mb@michaelburtlaw.com; madeleine@got.net; MEURER@ci.monterey.ca.us; remend7645@aol.com; lutesdj@aol.com; lindstd11@comcast.net; mleffel@gbbk.com; Immendoza@comcast.net; LMelton@rmcwater.com; zlouish@aol.com; wwhitton@rocketmail.com; yokenishi@redshift.com; troy.phillips@mail.house.gov; vhennessy@montereyherald.com; tromans@pacstam.com; toddjarvis@comcast.net; tnelson@donchapin.com; thejosh212@aol.com; tbryan@taylorfarms.com; steve@seacompany.org; mlmkd005@gmail.com; snelson@plantsciences.com; smithdragn@aol.com; smckinsey@thegiant.com; sigc422@msn.com; sgriffin@misionero.com; sdelorimier@darrigo.com; sdarlington@redshift.com; scott@scheidvineyards.com

Attachments: Stubbed Attachments.htm

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[BOSDecember10agenda 002.jpg](#) (581.7K)
[BOSDecember10agenda 003.jpg](#) (469.4K)
[BOSDecember10agenda 004.jpg](#) (667.3K)

Good chilly Friday morning, all. Oh those sneaky Supervisors, after being bashed for holding 26 personnel evaluations in the year 2013, for McKee and Bauman, to discuss who knows what, they have now devised a new tactic. Attached are 2 agendas for Tuesday, December 10, 2013, one for the BOS and the other for the BOS of the MCWRA. Notice the names are identical, kind of makes McKee's letter wherein he states the County is not destroying records, the Water Resource Agency is, look a little silly does it not?

My main point is, look at the closed session item for the BOS of the MCWRA, the personnel evaluation for the GM for the MCWRA. I wonder if he has the slightest idea he is being evaluated on Tuesday? Wonder what they could be hiding here? For the record, I went back over the year 2013 and the GM of the Water Resource Agency is on his 6th performance evaluation of the year. The BOS of the MCWRA has met 21 times in 2013 in this capacity and the GM has been evaluated for his performance 28.6% of the time. He must need a fair amount of direction. At least he is not as bad off as County Counsel, he has been given a performance evaluation in over 50% of the agendaized BOS meetings in 2013. He must need a LOT of help in performing his duties.

Monterey County

*Monterey County Government Center
Board Chamber
168 W. Alisal St., 1st Floor
Salinas, CA 93901*



Meeting Agenda

Tuesday, December 10, 2013

9:00 AM

**See separate agenda for Monterey County Water Resources
Agency**

Board of Supervisors

*Chair Fernando Armenta - District 1
Vice-Chair Louis R. Calcagno - District 2
Supervisor Simón Salinas - District 3
Supervisor Jane Parker - District 4
Supervisor Dave Potter - District 5*

NOTE: All agenda titles related to numbered items are live web links. Click on the title to be directed to corresponding Board Report.

9:00 A.M. - Call to Order

Roll Call

Additions and Corrections for Closed Session

The Clerk of the Board will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code. The public may comment on Closed Session items prior to the Board's recess to Closed Session.

Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
(1) Designated representatives: James May and Brette Neal
Employee Organization: Unit S
 - b. Pursuant to Government Code sections 54956.9(d)(2) and 54956.9(e)(3), the Board will confer with legal counsel regarding one matter of significant exposure to litigation and/or potential initiation of litigation.
Continuance of Closed Session to be held at the conclusion of the Board's Regular Agenda, or at any other time during the course of the meeting announced by the Chairperson of the Board. The public may comment on Closed Session items prior to the Board's recess to Closed Session.

10:30 AM Reconvene

Roll Call

Pledge of Allegiance

Additions and Corrections

The Clerk of the Board will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code.

Monterey County

*Monterey County Government Center
Board Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901*



Meeting Agenda

Tuesday, December 10, 2013

9:00 AM

See separate agenda for Board of Supervisors

Board of Supervisors of the Monterey County Water Resources Agency

***Chair Fernando Armenta - District 1
Vice-Chair Louis R. Calcagno - District 2
Supervisor Simón Salinas - District 3
Supervisor Jane Parker - District 4
Supervisor Dave Potter - District 5***

9:00 A.M. - Call to Order

Roll Call

Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Water Resources Agency General Manager
Continuance of Closed Session to be held at the conclusion of the Board's Regular Agenda, or at any other time during the course of the meeting announced by the Chairperson of the Board. The public may comment on Closed Session items prior to the Board's recess to Closed Session.

