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REPORT OF INVESTIGATION

*regarding the joint investigation
by the
City of Arroyo Grande, California
and the
South San Luis Obispo County Sanitation District*

Confidentiality Notice

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July 14, 2017

Ms. Shelline Bennett
Attorney at Law
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Re: The Joint Investigation by the City of Arroyo Grande, California and the South San Luis Obispo County Sanitation District

Dear Ms. Bennett:

The following serves as my report in connection with the above-referenced matter.

I. PREDICATION:

This examination was predicated principally upon the oral allegations of two members of the public at a January 24, 2017 Arroyo Grande City Council meeting. Said allegations pertained to the conduct of Jim Hill, both in his capacity as City of Arroyo Grande Mayor and as the city's designated representative on the South San Luis Obispo County Sanitation District Board of Directors (hereinafter "district"). The public remarks setting forth these initial allegations are enclosed herewith as Exhibit 1.

Subsequently, both the Arroyo Grande City Council and the District's board of directors voted to conduct a jointly sponsored independent investigation regarding the factual basis, if any, for the allegations against Mr. Hill. Special legal counsel for both entities thereafter provided a specific set of questions regarding Mr. Hill's conduct as mayor and district board member. These questions effectively define the scope of the examination.

II. ASSIGNMENT:

The following questions were provided by special legal counsel for the city and the district, and the factual basis for each was critically examined during the course of this process:

1. As Mayor of the City, has Jim Hill disclosed and/or provided access to closed session communications to third parties?
2. As Mayor of the City, has Jim Hill disclosed confidential attorney-client and/or attorney work product privileged information/documents to third parties?

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3. If alleged, as Mayor of the City, has Jim Hill individually, and outside the direction of a majority of the Council acted unilaterally and outside his legislative role, including but not limited to becoming involved in and/or interfering in personnel matters?
4. As Mayor of the City, has Jim Hill disclosed confidential personnel matters to third parties?
5. As a Board member for the District, has Jim Hill disclosed and/or provided access to closed session communications to third parties?
6. As a Board member for the District, has Jim Hill disclosed confidential attorney-client and/or attorney-work product privileged information/documents to third parties?
7. As a Board member for the District, has Jim Hill individually, and outside the direction of a majority of the Board acted unilaterally and outside his legislative role, including but not limited to becoming involved in and/or interfering in personnel matters?
8. As a Board member for the District, has Jim Hill disclosed confidential personnel matters to third parties?

It should be noted that as the fact finder I was neither a participant in nor privy to any deliberative process that resulted in the above questions; rather, my role was properly limited to conducting a good faith, neutral and objective fact gathering process in an effort at both establishing and refuting the basis for each of these questions.

III. SCOPE OF ENGAGEMENT:

The scope of this engagement is restricted to an examination of Jim Hill's conduct as mayor and district board member relative to the questions set forth above. Ultimately, I was charged with responsibility for reaching evidence-based conclusions of fact regarding same.

No recommendations for administrative action will be provided to the public entities that sponsored this examination, or to any of their respective agencies, departments, employees or representatives. This is consistent with a neutral and objective fact gathering process in which the role of external fact finder is separate and distinct from the internal administrative decision-making process.

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It is anticipated that a representative of both of the sponsoring public entities will inform the parties of the results of the examination at the conclusion of this process.

IV. INVESTIGATIVE METHODOLOGY:

1. Interviews

In-person and/or telephonic interviews were conducted with the following individuals, all of whom were thought to possess or be in position to possess relevant factual information. In some instances, multiple interviews were conducted with these individuals in an effort at obtaining sufficient information while vetting for veracity and credibility:

Bob McFall
*Former Interim City Manager
City of Arroyo Grande*

Patty Welsh
Arroyo Grande resident

Matt Guerrero
*Former Board Member
Sanitation District*

Mary Lucey
*Former Board Member
Sanitation District*

Barbara Harmon
Arroyo Grande City Council

Caren Ray
Arroyo Grande City Council

John Shoals
*Board Chair
Sanitation District*

Gerhardt Hubner
*Administrator
Sanitation District*

Shirley Gibson
Halcyon, California resident

James Duffin
Pismo Beach resident

Kristen Barneich
Arroyo Grande City Council

Beatrice Spencer
Arroyo Grande resident

Amy Simpson
*Bookkeeper/Secretary
Sanitation District*

John Clemons
*Superintendent
Sanitation District*

Kelly Wetmore
*Legislative & Information Services
City of Arroyo Grande*

Julie Tacker
Los Osos resident

Gil Trujillo
*Legal Counsel
Sanitation District*

Kitty Norton
*Executive Assistant
City of Arroyo Grande*

Walt Cuzick
*Information Technology Mgr.
City of Arroyo Grande*

Wendy Stockon
*Legal Counsel
Sanitation District*

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Standard admonitions for a workplace investigation were provided at the outset of each interview with those employed by the city and the district. In each case the interviewee affirmatively declared he or she understood the admonitions and agreed to participate in the interview.

It should be noted that efforts at conducting an interview with Jim Hill as part of this process have been unsuccessful as of the date of this report. This is unfortunate given his central role, as he undoubtedly possesses relevant and important factual information, context and perspective that only he can provide. Despite this, however, communication with Mr. Hill's attorney has been unfruitful.

Mr. Hill's lack of participation in this process serves as a timely reminder of one of the fundamental precepts of administrative investigation methodology: the fact finder does what one can reasonably do with readily available evidence and resources. If a party, witness or other source of potentially important information is for some reason unavailable, factual findings are nevertheless required based upon the available evidence. Such is the case in this instance. In short, the factual analysis and conclusions set forth in this document result in part from Mr. Hill's lack of participation.

2. Documentation of Interviews

Extensive handwritten notes were taken contemporaneous with each of the interviews conducted in this matter. All such notes shall remain on file with this office for a period of five years, or until their production is requested or otherwise compelled via legal process.

3. Document Review

Well in excess of 2,500 pages of documents were received from various sources during the course of the examination. All of these documents were read and their contents and relevance carefully considered and evaluated — in many cases repeatedly — as new information emerged from witnesses or other documents. All of the documents relied upon in the creation of this report are listed in the appendices with copies enclosed as exhibits.

V. STATEMENT OF COMPLAINT:

As indicated at the outset of the report, the remarks from members of the public that serve as the basis for this examination are set forth in Exhibit 1. The reader is thus referred to this document for details regarding the nature of the allegations that prompted the investigation.

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VI. FACTUAL ANALYSIS & DISCUSSION:

1. As Mayor of the City, has Jim Hill disclosed and/or provided access to closed session communications to third parties?

To date, the examination has revealed little in the way of substantive, objectively credible evidence in support of the notion that as mayor, Jim Hill intentionally provided access to closed session communication to unprivileged third parties. Indeed, what evidence has been provided thus far originates almost exclusively with a single source, and careful analysis and consideration of this information inevitably leads to the conclusion that it is simply insufficient to sustain this allegation on the merits.

To be sure, the source of this information has revealed details of encounters that, if true, give rise to legitimate questions about this aspect of Mr. Hill's conduct as mayor. Such may be seen in reports of multiple visits to two local restaurants with Mr. Hill and his wife following city council meetings, during which discussion of closed session deliberations allegedly occurred.¹

On at least one such occasion, the circumstances leading to former City Manager Dianne Thompson's departure were reportedly discussed before her separation from the city actually occurred. This allegedly involved Mr. Hill revealing that Ms. Thompson would not be terminated for cause, but due to her failure to complete "a 45 day review"² of her priorities as the city's top administrator, and as a result of her general lack of qualifications.

Unfortunately, while the examination has yet to reveal any indication that such information was ever made public, it is also not possible to confirm whether these details regarding Ms. Thompson's departure are in fact accurate. In short, the circumstances occasioning the involuntary departure of a city manager³ are undoubtedly the subject of both closed session deliberations and attorney-client privilege. As such, they are clearly off limits in this examination

¹ According to this witness, it was Mr. Hill's custom to preface his remarks regarding closed session deliberations or other confidential information by saying, "Hypothetically speaking...", after which "... he always had this little grin..."

² During a subsequent interview, this witness reported that the city manager was going to be released due to the failure to complete a "90 day review" of administration priorities while again citing the employee's general lack of qualifications for the position.

³ As set forth in the article found at www.sanluisobispo.com/news/local/article86579882.html

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Even if this were not the case, however, this interviewee candidly acknowledged the inability to recall “specifics” of Mr. Hill’s remarks regarding closed session deliberations during successive interviews. In one instance the interviewee conceded it is “...tough to recall specifics” of the information Mr. Hill allegedly shared regarding closed session deliberations. On another, the interviewee admitted, “But I can’t remember specifics” after again describing in general terms Mr. Hill’s remarks regarding the basis for Dianne Thompson’s departure.

When considering unauthorized disclosure of or access to closed session communications, the inability to recall important details — including when such discussions occurred, the topics discussed, and specific statements uttered — represents a glaring and potentially insurmountable evidentiary weakness absent corroboration. In short, compelling evidence in the form of specific, detailed information is crucial when examining this issue.

Furthermore, when shown a document previously provided by this interviewee which memorializes the alleged conversation regarding Dianne Thompson’s departure, the interviewee acknowledged the inability to recall creating this document or its intended purpose.⁴ This despite the fact that it clearly memorializes the conversation in question.

Additionally, while this interviewee reported the possibility that Jim Hill may have disclosed the circumstances surrounding Dianne Thompson’s departure from the city to three and possibly four other people, interviews with two of these individuals revealed no such corroboration. Indeed, neither of these interviewees acknowledged ever receiving closed session or otherwise confidential information from Mr. Hill or his wife.

Regrettably, Jim Hill has yet to weigh in on this issue personally apart from a January 31, 2017 opinion piece at Cal Coast News. In this editorial, Mr. Hill responded to the allegation that he has shared closed session information with unauthorized third parties by saying, “Talking about closed session items: I may have spoken generally about a subject but not specifically confidential or attributable information.” This editorial is enclosed as Exhibit 2.

While Mr. Hill’s arguably ambiguous statement on this topic does give rise to additional questions, it does not objectively constitute a clear and obvious admission that he has shared closed session information with those not privileged to receive it as some suggest. Indeed, if

⁴ After admitting the inability to remember creating the document or its intended purpose, the interviewee volunteered, “James Comey moment?”