10:30 A.M. Reconvene

Roll Call

Public Comment

This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board of Supervisors. Board members may respond briefly to the statement made or questions posed. They may ask a question for clarification; make a referral to staff for factual information or request staff to report back to the Board at a future meeting.

Consent Calendar

2.
 - a. Adjust the retirement contribution rate for "Classic" PERS members in Units X, XL, Y and Z such that employees will pay an additional 3.5% toward the employee contribution consistent with the County of Monterey Personnel Policies and Practices Resolution No. 98-394 as amended;
 - b. Add a 3.5% base salary increase for those Water Resources Agency employees in Units X, XL, Y and Z effective November 16, 2013; express an interest to add a 2% increase effective the first full pay period in July 2014 and a 3% increase effective the first full pay period in July 2015, consistent with the County of Monterey Personnel Policies and Practices Resolution No. 98-394 Appendix A as amended;
 - c. Authorize the County of Monterey Auditor-Controller and County of Monterey Human Resources Department to implement these changes in the Advantage HRM System.

Adjournment

Minkin, Angela K.

From: Stephen Collins <stecllns@aol.com>
Sent: Saturday, December 07, 2013 1:52 PM
To: mikea@taproduce.com; tnelson@donchapin.com; snelson@plantsciences.com; zlouish@aol.com; jarmst270@aol.com; rjstefani@aol.com; brian@bfinegan.com; bsemilof@mcmanislaw.com; btaylor@taylorfarms.com; bwhughesjr@acemalibu.com; dchapin@donchapin.com; cherylwardkaiser1@gmail.com; cheryl@razzolink.com; alec.arago@mail.house.gov; andrew@ausonio.com; Minkin, Angela K.; ashleesong@aol.com; awhite@mclw.org; bob.gray@agleaders.org; boba@taproduce.com; Aaron@AJohnsonLaw.com; aanaya1952@gmail.com; aleach@taylorfarms.com; abby@growershipper.com; jstrachan@thegiant.com; kay@abkcherry.com; jmcmanis@mcmanislaw.com; jstrachan@GrowersExpress.com; konstanzeassaad@sbcglobal.net; kwagner@thegiant.com; kelly@carmelpinecone.com; kimbley@ci.salinas.ca.us; janetecollins31@aol.com; jason@burnettecoenergy.com; idachesshire@hotmail.com; itsholly1@aol.com; jjohnson@montereyherald.com; jmarkman@rwglaw.com; jeff@shermansrx.com; jim@growershipper.com; dicknutter@earthlink.net; diana.brooks@cpuc.ca.gov; dennisd@radicchio.com; dellasal@ci.monterey.ca.us; hollowbuilt@gmail.com; harry.wardwell@rabobank.com; kurt@scheidvineyards.com; edmitchell70@hughes.net; dale.ellis@sbcglobal.net; clarsen@mcmanislaw.com; CHuntington@steinbeckproduce.com; chilibob@riofarms.com; dcollins47@yahoo.com; jeff@agdavi.com; DavidGill@RIOFARMS.COM; danmatterson@yahoo.com; roth@ci.monterey.ca.us; rrubio@ci.seaside.ca.us; santalechuga@gmail.com; sara@mcweekly.com; redbryan@earthlink.net; Rauschmeier, Richard; richardhorrigan@sbcglobal.net; ronweitzman@redshift.com; bamboorods@saber.net; dunsmuirrodcompany@sbcglobal.net; RAlameda@rmcwater.com; rcalkins@montereyherald.com; naderagha43@gmail.com; nobadwater1@aol.com; mjdelpiero@aol.com; mfogelman@friedumspring.com; morradre@aol.com; McCrary, Monica L.; mb@michaelburtlaw.com; madeleine@got.net; MEURER@ci.monterey.ca.us; remend7645@aol.com; lutesdj@aol.com; lindstd11@comcast.net; mleffel@gbbk.com; lmmendoza@comcast.net; LMelton@rmcwater.com; zlouish@aol.com; aaron@johnsonmoncrief.com; wwhitton@rocketmail.com; yokenishi@redshift.com; troy.phillips@mail.house.gov; vhennessey@montereyherald.com; tromans@pacstam.com; toddjarvis@comcast.net; tnelson@donchapin.com; thejosh212@aol.com; tbryan@taylorfarms.com; steve@seacompany.org; mlmkd005@gmail.com; snelson@plantsciences.com; smithdragn@aol.com; smckinsey@thegiant.com; sigc422@msn.com; sgriffin@misionero.com; sdelorimier@darrigo.com; sdarlington@redshift.com; scott@scheidvineyards.com
Subject: Fwd: Monterey County Herald: Water conflict of interest: Monterey County official said he knew Steve Collins was being paid