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nothing else, this statement tends to reaffirm the previously referenced importance of obtaining specific details when examining whether such disclosure occurred.

At bottom, although the information provided regarding this issue effectively remains unrebutted by Mr. Hill, objective analysis reveals such evidence is in and of itself insufficient to conclude he intentionally disclosed closed session information to third parties not privileged to possess it while acting as mayor.

2. As Mayor of the City, has Jim Hill disclosed confidential attorney-client and/or attorney work product privileged information/documents to third parties?

To date, no evidence has been obtained which explicitly indicates that as mayor, Jim Hill has intentionally disclosed confidential attorney-client and/or attorney work product privileged information or documents to third parties not entitled to possess it.

3. If alleged, as Mayor of the City, has Jim Hill individually and outside the direction of a majority of the Council acted unilaterally and outside his legislative role, including but not limited to becoming involved in and/or interfering in personnel matters?

Mr. Hill's Letter to the Federal Trade Commission

Only three instances were cited as evidence in support of the notion that as Mayor of the City of Arroyo Grande, Jim Hill acted unilaterally and outside his legislative role. The most notable of these is the assertion that he did so when he authored a letter to the Federal Trade Commission (hereinafter "FTC") dated February 23, 2016 while identifying himself as the Mayor of the City of Arroyo Grande. This document is enclosed as Exhibit 3.

Critics of Mr. Hill's actions as mayor in this instance point to several concerns, including the fact that he authored this letter on behalf of Spencer's Fresh Markets, the owners of which are known to be among his political supporters⁵. Indeed, the public statement released by Mr. Hill in response to this controversy acknowledges as much. This statement is enclosed as Exhibit 4. Mr. Hill's critics also point to what they contend is his lack of transparency in authoring this document given his failure to disclose it to other city council members, the city manager or city staff.⁶ In fact, it appears that none of these individuals were aware of this letter until they

⁵ In fact, at least one of the company's owners was admittedly an active participant in Mr. Hill's mayoral campaign.

⁶ No evidence to the contrary has been presented to date.

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received a written response to it from the Federal Trade Commission several weeks later in early April 2016.

Concern was also expressed about the fact that while Mr. Hill did not utilize city letterhead in creating this document, he nevertheless represented himself as the city's mayor in its contents. In fact, even a cursory review of the document reveals the following declaration in the opening sentence:

"I am writing as Mayor of the City of Arroyo Grande California (population 17,000), to express my concern..."

Moreover, the signature block at the conclusion of the letter consists of four lines which include the title "Jim Hill, Mayor" with "City of Arroyo Grande" immediately beneath and the address to City Hall beneath that. Interestingly, Mr. Hill included a personal phone number⁷ at the bottom of his letter as opposed to one assigned to the city.

Finally, critics of Mr. Hill's letter expressed concern that his use of his official title and city hall's address could give the recipient the impression that he was speaking officially on behalf of the city rather than as an individual elected official. This concern appears to have been well-founded, as the responsive letter he received from Federal Trade Commission Chairwoman Edith Ramirez is addressed to "The Honorable Jim Hill", "Mayor, City of Arroyo Grande". This document is enclosed as Exhibit 5.

While the preponderance of the evidence clearly reveals Jim Hill as a hard-working, committed public servant and a vigorous advocate for the policies and initiatives he favors, it is difficult to dismiss concern about his advocacy for a political supporter in his letter to the FTC. Indeed, he specifically mentions Spencer's Fresh Markets by name two times⁸, the first while describing the business as "A local independent grocer... who operates comprehensive traditional grocery stores in Santa Maria and Morro Bay California".

Mr. Hill's letter goes on to describe Spencer's as "... diligently working to acquire the Arroyo Grande location" while pointing out that they "... were reported to be the bidder of record at

⁷ This same phone number was provided by the former interim city manager and one of Mr. Hill's supporters. Further, information in the public domain indicates it is associated with James Edward Hill and Lin S. Hill at their residence address.

⁸ In fairness, it should be noted that one of Mr. Hill's principal critics expressed the view that the owners of this business likely had no knowledge of Mr. Hill's intent to write this letter.

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the... bankruptcy proceeding last November." He refers to the business by name a second time while characterizing it as "... a viable alternative to the anti-competitive situation that led your Commission to require the original divestiture."

Moreover, contrary to Mr. Hill's public statement in response to this controversy, there is no objective evidence of his assertion that his letter to the FTC was aimed at having Spencer's "... or at least another competitive operator reopen the [vacant] store as soon as possible." This is manifest in the fact that the only business Mr. Hill's letter mentions by name is Spencer's.

In fact, viewed objectively, the only possible reference in Mr. Hill's letter to a grocer other than Spencer's is seen in the generic assertion, "Our residents ... have expressed the desire for the [location] to reopen with a locally owned and operated full-service grocery store." Of course, this description applies to Spencer's Fresh Markets as well and may thus be viewed as further advocacy on its behalf.

By the same token, it is difficult to objectively agree with the assertion in Mr. Hill's public statement about what his letter to the FTC actually advocates. In this statement, Mr. Hill claims what his letter "... in fact advocates is transparency in the process" of opening a grocery store in the vacant location as soon as possible.

Contrary to this public pronouncement, however, transparency in this instance would conceivably include some disclosure of the intent to write what is by any objective measure a letter of advocacy with ramifications for the entire city. The fact that the letter potentially serves the interest of a political benefactor merely underscores such concern as does the implied authority attendant to holding oneself out as the city's mayor.

Similarly, transparent disclosure could perhaps be accompanied by communication regarding the intent and objective of such a letter, particularly since it repeatedly refers to a political supporter by name while arguably taking an advocacy position on the supporter's behalf.

Lastly, transparency might include the use of the official phone number listed on the city council's website rather than one's private number, particularly since the letter contains the writer's official title along with the address for city hall. As it is, the use of a personal phone number merely fuels speculation — rightly or wrongly — about the letter's intended purpose and the author's motive, much of which might well be avoidable when accompanied by some communication.

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To be clear, there was apparently no city council policy or regulatory requirement that Mr. Hill provide disclosure to his council colleagues, the city manager, or indeed anyone else when he wrote the letter in question. Indeed, by all accounts such policy did not exist.

Concern regarding Mr. Hill's actions in this instance nevertheless resulted in the adoption of a new city council communication policy in May 2016, a provision of which requires disclosure to the full council when utilizing one's official title in correspondence to public agencies⁹. As this policy did not exist at the time of Mr. Hill's letter, however, he cannot be held accountable for violating it ex post facto much as some may like.

Similarly, it is difficult to objectively conclude that a provision of the Arroyo Grande City Council Operations Manual clearly and obviously applies to Mr. Hill's letter to the FTC as some have suggested. The provision in question states:

*"Recognize that the City Council gives direction only as a convened body. Share opinions and views, but refrain from providing direction without the participation of the full Council. Do not individually attempt to influence the decisions or recommendations of staff."*¹⁰

Given the above, one is mindful of the fact that while Mr. Hill's letter to the FTC clearly adopted an advocacy position, he was communicating with a federal agency and was thus unable to provide "direction". Similarly, it seems obvious that the reference to "staff" in this guideline is not intended for federal regulatory authorities, but for city employees.

It is difficult, however, to dismiss the notion that Mr. Hill's letter attempted to influence the decisions or recommendations of the FTC. If nothing else, this is reflected in the agency's responsive letter, the closing paragraph of which includes the passage "... we will be sure to consider the information you have provided in your letter, along with other relevant information, in deciding whether further action is needed."

On the other hand, Mr. Hill's letter to the FTC arguably conflicts with one of the ethical standards set forth in City of Arroyo Grande administrative policy and procedure. This provision states:

⁹ City Council Operations Manual, Council Communications policy adopted May 24, 2016

¹⁰ City Council Operations Manual, City Council/City Manager Mutual Expectations, Section 2 Expectations of the City Council, Paragraph A

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"Officials and employees shall represent official policies and positions of the City to the best of their ability when designated for this purpose. When representing individual opinions and positions, officials and employees shall explicitly state they do not represent their body or the City of Arroyo Grande, nor will they allow the inference that they do."¹¹

Application of this policy to the facts surrounding Mr. Hill's letter to the FTC reveals no basis for the notion that he was designated to represent the city's official policies and positions when he wrote it. By the same token, it is difficult to avoid the conclusion that he failed to explicitly state his letter represented his individual opinion and position as opposed to that of the city.

The same may be said for Mr. Hill's failure to prevent the inference that his letter represented official city policy or position. For objective evidence of such failure, one need look no further than his use of his official title, the address to City Hall, and the responsive letter he received from the FTC, all of which clearly result in the inference that he was indeed "... writing as Mayor of the City of Arroyo Grande, California" as his letter states.

Clearly defined bright-line standards which leave little room for interpretation are obviously necessary and indeed essential for regulating the conduct of public officials and citizens at large in a complex society. Ideally, however, the interests of good governance — and the transparency that must by necessity accompany it — demand that the presence or absence of controlling regulatory authority not be the only consideration when evaluating one's official actions. One would hope any seasoned public official would find common cause in this principle.

In the final analysis, Mr. Hill's public statement in response to this controversy appears to signal his awareness of the fact that the fundamental underlying concern is one of transparency. Simply put, the obvious merits of advocating for a full-service grocer notwithstanding, had his letter to the FTC truly been accompanied by transparency, accusations of unilateral action and indeed this controversy itself might well have been averted.

Mr. Hill's Communications with State Legislators

The second allegation of unilateral action outside Mr. Hill's legislative responsibilities is seen in the assertion that he initiated meetings with State Sen. Bill Monning and Assembly Member Jordan Cunningham regarding the issue of homelessness in Arroyo Grande. Mr. Hill allegedly

¹¹ Handbook for City of Arroyo Grande Commissions, Committees and Boards, Ethical Standards, Administrative Policy and Procedure A-030, Paragraph K

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initiated these meetings at the Sacramento offices of these legislators without the knowledge or direction of the city council or the interim city manager.

Mr. Hill allegedly spoke about his communications with these state elected officials during open session earlier this year, and a subsequent review of city council discussions regarding the issue of homelessness confirmed this. His remarks on this topic occurred during the council's consideration of participating in the formation of the South County Homeless Task Force.

During his remarks on this topic, Mr. Hill informed those in attendance "... I've spoken with Sen. Monning's office and Assemblyman Cunningham..." while commenting generally upon the city's need for expanded cold-weather homeless facilities.¹² Although Mr. Hill's remarks do not include any reference to where or how these communications occurred, two officials who were present confirmed that Mr. Hill later reported meeting with these elected officials in person at their Sacramento offices.

One city official who participated in this meeting and remembers Mr. Hill's remarks both in the meeting and afterward observed, "I didn't see it as a sinister act" in reference to Mr. Hill's communications with these elected officials. This view is based in part upon the knowledge that the issue of homelessness in the city is an issue dear to Mr. Hill, and one the city council has spoken of repeatedly.

This official's view is also due in part to the understanding that Mr. Hill's communications with these legislators did not occur as part of an effort at obtaining or otherwise seeking specific legislation requiring the concurrence of the city council. While explaining the rationale for this view the official stated, "If he'd gone up and said, 'I have a concern regarding a policy issue' requiring discussion, like transportation or marijuana, that would definitely be a problem without city council knowledge or authority."

At the same time, however, this city official conceded, "The bigger issue is he went and met with them at all while representing Arroyo Grande as mayor without the understanding, authority, or blessing of the city council." That said, this official agrees with the proposition that such communications between mayors and legislators at all levels of government is generally considered to be within mayoral purview on a host of local issues.

Ultimately, the assertion that Jim Hill's meetings with these state legislators constituted unilateral action outside his legislative responsibility effectively remains un rebutted, as does

¹² February 14, 2017 City Council meeting, agenda item 12.b. at 2:25:43

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the evidence provided in support of it. Nevertheless, it is difficult to objectively conclude he acted in an obviously inappropriate manner based upon the relatively limited and somewhat conflicting available evidence.

Although on its face the evidence establishes the occurrence of oral communication between Mr. Hill and the state legislators, there is currently no evidence that he advocated for or pursued any specific legislation, policy or initiative on behalf of the city. Similarly, there is no indication that Mr. Hill's communications with these officials included espousing official policies or positions of the city. This is not to say conclusively that these things did not occur, but merely that there is at present no evidence of such.

Mr. Hill's Role in the Courtland-Grand Development Project

As indicated at the outset of this discussion, only one other concern was raised with respect to unilateral action outside of Mr. Hill's legislative role, and that pertained to what was described as the Courtland-Grand development project that was approved by the city council in late 2015.

In essence, it was initially alleged that Mr. Hill occupied a central role in negotiating the terms of the agreement with the developer of this project, and that these negotiations occurred at Mr. Hill's home without the knowledge or participation of any other city officials. During further examination, however, the complainant who raised this issue conceded that other officials either knew about Mr. Hill's role in this project and/or participated in negotiations. As a result, further examination regarding this issue was tabled.

4. As Mayor of the City, has Jim Hill disclosed confidential personnel matters to third parties?

The Text Message Conversation of January 2017

The only evidence suggesting the possibility that Jim Hill may have disclosed confidential personnel matters to third parties is seen in the previous analysis of his alleged remarks regarding the departure of the former city manager. No other evidence of a similar nature regarding other current or past city employees has been revealed to date.

One item of evidence tends to reaffirm, however, the possibility that Mr. Hill may have shared information regarding the former city manager's departure. This is found in a text message

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conversation between one of Mr. Hill's critics and one of his supporters.¹³ A copy of this exchange is enclosed as Exhibit 6.

At the same time, a fair reading of this conversation suggests it touches upon the assertion that Mr. Hill shared his city email password with his wife, and that she in turn may have shared information of a "confidential" nature with others. The implication is that to the extent Mr. Hill's email is or was accessible by his wife, this potentially exposes any manner of privileged or confidential communications and documents. This topic potentially involves questions 1, 2 and 4 as set forth in the scope of investigation and is discussed at length here for organization.

Taken literally, the contents of this text message conversation suggest several key points, the first of which is that Mr. Hill's supporter has some knowledge of Mr. Hill's past habits, customs and/or practices with respect to his use of his city-issued iPad. This is reflected in the supporter's statement:

"Since I don't speak to the Hills I have no idea if he's changed the way he deals with his city iPad or not. I just don't know."

Another important point follows the question of why Mr. Hill's supporter thinks he gave his wife "the password". This is an obvious reference to Mr. Hill's city-issued iPad given the fact that this follows immediately after the comment about how Mr. Hill "... deals with his city iPad".

When the question "... why did she need it?" is posed in reference to giving Mrs. Hill "the password", Mr. Hill's supporter replies in part:

"Honestly I think he did it for the same reason I know John's email password — not any bad intent, but as a matter of convenience."

Taken at face value, this remark affirms the notion that Mr. Hill provided his password to his wife while suggesting the respondent has personal knowledge of this. Rather than rejecting the premise of the question or asserting a lack of knowledge, the respondent offers thoughts in response to the question in a manner akin to an adoptive admission.

¹³ This supporter is one of the owners of the business mentioned by Mr. Hill in his letter to the Federal Trade Commission.

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Mr. Hill's supporter then goes on to offer a plausible explanation for why Mrs. Hill might possess her husband's password given his lack of availability due to the constraints imposed by his occupation. In fact, this is the very same explanation posited by others, at least one of whom is seemingly neutral in the surrounding conflict. Indeed, it is apparently common knowledge that owing to his occupation and employer, Mr. Hill is often not readily accessible during normal daytime business hours for much of the week.

Yet another potentially important point may be seen immediately after commenting on the above topic, when Mr. Hill's supporter volunteers the opinion that the real concern is Mrs. Hill's failure "... to keep her mouth shut", saying it was "REALLY wrong" for her not to do so. The supporter goes on to observe:

"She shouldn't have shared ANYTHING with you or me or whoever but she can't keep quiet."

Although these remarks do not mention the nature of the information shared by Mrs. Hill, the context of the conversation and the period of time in which it occurs is such that one is left with the impression this information may well have been sensitive. It is clear, for instance, that this text conversation occurred between a former supporter of Mr. Hill and a current supporter shortly after the January 2017 city council meeting where the allegations first arose. Moreover, this conversation occurred precisely because of the allegations raised at that meeting, one of which was the alleged sharing of privileged or otherwise confidential information.

Another set of remarks are interesting, but perhaps somewhat less compelling on their face, particularly with respect to the sharing of "confidential" information. In this exchange, Mr. Hill's supporter was asked:

"... what about the confidential stuff isn't [sic] that REALLY bad stuff too? When you guys would do coffee would she tell you stuff you knew was confidential? Don't you think Jim knew damn well she couldn't keep her mouth shut. [sic]"

Mr. Hill's supporter responds to this question by saying:

"I agree with you on the confidential items. I think if/when she talked about it she obviously felt she could trust you/me not to talk. Jim's problem is he can't trust HER not to talk."

While the statement, "I agree with you on the confidential items" is intriguing, it is impossible to ignore the qualifying language that immediately follows. In particular, it is difficult to dismiss

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the fact that the word "if" clearly leaves open the possibility that the respondent is speaking hypothetically rather than from personal knowledge. Accordingly, it is difficult to objectively conclude that these remarks, in and of themselves, amount to an admission that Mrs. Hill shared "confidential" information with this respondent, or that the respondent has personal knowledge of such.

With the exception of the reference to "... trying to remember all we were told during the Dt fiasco"¹⁴, the remainder of the conversation is likewise interesting but appears to provide little of specific evidentiary value. The vague reference to Mrs. Hill speaking "freely" about unspecified "things" is one such example, as is the reference to Mrs. Hill speaking about "important things."

Ultimately, a lengthy interview with Mr. Hill's supporter who participated in this text message conversation revealed an almost complete repudiation of its key points as previously discussed. While acknowledging the accuracy of the this conversation and the circumstances under which it occurred¹⁵, this individual repeatedly called into question everything from the other party's "mental health issues" to her "very erratic" behavior, and ultimately her overall credibility.

This interviewee also suggested some sort of manipulation by the other party was responsible for the comments in question despite the fact that the interviewee was the one who admittedly initiated this conversation. The interviewee offered this suggestion by recounting the remark of another Hill supporter who reportedly said, "She totally set you up." This led the interviewee to volunteer, "I honestly feel like a fool for putting anything in writing..." with the other party.

With respect to the contents of the text message conversation, the interviewee denied having any knowledge of Mr. Hill's practices with respect to his use of his city-issued iPad, whether past or present, regardless of the remarks attributed to her. She in fact claims she never possessed such knowledge while suggesting her remarks on this topic were essentially aimed at appeasing Mr. Hill's accuser.

Similarly, the interviewee rejected any knowledge of Mrs. Hill possessing a password enabling her to use Mr. Hill's city-issued iPad, and likewise denied ever observing Mrs. Hill actually use

¹⁴ This remark, made several months ago, reaffirms this individual's previously discussed lack of memory and specificity regarding Mr. Hill's comments about the departure of the former city manager.

¹⁵ This supporter admitted, for instance, being the one who initiated this conversation "right after" the city council meeting of January 24, 2017.

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this device. In this regard the interviewee stated, "I've never seen it happen" and "I don't know that it's happened" while later adding, "I never saw it" and "It never happened in front of me." The interview summarized by saying, "It was never my first-hand knowledge of what happened."

The interviewee later voluntarily conceded the possibility that Mr. Hill provided a password to his wife which enabled her to access his iPad. In so doing, however, the interviewee continued to deny any personal knowledge of this, saying, "Maybe he did give her his password. I don't know. I have no idea."

At the same time, the interviewee offered a possible and plausible explanation for why Mr. Hill might do so while again referring to his lack of availability during daytime business hours. In this regard the interviewee stated, "If he did, I believe it was for no bad reason. He's locked in a tank half the time at Diablo Canyon — 'Help me out' — married people act as a team sometimes in these situations."