-----Original Message-----

From: stecllns <stecllns@aol.com>
To: stecllns <stecllns@aol.com>
Sent: Sat, Dec 7, 2013 1:49 pm
Subject: Monterey County Herald: Water conflict of interest: Monterey County official said he knew Steve Collins was being paid

This article link was mailed to you by: stecllns@aol.com *
I thought you might find this article of interest.

Water conflict of interest: Monterey County official said he knew Steve Collins was being paid - By JIM JOHNSON
Herald Staff Writer

A former Monterey County water official admitted in 2011 he knew in early 2010 that county water board member Steve Collins was being paid for his work on the failed regional desalination project, a possible conflict of interest. [View Full Story](#)

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http://www.montereyherald.com/news/ci_24673681/water-conflict-interest-monterey-official-said-he-knew
<http://www.montereyherald.com>

This e-mail was delivered by machines from the following IP addresses [98.234.66.71],[23.212.52.47].

* Please note, the sender's email address has not been verified.

Water conflict of interest: Monterey County official said he knew Steve Collins was being paid

By JIM JOHNSON Herald Staff Writer Monterey County Herald
Posted:

MontereyHerald.com

A former Monterey County water official admitted in 2011 he knew in early 2010 that county water board member Steve Collins was being paid for his work on the failed regional desalination project, a possible conflict of interest.

However, in a tape recorded message, former Water Resources Agency General Manager Curtis Weeks said he told investigators for the county that he believed Collins was working for the Marina Coast Water District and not the project manager, RMC Water and Environment.

Weeks made those assertions in a phone message he left for RMC principal Lyndel Melton in August 2011, which The Herald has obtained.

Related: FPPC closes conflict investigation, for now

Weeks left the message as the regional desal project was unraveling and while his job was in jeopardy on the heels of revelations that Collins had been paid \$160,000 by RMC for work he did on the project while he was a public official. Collins was board chairman of the county Water Resources Agency.

Days later, the California Coastal Commission dealt the desalination project a blow by indefinitely postponing review of a crucial test well permit. Weeks left his post the following month, Collins was charged with felony conflict of interest and the water project became a dramatic and expensive failure.

Collins has pleaded not guilty to the conflict charges and has contended in various forums that other county officials, including Weeks and members of the Board of Supervisors, knew of and approved of his paid relationship with RMC. Those officials acknowledge that Collins was leading the county's effort to make the desalination project succeed but said they didn't know he was being paid by RMC.

Related: Monterey County Supervisor Lou Calcagno cleared in alleged property conflict

In the phone message, Weeks said he told investigators his "recollection" was that Jim Heitzman, former Marina Coast Water District general manager, told him that Collins was "working under a contract" with former Marina Coast lawyer Lloyd Lowrey, and not RMC. He said in the message that he "didn't learn the actual details" of Collins' work for RMC until "quite a bit later."

Collins had started working for RMC the same month he and Weeks formed a consulting partnership. They reportedly were hoping to become subcontractors on the desalination

project, among other things.

Weeks indicated in the message that he was returning an earlier call from Melton, and said he could understand Melton's "chagrin" and Heitzman's "angst and anger" over details in a preliminary report issued by the county-hired law firm of Remcho, Johansen & Purcell in late June 2011. The firm had been hired to investigate the county's role in the Collins matter.