Finally, although the interviewee allowed that Mrs. Hill "... talked about a lot of things", including "... just general conversations about what was going on with the city"¹⁶, the interviewee denied any knowledge of Mrs. Hill sharing confidential information with others. The interviewee explained that these conversations with Mrs. Hill were simply aimed at being a friend while adding, "I would just let her talk."

The interviewee denied remembering "any specifics" of what Mrs. Hill shared during such conversations, saying it was "... nothing confidential or private", and "Nothing criminal or incriminating."

Ultimately, Mr. Hill's supporter unequivocally rejected the notion that Mrs. Hill shared information she should not have by saying, "To my knowledge I was never given confidential information about anything." She summarized her experience by saying, "Lin did talk freely with us. Does that mean she shared confidential information? No."

Mr. Hill's supporter concluded by saying, "Obviously, [the other party to the text conversation] is going on the premise that she was given... confidential information." The interviewee added, "If that happened, shame on Lin for sharing it. But I don't know that it happened." The interviewee again denied being the recipient of such information by saying "... I can say I don't recall receiving confidential information from Jim or Lin about anything at anytime."

¹⁶ The interviewee volunteered, "A lot of things were going on with the city at the time" of these conversations with Mrs. Hill.

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Mrs. Hill's Alleged Access to Mr. Hill's City Email

One of Mr. Hill's critics¹⁷ also recounted an event that suggests personal knowledge of Mrs. Hill's access to and use of Jim Hill's city-issued iPad. Again, while not necessarily a chief focus of the examination, this issue is relevant inasmuch as Mrs. Hill's access to her husband's city email account clearly suggests possible, if not likely, exposure of any manner of confidential information related to city business.

In this instance, it is alleged that while visiting Mrs. Hill at the Hill residence during approximately late summer 2016, Mrs. Hill was observed responding to a "chime" from Mr. Hill's city-issued iPad. Upon hearing this tone, Mrs. Hill reportedly approached the device, opened it, and typed a "password" on the keyboard which permitted her to access the device's functions.

This encounter reportedly occurred after Mrs. Hill and her visitor had finished playing cards and were standing in the kitchen talking while otherwise alone in the home. The device in question was reportedly located on a peninsula between the kitchen and the living room a few feet away.

The individual who reportedly witnessed this event described the device accessed by Mrs. Hill as being a "laptop computer" while acknowledging a lack of understanding regarding the difference between a laptop and an iPad or tablet. In any case, the device was described as having a "clamshell" form factor in that it was essentially comprised of two parts which included a keyboard and a screen.

The alleged witness to this event acknowledged being aware of Mr. and Mrs. Hill's possession of two other personal computers in their home, both of which are described as desktops. The device reportedly accessed by Mrs. Hill on this occasion was neither of these machines. The device in question was also described as having a "sticker" or other official external badge indicating it was the property of the city or perhaps the mayor.

During further examination, the witness conceded the inability to view either the characters typed by Mrs. Hill or what was displayed on the device's screen when she did so after approaching it in response to the chime. The witness specifically denied observing a password dialog or login screen as Mrs. Hill typed due to vantage point and distance. The witness

¹⁷This is the same individual who provided the text message conversation set forth in Exhibit 6.

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nevertheless expressed the belief that Mrs. Hill did in fact enter a password as she typed into the device immediately upon opening it after responding to the chime.

Shortly after opening the device and typing something into it, Mrs. Hill reportedly summoned the witness by saying, "Look at this." The witness thereafter approached Mrs. Hill and stood "shoulder to shoulder" with her while viewing the device's screen. Interestingly, the witness admitted the inability to remember precisely what was displayed on the device during this time, saying only that it was an email message.

Moreover, although the entire message was displayed on the screen as opposed to merely the header¹⁸, this witness was unable to describe any aspect of the message's contents. By the same token, the witness was unable to say whether the displayed email message originated from Mr. Hill's city email account, and this individual admittedly has "no idea" if the message pertained to sanitation district business.¹⁹

Additionally, this witness contends there were occasions when Mrs. Hill called and related an email message received by Mr. Hill in his capacity as mayor which somehow criticized him or his performance, or that otherwise contained some sort of complaint. On such occasions, Mrs. Hill reportedly read the message in question to the witness over the phone.

Similarly, this witness contends it was "standard operating procedure" for Mrs. Hill to forward email messages received by Mr. Hill that she thought were important regarding both city and sanitation district business. This interviewee and the Jim Hill supporter involved in the text message conversation described in Exhibit 6 were reportedly regular recipients of such forwarded messages.²⁰

Despite this assertion, however, this witness admitted deleting all email communications with Mrs. Hill following the end of their relationship during or perhaps after the last mayoral campaign. Indeed, the witness admitted at present the only retained email message is the one

¹⁸ This interviewee reported that the other party to the text message conversation in Exhibit 6 once stated that although Mrs. Hill has access to Mr. Hill's city email, she is able to view only the message header and not the full message.

¹⁹ This admission potentially enhances this interviewee's credibility and the veracity of at least some of the information provided, as it would have been quite easy to claim otherwise.

²⁰ As previously described, this supporter denied ever receiving any confidential information from Mrs. Hill.

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allegedly sent in early April 2016 which contained the employment contract of the sanitation district administrator. In this regard the witness stated, "I made sure to keep that on my computer in case someone wants to come to my house and forensically examine my computer."

To the extent this version of events is true, it is exceedingly unfortunate, as this destruction of email likely eliminated an important source of objective inculpatory evidence, if indeed it existed at all as claimed. As a result, the anticipated howls of protest by those generally critical of this process are as understandable as they are predictable.

One of the unfortunate, yet inevitable consequences of the destruction of this evidence is that it cannot but help call into question both the credibility of this witness and the veracity of at least some of the information provided, thus tending to diminish whatever credibility enhancement might otherwise exist. Moreover, given the totality of the circumstances,²¹ this is true even if such destruction occurred in good faith before consideration was given to making the complaint that precipitated this examination.

At its bare essence, this is a situation in which a serious allegation was made regarding Mr. and Mrs. Hill as it relates to the access and sharing of sensitive if not explicitly confidential information. Despite this, the only seemingly objective evidence in support of it was admittedly destroyed by the individual leveling the accusation.

The Public Records Request of May 5, 2016

Further suspicion regarding access to Jim Hill's city email account by his wife stems from the previously discussed controversy surrounding Mr. Hill's February 2016 letter to the Federal Trade Commission. In this instance, concern that Mrs. Hill accessed Mr. Hill's city email arose as a result of the purported timing of a public records request that followed a city council member's email to Mr. Hill criticizing him for his letter to the FTC.

The email from the council member criticizing Mr. Hill was sent to Mr. Hill's city email account on Thursday, May 5, 2016 at 11:51 AM. A public records request for all correspondence between the council member and Mr. Hill between May 1 and May 5, 2016 was alleged to have been received by the city that same day sometime between 1:50 PM and 2:10 PM. This email

²¹ This interviewee has long been the subject of harsh, personal criticism and condemnation by Mr. Hill, his supporters and his surrogates, including remarks regarding the interviewee's mental health, lifestyle, social behavior, encounters with law enforcement, and overall credibility. While not dispositive of credibility in and of themselves, such concerns are also not easily dismissed out of hand.

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and the city's acknowledgment of the public records request are enclosed as Exhibits 7 and 8, respectively.

This series of events and the timeline by which they reportedly occurred led some to claim this public records request resulted from the council member's email criticizing Mr. Hill. This in turn led to suspicion that Mrs. Hill accessed Mr. Hill's city email account and read the critical email. Such suspicion rests upon the knowledge that Mr. Hill generally lacks access to his email during the day Monday through Thursday due to his employment.

Mr. Hill's lack of accessibility during daytime business hours is the reason the city implemented what one person described as a "protocol" for communicating directly with Mrs. Hill via email on Mr. Hill's behalf. This involved sending or forwarding email to Mrs. Hill for routine city business and the scheduling of appointments using the email address shared by Mr. and Mrs. Hill. This system was established at Mr. Hill's request when he took office, and it lasted until shortly after the allegations surfaced in January when email communications with Mrs. Hill were discontinued at Mr. Hill's request.²²

Ultimately, critics theorize that Mrs. Hill accessed Mr. Hill's city email account while Mr. Hill was working and unavailable, and she thus learned of the message critical of his letter to the FTC. This in turn led to a relatively rapid public records request by persons unknown for correspondence between Mr. Hill and the council member who criticized him, all of which reportedly transpired while Mr. Hill was presumably inaccessible.

Examination of this series of events revealed documents from the city regarding the receipt of and response to the public records request in question. These documents include an email from the deputy city clerk to the individual who submitted the public records request acknowledging receipt. This acknowledgment is dated May 5, 2016 at 4:48 PM, the same date as the email criticizing Mr. Hill for his letter to the FTC. The city's acknowledgment of receipt may be found in the previously referenced Exhibit 8.

The city's acknowledgment of receipt does not indicate, however, what time the public records request was received that day. Moreover, according to city staff responsible for processing this request, there is no record of precisely what time it was received because it was submitted telephonically via a voice mail message that was not preserved.²³ As a result, city staff cannot

²² The city employee responsible for communicating with Mrs. Hill under this system confirmed all of these facts during an interview.

²³ Exhibit 8 specifically refers to the public records request being received "via voicemail".

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confirm this request was received between 1:50 PM and 2:10 PM as has been alleged during a period of time when Mr. Hill was presumably working and unable to access his email.

An admission of responsibility for the public records request was obtained during an interview with the individual identified in the deputy city clerk's acknowledgment of receipt.²⁴ When asked why this request was submitted this interviewee replied, "Lin told me to" in reference to Mrs. Hill.

The interviewee is "almost positive" Mrs. Hill asked that the public records request be submitted for her during a telephone conversation initiated by Mrs. Hill. Mrs. Hill allegedly asked that this request be submitted because she was "upset" over the email criticizing Mr. Hill for his letter to the FTC. While recalling this the interviewee stated Mrs. Hill "... was absolutely over-the-top upset over that."²⁵

The interviewee confirmed the accuracy of the date on the city's acknowledgment of receipt but was unable to recall what time of day Mrs. Hill's telephone call was received or what time the public records request was actually submitted. The only information the interviewee could provide in this regard is that, "It was almost instantaneous that that letter [the council member's critical email to Mr. Hill] went out and my phone was ringing."

Ultimately, the preponderance of the evidence to date suggests the public records request at issue likely occurred as reported by the interviewee. This conclusion rests substantially upon the objective record of the request provided by the city as well as a lack of evidence to the contrary. In short, there is no objective evidence suggesting an alternative reason for the interviewee to have submitted the public records request.

The City of Arroyo Grande and Jim Hill's Email Account

Further examination regarding the issue of access to Jim Hill's city email account was obtained from the city employee responsible for overseeing information services. This employee confirmed that Lin Hill has long functioned as something of an "administrative assistant" for Mr. Hill given his lack of availability during daytime business hours. The assistance provided by Mrs.

²⁴ This is one of Mr. Hill's principal critics who features prominently in the allegations and this examination.

²⁵ The council member who criticized Mr. Hill for his failure to disclose his letter to the FTC confirmed Mrs. Hill was upset with her when they encountered one another early that same evening.

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Hill includes scheduling appointments for Mr. Hill, and it is not unusual for her to pick up or drop off documents for him at City Hall.

With respect to Mr. Hill's city-issued iPad, the employee confirmed Mr. Hill and all city council members were issued iPads at the time of their election. Mr. Hill initially received his iPad in December 2014.

When they are issued to members, city iPads are set up so that a lock screen is presented when the devices are booted. This lock screen requires a default PIN provided by the city in order to access the device's various functions. The default PIN provided by the city is modifiable by the user and can be changed to virtually any password the user desires.

All of the device's functions are accessible without restriction if one possesses the PIN, including the city email account of the user to whom the device is issued. No other password is required to access this account when using the default email application installed on the device as they are set up to automatically sync with the issued user's email account through the city's Outlook exchange. In short, if one possesses the device's PIN (or user modified password), unrestricted access is provided to the city email account associated with it.

If the user desires not to use the device's default email application, one may utilize an Internet web browser to access one's city-issued email account. This is often referred to as using "webmail".

As with the device's default email application, all members have access to their city email accounts through webmail if they desire, although this does require the use of a secondary password apart from the device PIN. This secondary password is also modifiable by the user. Moreover, if one possesses this secondary password, it permits access to the user's city email account via a web browser from virtually anywhere while using virtually any device.

One of the most interesting revelations is that the employee responsible for overseeing the city's information services admittedly provided the secondary password for Jim Hill's city email account — the one required for webmail — to Lin Hill upon her request on January 23, 2017.²⁶ This is the day before the city council meeting wherein which the allegations against Mr. Hill initially arose, a fact the employee clearly recalls given the temporal proximity between Mrs.

²⁶ This employee has no known personal allegiance to any of the parties or witnesses and is uncomfortable about being involved in the investigation. The employee's credibility has neither been questioned nor is it in doubt at this time.

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Hill's request and the allegations leveled at Mr. Hill the following day.²⁷ Indeed, the employee made a calendar note documenting this encounter with Mrs. Hill as a result of the January 24 city council meeting.

Mrs. Hill reportedly contacted the employee in question at the employee's city hall office without advance notice. Although the employee does not remember Mrs. Hill's exact words when she requested Mr. Hill's email password, she reportedly said something to the effect of, "Jim needs to get into his email. He forgot his password."

The employee does not remember Mrs. Hill saying anything else about why she was requesting her husband's email password. The employee's "assumption", however, is that Mr. Hill for some reason needed to access his city email outside the default email application on his city-issued iPad, as this is the only reason such a password might be needed.²⁸

Although the employee described Mrs. Hill's demeanor during this encounter by saying, "She acted like it wasn't a big deal", the employee nevertheless admitted, "It did catch me a little off guard" when Mrs. Hill requested her husband's password. The employee explained that while it is not at all unusual for a council member to request a password for his or her city-issued iPad, it is unusual for the spouse of a council member to do so. In this regard the employee stated, "It was an unusual experience for me" while describing this encounter by saying, "It was just odd."

Upon requesting Mr. Hill's email password, Mrs. Hill asked if she should go through another IT employee (whom she referred to by name) for this information. The interviewee would have referred Mrs. Hill to this employee for such a request, but he was not in the office that day.

Ultimately, the employee admitted writing Mr. Hill's email password on a Post-it note that was then given to Mrs. Hill. The employee was able to provide this information without looking it up due to personal knowledge of the email account default password naming structure for city council members.

The employee again confirmed that the password provided to Mrs. Hill was the one for access to Mr. Hill's city email account through the city's Outlook exchange, and not the PIN for the

²⁷ This is potentially significant inasmuch as it contradicts the assertion of one critic who claimed Mrs. Hill requested this password two or three weeks after this city council meeting, ostensibly as part of an effort at obtaining cover for the allegation that she possessed access to Mr. Hill's email .

²⁸ This employee remembers Mr. Hill at one point saying something about owning a home computer in addition to his city-issued iPad.

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iPad issued to him. The employee provided this password due in part to being caught off guard by Mrs. Hill's request and expressed regret about doing so due to the current controversy.

The employee reported this encounter with Mrs. Hill to the interim city manager and the city attorney immediately after the city council meeting of January 24, 2017. This report occurred as a direct result of the allegations against Mr. Hill at that meeting.

The employee who provided Mrs. Hill with her husband's email password admittedly does not know what to make of the fact that Mrs. Hill requested the password the day before the allegations against Mr. Hill surfaced. The employee wondered allowed about the timing while questioning how Mrs. Hill could have known the allegations against her husband were going to arise the following day. To date, the examination has not revealed any explanation for this series of events.

Additionally, the city's longtime Information Technology Manager was interviewed regarding the technical audit capabilities of the city's IT infrastructure. This employee confirmed that the city does not have the technical ability to determine what time or date an assigned email account was logged into, accessed, or otherwise used, nor does it have such capability with respect to the use of city-issued iPads.

Jim Hill's Response to Questions Surrounding His Email

While Jim Hill's voice is distinctly absent from this discussion, he has reportedly made some illuminating public remarks regarding questions surrounding his wife's access to his city email account. Such may be seen in a Tribune news article from March 3, 2017 by reporter Kaytlyn Leslie.

In this article, Ms. Leslie writes about the April 2016 email chain involving the transmission of the sanitation district administrator's employment contract from Mr. Hill's city email account to "a different account". A copy of this article is enclosed as Exhibit 9.

Ms. Leslie indicates in her article that she spoke to Mr. Hill regarding this issue, writing that Mr. Hill "... responded after publication, on Friday." With respect to the "different account" described above, Ms. Leslie writes, "Hill said the email is an account he and his wife share, although her name appears as the owner of the account in emails."

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Additionally, Ms. Leslie's article provides further insight into Mr. Hill's apparently now former email practices²⁹, saying:

"According to Hill, he emails city or district documents to that account so he can print them out at home and notate before meetings, rather than viewing them on his city-issued iPad. He asserted that his wife does not view the documents in the email, and no confidential information has been shared via that account."

An article by Kaytlyn Leslie in the same media outlet on March 2, 2017 provides additional information regarding the email account shared by Mr. and Mrs. Hill insofar as the Tribune is concerned. A copy of this article is enclosed herewith as Exhibit 10. In this article, Ms. Leslie writes, "The second account's owner is labeled as Hill's wife, Lin Hill", before continuing:

"The second email account has been used to send news releases, opinion pieces and comments from Hill to The Tribune in the past, though the information in the body of the email has never been stated to be from his wife and, in most instances, is signed by Jim Hill."

Additionally, in a Cal Coast News editorial of January 31, 2017, Mr. Hill responded to the allegation that he provided his city email password to his wife by writing, "Giving my wife my email password: I haven't given anyone my password. I will continue routinely to converse with my wife about issues."³⁰

In the final analysis, there appears to be little reason for doubt about the fact that Jim Hill shares — or at least shared at one time — a common personal email address and associated account with his wife. The address for this account is apparently familiar to many people, including supporters and critics of Mr. Hill as well as certain media outlets. It is also clear that this email address has long been widely recognized as a medium for communication with both Mr. Hill and his wife.

Similarly, the evidence suggests Mr. and Mrs. Hill have shared the email account in question since at least the time Mr. Hill initially assumed the office of mayor after being elected in late

²⁹The article concludes by saying, "Hill said he has since directed staff to deliver hard copies of documents to him, rather than printing at home." This information was confirmed by others who have firsthand knowledge of this.

³⁰ Cal Coast News January 31, 2017
<https://calcoastnews.com/2017/01/mayor-jim-hill-responds-allegations>

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2014. If nothing else, this is manifest by city employees' use of this address to communicate with Mrs. Hill on Mr. Hill's behalf, an arrangement reportedly introduced by Mr. Hill himself.

It is also clear that Mr. Hill has, by his own public admission, forwarded both city and sanitation district email and documents to this shared email address from his city-issued iPad. He reportedly did so to facilitate his ability to print these documents at home, ostensibly because his iPad was not set up for use with his home printer.³¹

These facts inevitably give rise to the question of whether any of the information Mr. Hill forwarded to this account was privileged, confidential or otherwise sensitive in nature, and in turn whether Mrs. Hill had access to such information given the fact that she shares this account with him. Certainly, the indisputable fact that someone forwarded the sanitation district administrator's contract from this account lends substance to such concern regardless of whether it was in fact confidential at the time.

While Mr. Hill's public statements to date assert that Mrs. Hill has not viewed the documents he forwarded to this address and thus no confidential information has been shared with her, legitimate questions nevertheless remain regarding the accuracy of such assurances. Perhaps, the larger question is why Mr. Hill shares an email account with his wife at all given the official positions he occupies, particularly since they clearly entail the transmission and receipt of privileged, confidential or otherwise sensitive information.

Similarly, to the extent one desires to forward business-related information to a personal email account for home-based printing, review, or annotation, why not simply set up a separate home email account and thus avoid such concerns altogether?

The other important question, of course, is whether Mrs. Hill possessed access to Mr. Hill's official city email account, and if so, whether she accessed information she was not entitled to. Such questions inevitably arise given the totality of the evidence, the preponderance of which suggests Mrs. Hill most likely did possess such access at least at a specific point in time.