Weeks said he had told the law firm that he didn't know about RMC payments until much later: "The only thing I can say is it has to do with the invoices that I had not seen, and frankly still haven't seen, until they were released in late May of 2011."

The Remcho report suggested it was Heitzman's idea for RMC to hire Collins to serve as a consultant in an ongoing legal battle between the Marina Coast Water District and the Ag Land Trust. The Remcho report, commissioned by the county, did not indicate that any county officials knew about any such arrangement, including Weeks.

A subsequent report issued by attorney Jim Markman, commissioned by Marina Coast, suggested Weeks had asked Heitzman to hire Collins at the behest of county supervisors in January 2010.

A later version of the Remcho report offered more detail but continued to focus on Collins' dual role. It largely ignored the potential involvement of other county officials, including whether Weeks had a potential conflict of interest due to his partnership with Collins.

Weeks' mention of invoices may refer to a series of records released by Marina Coast in May 2011 that outlined Collins' billings to RMC. He was paid for a range of meetings he attended and work he performed while identifying himself only as a county water board member. He also appears to have double billed the county and RMC for some of the same costs.

The phone message concludes with Weeks saying he was "deeply troubled and struggling with things" and was hoping he and Melton could "sit down and chat."

Weeks told a reporter earlier this week that he had reached out to both Melton and Heitzman because he understood they were upset about the Remcho report's suggestion that no county officials were aware Collins was being paid for work on the regional project.

Weeks said he discovered Collins was working for RMC instead of Marina Coast months later, in June 2010, when a Marina Coast attorney raised it as a potential conflict of interest. He said he remembered the county's law firm, Downey Brand, advising Collins to seek his own advice on whether working for RMC was a conflict, and he said he assumed everyone who knew about Collins' dual role was OK with it.

Weeks insisted that it was Collins who indicated the supervisors knew about his dual role on the project. Weeks said he never spoken with any supervisor about it.

On Thursday, Melton said he wasn't sure about Weeks' knowledge of the exact "contractual

relationships," but he said the phone message confirms he knew Collins was working on the project under contract with someone. He said he found it difficult to believe Weeks was in partnership with Collins but didn't know what he was doing.

Melton said he believes Heitzman and Collins when they say that Weeks and Supervisors Lou Calcagno and Dave Potter knew about Collins' dual role.

"(Our) chagrin or angst was associated with the fiction that the county didn't know anything about this," Melton said, "when from our perspective we only (hired Collins) because they asked. When they were told there was a possible (conflict of interest), why didn't the county handle it then? From our perspective, this is a county problem. I'm not sure who did the throwing but, yes, we were thrown under the bus."

Jim Johnson can be reached at 753-6753 or jjohnson@montereyherald.com.

Minkin, Angela K.