Despite some potential credibility concerns, such evidence includes the breadth of detail provided by one of Mr. Hill's principal critics who was for a time an ardent supporter, and by all accounts enjoyed significant access to Mr. and Mrs. Hill and their home. It also includes some of

³¹ It must be noted that drivers for Mr. Hill's home printer almost certainly could have been easily installed by city IT staff, thus potentially avoiding controversy regarding Mrs. Hill's access to Mr. Hill's city email.

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the literal comments and context set forth in the previously referenced text message conversation with another of Mr. Hill's supporters who likewise appears to have enjoyed significant access.³²

Further such evidence may be seen in the circumstances surrounding the previously referenced public records request of May 5, 2016, as there is at this point no other plausible explanation for how or why this request came about apart from the one provided by the individual who filed it.

Finally, if one is to believe the city employee who provided Mrs. Hill with Mr. Hill's city email password, Mrs. Hill possessed access to this account since at least January 23, 2017. Moreover, although the reason for this request remains unclear, it is worth emphasizing that Mrs. Hill personally requested this password, and she obviously did so as the mayor's wife, a fact not lost on the employee who provided it to her.

For all of these reasons, the preponderance of the evidence suggests Lin Hill more likely than not possessed, and indeed may continue to possess the password to Mr. Hill's city email account. Ultimately, it must also be noted that virtually all of this evidence remains effectively un rebutted as of the date of this report.

5. As a Board member for the District, has Jim Hill disclosed and/or provided access to closed session communications to third parties?

It was initially alleged that an August 11, 2015 email by Jim Hill disclosed or otherwise provided access to closed session communication to third parties who are not entitled to possess such information. This stemmed from the efforts of the district administrator at the time to form a review panel to screen applicants for the position of legal counsel. Mr. Hill objected to the formation of such a panel while asserting that the hiring of legal counsel, much like the position of district administrator, is solely within the purview of the board of directors.

The interviewee who originally made this assertion explained that the hiring of legal counsel for the district was the subject of previous closed session deliberation at an unspecified point in time. Moreover, the interviewee objected to the fact that Mr. Hill's message was allegedly blind copied to two other District employees, saying neither of these employees had a right to be

³² Again, this individual was one of the potential beneficiaries of Mr. Hill's May 2016 letter to the Federal Trade Commission.

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privity to a message referring to a matter that was previously the subject of closed session discussion.

During further examination, however, after conceding the inability to recall when such discussions occurred in relation to this email, the interviewee admitted that a topic which was once the subject of closed session deliberation does not forever foreclose what essentially amounts to a passing reference to it in an email that otherwise pertains to an entirely different topic. In this regard the interviewee conceded, "I guess I couldn't put an absolute that you can't ever talk about hiring legal counsel."

Additionally, one of the employees who was copied on this message explained that this occurred around the time of the previous district administrator's resignation, saying this email was created while he was himself "gearing up to take over" as the interim administrator. Ultimately, this employee reported that he was essentially required to complete the hiring of the district's legal counsel following the previous administrator's departure.

Indeed, the examination revealed that the previous administrator's letter of resignation, though undated, was enclosed in the board packet for the August 13, 2015 meeting only two days after the email in question was sent. Accordingly, it seems entirely reasonable that this employee would be copied on a message making a passing reference to the hiring of legal counsel.

Furthermore, the other employee who was copied on this message clearly has duties and responsibilities that objectively fall within the purview of an administrative assistant or clerical employee. Thus it is difficult to dispute the notion that this employee also had a legitimate business need to have some awareness that the hiring of legal counsel was underway.

At bottom, it is difficult to objectively conclude Mr. Hill inappropriately disclosed or otherwise shared closed session communications with third parties as a result of a stray reference to the hiring of legal counsel in an email that otherwise pertained largely to other topics.

Similarly, it is difficult to objectively conclude Mr. Hill disclosed closed session information when he allegedly blind copied the future interim administrator in an email message on August 26, 2015 that was addressed to the outgoing administrator. In this message, among other things, Mr. Hill merely requested an agenda item to appoint the new interim administrator with the appropriate pay increase.

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Although this email message preceded the appointment of the interim administrator on September 2, 2015, this message clearly followed the announcement of the previous administrator's resignation 13 days earlier. Moreover, no evidence was provided indicating or suggesting that the resignation of the previous administrator, or indeed the hiring of the interim administrator, was the subject of closed session discussion prior to this email.

A series of documents was provided which included a Cal Coast News article of January 30, 2015 entitled "Sanitation District attorneys misled ratepayers."³³ At the top of this page is the handwritten notation, "Received from [person's name] @ mtg of 4/20/16".

Also included is a one-page document on district letterhead entitled "closed session memorandum" dated June 6, 2012 from the district administrator to the board of directors. This document is accompanied by a two-page typewritten document entitled "confidential closed session timeline of events" dated June 6, 2012, and a letter from the State Water Resources Control Board dated April 20, 2012. The subject of this letter is "Response to confidential settlement quote offer dated March 22, 2012".

The interviewee who provided these documents described in detail how and when they were acquired. This occurred at a board meeting in April 2016 when they were reportedly handed to this individual by one of Mr. Hill's prominent supporters.³⁴ Upon receiving these documents, the interviewee provided them to the district's secretary while instructing that the previously referenced handwritten notation be included on the first page.³⁵

While discussing the origin of these documents, the interviewee suggested the possibility that the party who provided them received them from Jim Hill. The interviewee nevertheless admitted neither personal knowledge of this nor possession of direct evidence in support of such a notion.

³³ Cal Coast News
<https://calcoastnews.com/2015/01/sanitation-district-attorney-misled-ratepayers/>

³⁴ This is allegedly the same individual involved in the previously described text message conversation and whose business featured in Mr. Hill's 2016 letter to the Federal Trade Commission.

³⁵ An interview with this employee confirmed this notation was in fact the employee's handwriting, and that such notation was this employee's "method" of memorializing the receipt of documents outside of board meetings. This employee also substantially confirmed the means by which these documents were received as described by the reporting party.

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It should be noted that while these documents were presumably privileged and confidential at one time, all of them are included as attachments to the previously referenced Cal Coast News article and were thus already in the public domain as of 2015. As a result, determining the source of these documents at this time is likely neither possible nor reasonable.

It is also worth pointing out that there is at present no evidence indicating or suggesting Jim Hill was the source of these documents. Any inference that he was the source is based solely upon the fact that they were provided to the interviewee by one of Mr. Hill's supporters, and due to the documents' appearance in a media outlet Mr. Hill frequently appears in.

6. As a Board member for the District, has Jim Hill disclosed confidential attorney-client and/or attorney-work product privileged information/documents to third parties?

With respect to this question, reference is made to the following factual analysis and discussion.

7. As a Board member for the District, has Jim Hill individually, and outside the direction of a majority of the Board acted unilaterally and outside his legislative role, including but not limited to becoming involved in and/or interfering in personnel matters?

Mr. Hill's April 18, 2016 Meeting with the District Administrator

A document was provided which consists of a single page of handwritten notes that were reportedly created at a meeting with Jim Hill at his home. These notes are entitled "Director Hill Mtg" and are dated April 18, 2016. The notes contain a single heading which states "Priorities" with five numbered line items beneath it. These numbered line items are, in order, "Industrial Safety; "Redundancy Project"; "Reliability"; "Economics/Costs" and "Billing".

These documents reportedly memorialize a meeting between Mr. Hill and the district administrator at Mr. Hill's home during the employee's first day on the job. No other directors or district staff were present during this meeting. When asked to describe the significance of these notes the interviewee replied, "I don't know" while adding, "None really. They are just part of the chronology."

Mr. Hill's Meeting with the District Administrator on June 3, 2016

An email exchange between Jim Hill and the district administrator between May 31 on June 3, 2016 was also submitted for consideration during the examination. This exchange of email

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reportedly led to a meeting between Mr. Hill and the administrator at the Hill residence after the administrator counseled an employee for an unauthorized article in a local media outlet. In this article, the employee allegedly criticized a sitting director.

The reporting party confirmed that the meeting at the Hill residence occurred with no other directors or district staff present. Although the employee's article was a "main focus" of the meeting, the reporting party conceded that the meeting probably involved other district business as well.

While acknowledging the inability to recall "too many specifics" about what Mr. Hill said during this meeting, the reporting party contends Mr. Hill took the position that the employee had a right to criticize the director who was the subject of the article due to the director's harassment and abuse. The reporting party allegedly responded by saying even if this were true, it did not warrant an unauthorized article in the media which effectively disparaged a sitting board member.

Ultimately, the reporting party contends Mr. Hill defended the employee's right to publicly criticize a sitting director in an unauthorized news article while describing this as a "striking point of view" for a board member. This was accompanied by the acknowledgment, however, that Mr. Hill engaged in neither bullying nor intimidating behavior during this meeting, but instead merely advised caution in terms of how the offending employee was handled.

It should be noted that the above are only two examples of many events that were described and/or memorialized in documents provided during the course of the examination. In many cases, when subjected to review and analysis, such information resulted in a finding or indeed an admission of irrelevance given the scope of the investigation.

In fact, a substantial body of information was provided which clearly falls into this category. Quite often, it was revealed that the issues in such instances involved concerns regarding civility, courtesy, demeanor and tone, none of which fall within the scope of investigation absent some connection to the key questions set forth at the outset of this report.

In other cases, documents or testimony were provided that pertained to some operational aspect of the district, but which again failed to meet the appropriate evidence test or the scope of the investigation. No detailed discussion or analysis of such data will be undertaken here for the sake of clarity and brevity.

Mr. Hill's Email Message of September 15, 2016

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An email message sent by Jim Hill on September 15, 2016 suggests Mr. Hill acted unilaterally and individually outside his legislative role by becoming involved in a personnel matter. A copy of this email message is enclosed as Exhibit 11. Mr. Hill's email is addressed to district legal counsel, the district administrator, one alternate board member and the district employee who filed the complaint that resulted in Mr. Hill's email message.

In essence, the controversy that prompted Mr. Hill's email involves a complaint filed by a district employee regarding a sitting member of the board of directors. It is worth noting that there is an abundance of evidence indicating Mr. Hill and the complaining employee have essentially allied with one another generally with respect to the conduct of district business.³⁶ On the other hand, the board member who was the subject of this employee's complaint is equally well known as one of Mr. Hill's vocal critics, both now and at the time of these events.

Concerns about Mr. Hill's email message in this instance are essentially threefold: in his message, Mr. Hill clearly advocates for the complaining employee³⁷, even going as far as expressing the belief that the complaining employee has "... more than enough grounds" for a complaint. Moreover, these remarks are accompanied by concern about potential liability for the district due to the board member's actions.

Secondly, the complaining employee was one of the named recipients of Mr. Hill's email message. While one can certainly appreciate a board member's vigorous advocacy, particularly when concerned about possible liability, it is difficult to avoid the conclusion that such remarks should have occurred internally with board members, legal counsel, and the administrator, but not the complaining employee. In this instance, however, Mr. Hill expressed unambiguous support for the employee's complaint in combination with remarks about potential district liability, and he copied the complaining employee in so doing.

Finally, Mr. Hill's involvement in this matter serves as a reminder of the importance of the division of responsibilities between the policy making function of the board of directors and the

³⁶ This is not to suggest any type of inappropriate relationship, but merely to point out some of the relevant context to this particular controversy.

³⁷ Indeed, during an interview, this employee specifically stated, "Mr. Hill was my advocate on the board" and "He was my advocate" while discussing different issues.

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day-to-day operational responsibility of administrative staff.³⁸ In short, the district's response to and handling of such a complaint falls within the purview of administration, not individual directors.³⁹

Mr. Hill's Email Message of October 5, 2016

By the same token, evidence of Mr. Hill engaging in individual, unilateral action outside his legislative role is set forth in an email message of October 5, 2016. This message is part of an email chain regarding a public records request by one of Mr. Hill's principal supporters. Mr. Hill's message is in fact addressed to this individual as well as the district administrator. A copy of this email chain is enclosed as Exhibit 12.

Mr. Hill's message is in response to the requester's concern that the public records request was not fulfilled consistent with applicable law. Based upon the documents provided, it is unclear if the concerns set forth in the requester's multiple email messages were addressed specifically to Mr. Hill, whether he was copied on these messages, or whether they were forwarded to him.

Regardless, Mr. Hill weighed in on the controversy after what appears to be the requester's last message. In this message, the requester in essence indicates the correct documents had not yet been received, and that the matter would be referred to the district attorney for failure to comply with the California Public Records Act, if necessary.

Although a determination of whether or not this public records request was properly fulfilled is beyond the purview of this analysis, it is worth noting that the documents provided include the district administrator's response to Mr. Hill's email. This response sets forth an explanation of the district's efforts at complying with the request, information that is important only insofar as providing additional context to the circumstances leading to Mr. Hill's email.

Mr. Hill's response to the requester's final message in the chain is addressed to the district administrator, the district's legal counsel and the requester, during which he states:

"... As I indicated to you at our recent meeting, noncompliance with both the letter and the spirit of the Public Records Act is not acceptable. Our policy must be full compliance. Please provide the requested records immediately."

³⁸ See 7.37.2 of the district's 2016 bylaws update

³⁹ District Personnel Policy Manual, Chapter 5, Section 5010 - Grievance Procedure

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The tone and language of this message are such that it is unmistakably intended as a directive to the administrator. Accordingly, it is not difficult to understand why the message was received as such, any potential merits to the requester's complaints notwithstanding. In short, the tone, content and context of Mr. Hill's message in this instance is significant inasmuch as directors clearly lack the authority to issue such unilateral directives.⁴⁰

Mr. Hill's Email Message of November 15, 2016

An email message authored by Jim Hill on November 15, 2016 serves as another example of unilateral action outside the legislative role while becoming involved in or otherwise interfering in personnel matters. A copy of this message is enclosed as Exhibit 13.

The message in question reportedly came about in the midst of an investigation into a complaint against the district administrator by an employee. The complaining employee at one point asked via email to address the board of directors regarding the underlying conflict. This message was addressed to all of the directors and two alternates, the district's legal counsel and human resources consultant.

Mr. Hill responded to the complaining employee's request with a message addressed primarily to legal counsel while copying one alternate and the complaining employee. None of the other directors or alternates were included in this message.

Among other things, Mr. Hill's message again advocates on behalf of the complaining employee (the same employee for which he advocated in the September 15, 2016 email message) while arguing that he should be permitted to address the board as requested. At the same time, Mr. Hill requested that this request be placed on the agenda for an upcoming meeting, whether as an emergency or special meeting, "... for a closed session personnel item." Mr. Hill's message concludes by saying, "This needs to be resolved without litigation and more cost, and we need to hear it immediately..."

Once again, Mr. Hill appears to step outside his role as one member of a legislative, policymaking body while inserting himself into a personnel matter within the province of administrative staff. While the district's personnel policy provides for an appellate process before the board of directors in cases involving complaints against the administrator, this may only occur after a specific series of steps have been followed consistent with the grievance

⁴⁰ See 7.1 of the district's 2016 bylaws update

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policy. Indications are, however, that these steps were not followed before the complaining employee asked to address the board.

Additionally, Mr. Hill's email message in this instance also touches upon the issue of closed session communications. Although there is no indication his message refers to any prior closed session discussion of the complaint in question, his message does clearly include a request to have the employee's request to address the board placed on the agenda as a "closed session personnel item."

Ultimately, the issues in this case are largely the same as those present in the discussion of Mr. Hill's September 15, 2016 email message; that is, he clearly adopts an advocacy role for a complaining employee while copying the employee on his communication, all of which clearly involves a personnel matter lying outside the purview of an individual director.

In this case, however, Mr. Hill also asks that the complaining employee's request to address the board be added to an upcoming agenda as a closed session personnel item, again while copying the complaining employee on this message. This inevitably leads to the question of whether Mr. Hill's remarks inappropriately disclosed what properly should be a confidential personnel matter. In short, the fact that Mr. Hill and the other directors were the initial recipients of the complaining employee's request to address the board does not necessitate copying this employee on subsequent communications regarding this topic, particularly with legal counsel.

Mr. Hill's Email of November 21, 2016

Yet another example of Mr. Hill's tendency to unilaterally step beyond his legislative role while taking or attempting to take unilateral action is seen in an email he authored on November 21, 2016. A copy of this message is attached hereto as Exhibit 14 along with the district administrator's response which is included for context.

In this message, which is addressed to the administrator, Mr. Hill expresses concern about the cost associated with the rental of a trailer serving as the district's administrative offices. In so doing, he requests that consideration of the trailer be placed on an upcoming agenda while adding, "... and I request we don't expend any additional funds on the trailer until that has been considered."

Again, any potential merits of Mr. Hill's concerns notwithstanding, one cannot help but observe that his request not to "... expend any additional funds on the trailer" until the matter is considered by the board is simply not within his authority to make as an individual director.

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Mr. Hill's December 16, 2016 Meeting with the District Administrator

Although admittedly somewhat more subjective than perhaps some of the other evidence presented thus far, two pages of handwritten prepared by the district administrator were obtained as evidence of a private meeting that occurred between he and Mr. Hill on December 16, 2016. These notes are enclosed herewith as Exhibit 15.

This meeting was reportedly initiated by Jim Hill in the trailer serving as the district's administrative offices and lasted at least two hours. Those present included Mr. Hill and the administrator; no other directors were present nor were any other district staff.

During this meeting, Mr. Hill reportedly gave "specific unilateral directives" which included accelerating the completion of certain tasks authorized by the board on October 19, 2016. These tasks reportedly included the creation of employee job descriptions, the hiring of a mediator/facilitator and recognizing an employee's service at a future board meeting. All of these items are contained in the previously referenced notes which memorialize this meeting.

Moreover, Mr. Hill reportedly emphasized the accelerated completion of the tasks in question despite the fact that the resolution authorizing them provided a six month time limit. As no such direction had been received from other board members, the administrator subsequently spoke with the board chair who confirmed that the authorizing resolution was clear in that there remained sufficient time to complete these tasks.

The initial 15 or 20 minutes of this meeting were reportedly "very hostile and very tense." Although admittedly unable to recall details of Mr. Hill's remarks, the administrator claims Mr. Hill in essence stated, "You will do this or you will do that" and "I want it done now. Why aren't you doing it?" This led to the observation that the conversation's "... first 20 minutes to half hour were very tense and very dictatorial."

The meeting also reportedly involved discussion of other district business as well. One such topic was a visit by a district attorney investigator regarding documents pertaining to a criminal investigation. In this regard, Mr. Hill reportedly stated, "I should've been informed" about this visit while complaining that he learned of it through an unidentified source in Arroyo Grande.

Mr. Hill's protests reportedly persisted even after being advised that the district attorney investigator requested that staff keep his visit to the facility confidential. The investigator

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agreed that staff could report the visit to the board chair and the district's legal counsel, and this notification reportedly occurred.

Ultimately, it is worth noting that to date the information provided regarding this meeting remains un rebutted. As such, it serves as an example of Mr. Hill's unilateral action outside the direction of a board majority and outside of his legislative role.

Mr. Hill's Involvement in the Extension of a Consultant Service Contract

The same may be said for reports that Mr. Hill unilaterally intervened in the extension of a contract with a consultant for the district's long-range planning project in January of this year. This series of events is memorialized in an email chain between January 9 and January 13, 2017 which is enclosed as Exhibit 16.

On January 13, the district administrator received a voicemail from legal counsel while attending a conference in Albuquerque, New Mexico. This voicemail was followed by an email containing a form amendment for the extension of the contract at issue.

Legal counsel's email also refers in part to a "... conversation with Director Hill"⁴¹ which apparently prompted the voicemail and email messages to the district administrator. The evidence indicates, however, that the administrator had already concluded the contract extension in question, thus requiring the involvement of neither legal counsel nor Mr. Hill.

Ultimately, this chain of events was described as an example of Mr. Hill unnecessarily intervening in an area that clearly lies within the authority and responsibility of administration as opposed to an individual board member. This assertion remains un rebutted and thus serves as such evidence.

Mr. Hill's Interference in a Complaint by a Member of the Public

There is perhaps no more compelling evidence of Jim Hill's unilateral involvement and interference in personnel matters than his response to a complaint by a member of the public regarding a district employee. This series of events, which began at the very end of 2016, objectively appears to have been aimed at stifling and indeed preventing a district investigation in response to this complaint.