From: Stephen Collins <stecllns@aol.com>
Sent: Monday, December 09, 2013 12:53 PM
To: mikea@taproduce.com; tnelson@donchapin.com; snelson@plantsciences.com; zlouish@aol.com; jarmst270@aol.com; rjstefani@aol.com; brian@bfinegan.com; bsemilof@mcmanislaw.com; btaylor@taylorfarms.com; bwhughesjr@acemalibu.com; dchapin@donchapin.com; cherylwardkaiser1@gmail.com; cheryl@razzolink.com; alec.arago@mail.house.gov; andrew@ausonio.com; Minkin, Angela K.; ashleesong@aol.com; awhite@mclw.org; bob.gray@agleaders.org; boba@taproduce.com; Aaron@AJohnsonLaw.com; aanaya1952@gmail.com; aleach@taylorfarms.com; abby@growershipper.com; jstrachan@thegiant.com; kay@abkcherry.com; jmcmanis@mcmanislaw.com; jstrachan@GrowersExpress.com; konstanzeassaad@sbcglobal.net; kwagner@thegiant.com; kelly@carmelpinecone.com; kimbley@ci.salinas.ca.us; janetecollins31@aol.com; jason@burnettecoenergy.com; idachesshire@hotmail.com; itsholly1@aol.com; jjohnson@montereyherald.com; jmarkman@rwglaw.com; jeff@shermansrx.com; jim@growershipper.com; dicknutter@earthlink.net; diana.brooks@cpuc.ca.gov; dennisd@radicchio.com; dellasal@ci.monterey.ca.us; hollowbuilt@gmail.com; harry.wardwell@rabobank.com; kurt@scheidvineyards.com; edmitchell70@hughes.net; dale.ellis@sbcglobal.net; clarsen@mcmanislaw.com; CHuntington@steinbeckproduce.com; chilibob@riofarms.com; dcollins47@yahoo.com; jeff@agdavi.com; DavidGill@RIOFARMS.COM; danmatterson@yahoo.com; roth@ci.monterey.ca.us; rrubio@ci.seaside.ca.us; santalechuga@gmail.com; sara@mcweekly.com; redbryan@earthlink.net; Rauschmeier, Richard; richardhorrigan@sbcglobal.net; ronweitzman@redshift.com; bamboorods@saber.net; dunsmuirrodcompany@sbcglobal.net; RAlameda@rmcwater.com; rcalkins@montereyherald.com; naderagha43@gmail.com; nobadwater1@aol.com; mjdelpiero@aol.com; mfogelman@friedumspring.com; morradre@aol.com; McCrary, Monica L.; mb@michaelburtlaw.com; madeleine@got.net; MEURER@ci.monterey.ca.us; remend7645@aol.com; lutesdj@aol.com; lindstd11@comcast.net; mleffel@gbbk.com; lmmendoza@comcast.net; LMelton@rmcwater.com; zlouish@aol.com; aaron@johnsonmoncrief.com; wwhitton@rocketmail.com; yokenishi@redshift.com; troy.phillips@mail.house.gov; vhennessey@montereyherald.com; tromans@pacstam.com; toddjarvis@comcast.net; tnelson@donchapin.com; thejosh212@aol.com; tbryan@taylorfarms.com; steve@seacompany.org; mlmkd005@gmail.com; snelson@plantsciences.com; smithdragn@aol.com; smckinsey@thegiant.com; sigc422@msn.com; sgriffin@misionero.com; sdelorimier@darrigo.com; sdarington@redshift.com; scott@scheidvineyards.com
Subject: Fwd: FPPC investigated many county officials, exonerates them all. - Monterey County Weekly: News Blog

Thought you might like an interesting take from the Weekly. It is factual

-----Original Message-----

From: Stephen Collins <stecllns@aol.com>

To: stecllns <stecllns@aol.com>

Sent: Mon, Dec 9, 2013 12:51 pm

Subject: FPPC investigated many county officials, exonerates them all. - Monterey County Weekly: News Blog

http://www.montereycountyweekly.com/blogs/news_blog/article_6ad784d6-5ec9-11e3-8ed1-001a4bcf6878.html#.UqYtRqYKKQc.aolmail

Monterey County Weekly

Posted: Friday, December 6, 2013 2:54 pm

FPPC investigated many county officials, exonerates them all. Sara Rubin montereycountyweekly.com | 10 comments

Practically every public official who ever uttered "desalination" was investigated by the California Fair Political Practices Commission for "aiding and abetting" in the alleged conflict of interest that ultimately sank the project.

And now they've all been exonerated, at least pending the results of the criminal trial for former county Water Resources Agency Director Steve Collins, who was paid \$160,000 by desal project contractor RMC Water & Environment while repping the county.

All of the county supervisors—Lou Calcagno, Dave Potter, Jane Parker, Fernando Armenta and Simon Salinas—were investigated by the FPPC.

So were County Counsel Charles McKee, Deputy County Counsel Irv Grant, former MCWRA general manager Curtis Weeks, former Marina Coast Water District GM Jim Heitzman.

They were all investigated, along with Collins, for potential violations of the California Political Reform Act.

FPPC Counsel Galena West sent all of their lawyers a letter on Nov. 26 to say the FPPC was closing its investigations.

All of the individuals were investigated for aiding and abetting.

In Calcagno's case, there was also an investigation into a conflict of interest. "The Commission found no evidence of a violation and is closing the matter," West wrote.

Collins himself was also released from the FPPC investigation on Nov. 26.

Collins has tried multiple venues—a civil lawsuit against the county (he lost) and his blocked defense in criminal court—to tell the story of who knew what when, incriminating other officials in the RMC deal. The FPPC, it turns out, will not be his venue for that, either.