⁴¹ Legal counsel for the district confirmed receiving a phone call from Mr. Hill inquiring about the contract extension.

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Once again, it is worth noting that the purpose of this analysis is not to debate Mr. Hill's concerns on the merits, but to evaluate his conduct as a board member as set forth in the district's governing documents and consistent with the scope of this examination.

Although the district's heavily redacted documents are not easily followed, with patient review a clear picture emerges which reveals what transpired. For ease of understanding, these events are set forth chronologically below. All of the documents referred to are enclosed herewith as a single exhibit identified as Exhibit 17.

1. December 30, 2016 2:01 PM email message

This message is a complaint from a member of the public via email to the district administrator, all board members, legal counsel, and two county officials. The subject line of this message contains the words "Formal complaint." This message appears to describe events that allegedly occurred following a district meeting in Oceano on December 2016.

2. December 30, 2016 3:54 PM email message

From: Jim Hill
To: Jclemons111@yahoo.com
Subject: Fwd: Formal complaint

The above message from Jim Hill is addressed to the employee who is the subject of the complaint set forth in item 2 above. This message states, "Your friends Mary and Nancy are at it again..." Thus it appears that less than two hours after receiving the complaint in question, Mr. Hill forwards it to the subject of the complaint who happens to be a district employee.

3. December 30, 2016 4:16 PM email message

From: Jim Hill
To: Gil Trujillo
Subject: Fwd: Formal complaint

Mr. Hill forwarded the complaint to the subject employee before expressing his concerns to the district's legal counsel as set forth in item 3 above. In this message, Mr. Hill refers to his wife's version of the underlying incident while expressing the view that "... there is a lot of false and misleading material here." He goes on to point out that someone (it is not clear whom due to redaction) has "continually harassed" someone else "during multiple previous board meetings."

4. December 30, 2016 4:18 PM email message

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From: Jim Hill
To: Jclemons111@gmail.com
Subject: Fwd: Formal complaint

Within two minutes, Mr. Hill forwards his message to legal counsel containing his thoughts on the complaint (item 3) to the employee who is the subject of the complaint. This message contains the comment, "My note to Gil, FYI". All of this communication between Mr. Hill and Mr. Trujillo, and Mr. Hill and the subject of the complaint occurs less than 2 ½ hours after Mr. Hill receives the email in item 1 entitled "Formal complaint".

5. January 16, 2017 4:40 PM email message

From: Wendy Stockton
To: "Honorable Chair and Members of the Board"

Ms. Stockton informs the board, *"In order to facilitate an effective investigation into this complaint, especially in light of the District's relatively small size, please do not discuss the investigation with anyone other than me or the District's special counsel, Liebert Cassidy Whitmore. Please contact me if you have questions. Thank you for your cooperation."*

6. January 16, 2017 4:54 PM email message

From: Wendy Stockton
To: John Clemons; Gil Trujillo
Subject: "Confidential - notice of investigation"

In this message, legal counsel for the district provides the subject of the complaint with a notice of investigation while copying co-counsel.

7. January 16, 2017 at 8:32 PM email message

From: Jim Hill
To: Wendy Stockton

Mr. Hill responds to legal counsel's advice in item 5 by saying, "This issue doesn't warrant any investigation." In another document containing portions of the same email chain Mr. Hill goes on to say, "Mr. Trujillo was informed what happened that night. The Sheriff's office declined to investigate. We need to follow their lead and not waste any more money or time on this."

8. January 16, 2017 8:45 PM email message

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The district's legal counsel responds to Mr. Hill's remarks as set forth in item 7 by thanking him for his input while at the same time advising him that the district "... does not appear to have a choice in this matter."

9. January 17, 2017 at 10:00 AM,

The subject of the complaint apparently forwards to Mr. Hill the confidential notice of investigation provided by legal counsel in item 6. Although not a certainty, this is strongly suggested by the structure of the words "Confidential - Notice of Investigation" found in the subject line of item 10 immediately below. The only two places this grammatical structure appears in any of these email chains is in legal counsel's email to the subject of the complaint which provides the notice of the investigation, and in Mr. Hill's email in item 10 below.

Additionally, the subject line of Mr. Hill's email in item 10 contains the abbreviation "Re:" which suggests this message was forwarded to him.

10. January 17, 2017 11:44 AM email message

From Jim Hill

To: Wendy Stockton, Gil Trujillo, John Clemons, Gerhard Hubner

Bcc: Jeff Edwards

Subject: Re: Confidential-Notice of Investigation

In this message to legal counsel, Mr. Hill states, "I demand that the [redacted] cited by [redacted] cease immediately!! Stop the phony "investigations", stop wasting our time and resources!! This occurs about three hours after legal counsel informs Mr. Hill that the district has no choice but to conduct an investigation in response to the complaint from a member of the public.

Additionally, Mr. Hill inexplicably blind copies this message to an email address commonly utilized by an individual who is known to be among his principal supporters. This person is not a ratepayer or associated with the district in any tangible way and thus has no privilege or legitimate business reason to know about this series of events or the communications surrounding them. This is particularly true since these communications pertain to a formal complaint, a resulting investigation, and involve legal counsel.

The same may be said for the fact that Mr. Hill addresses this message to the employee who is the subject of the complaint. Indeed, it is again worth noting that the subject line of Mr. Hill's message clearly states, "Re: Confidential - Notice of Investigation".

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11. January 17, 2017 12:02 PM email message
From: Jim Hill
To: Wendy Stockton
cc: John Shoals; Linda Austin; Gil Trujillo; Gerhardt Hubner
Subject: Re: Confidential-Investigation into Complaint from a Member of the Public

In response to legal counsel's assertion that the district appears to have no choice but to conduct an investigation in response to the complaint, Mr. Hill replies, "Nonsense. Stop the harassment of our employee now!"

12. January 17, 2017 7:30 PM email message
From: Jim Hill
To: John Clemons
Subject: Fwd: Confidential-Investigation into Complaint from a Member of the Public

Mr. Hill appears to forward at least part of this email chain to the involved employee, including his remark, "Nonsense. Stop the harassment of our employee now!!" immediately above, and his remark in item 7 indicating the issue does not warrant investigation.

When evaluating Mr. Hill's conduct as a director in this instance, this email chain for the most part speaks for itself. It is clear, for example, that Mr. Hill's communications disclosed confidential attorney-client privileged information to third parties not privileged to possess it, including one of his principal supporters and the employee subject to the complaint.

At the very least, Mr. Hill appears to have disregarded the advice of one of the district's attorneys by including third parties in some of his communications, including his communications with legal counsel. Moreover, all of the communications in these chains clearly pertain to a confidential personnel matter. By the same token, Mr. Hill clearly inserted himself into a personnel action in a manner which bears no tangible relationship to his role as an individual district director.

Additionally, the folly and fallacy of Mr. Hill's assertion that the district's investigation in this matter was unwarranted by virtue of the fact that the sheriff's office declined to investigate cannot go unnoticed. As an obviously intelligent, educated⁴², and experienced public servant, Mr. Hill must surely realize administrative investigations occur daily across the nation in the

⁴² Among other things, Mr. Hill reportedly possesses a juris doctorate.

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absence of criminal charges or a law enforcement investigation. Indeed, empirical evidence demonstrates such investigations have civil implications much more frequently than criminal. Regardless, the lack of a criminal investigation is clearly not dispositive of the requirement for an administrative investigation. If this is indeed the barometer by which the necessity of such investigations is measured at the district, it bodes well for neither employee nor ratepayer. Ultimately, the views expressed by Mr. Hill in this regard merely underscore the fundamental necessity of the division of responsibility and authority that lies at the heart of this issue.

Finally, it should be noted that Mr. Hill's public remarks regarding the previously discussed complaint and investigation have contributed to concern regarding his conduct as a director in this instance. The examination revealed at least two instances in which he made candid, revealing public remarks regarding this personnel matter in a media outlet.

In a January 22, 2017 Cal Coast News article, for instance, Mr. Hill characterized the district's investigation as a "witch hunt". In a January 31, 2017 editorial in the same outlet, Mr. Hill again criticized the district's investigation which he described as being "... to no purpose." The latter remarks followed advice provided by the district's attorney, as well as special legal counsel, to "... help keep the district in its strongest possible legal position by not communicating with anyone other than legal counsel about confidential matters — particularly confidential personnel matters."

Mr. Hill's February 3, 2017 Conversation with Legal Counsel

Mr. Hill persisted in his efforts at injecting himself into the district's personnel matters through a phone conversation he had with legal counsel on February 3, 2017. This conversation is memorialized in an email by the attorney involved in this conversation, a copy of which is enclosed herewith as Exhibit 18.

In this message, legal counsel describes receiving a phone call from Mr. Hill who was "... upset about employee relations at the wastewater plant." The message goes on to say Mr. Hill wanted to find a way to put the topic of investigations on a board agenda because, "He felt the investigations were not called for by the personnel policy manual."

Ultimately, legal counsel writes, "It took quite a while to talk Mr. Hill out of this idea" while explaining the basis for the investigations, their authority within the district's governing documents, and the reason there could be no open session discussion of this issue. Counsel also reminded Mr. Hill of the advice previously provided by special legal counsel that directors should "... stay out of personnel matters."

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8. As a Board member for the District, has Jim Hill disclosed confidential personnel matters to third parties?

With respect to this question, reference is made to both the preceding and following factual analysis and discussion.

The Sanitation District Administrator's Contract

There has been a great deal of heat and noise surrounding the allegation that "... an employee's contract that had not been approved and was confidential was sent to others from the council member's city email address." Similarly, it was alleged that the contract in question "... had personal information contained in it about the employee and was not legal to be given out, but it was."⁴³

The examination revealed, however, that the contract in question was not transmitted from the city email account of Jim Hill. Indeed, the email chain demonstrating the relationship between the contract and the two email addresses utilized by Mr. Hill was apparently mistakenly interpreted by the individual who leveled this allegation. This email chain is enclosed herewith as Exhibit 19.

A review of this email chain clearly reveals that the sanitation district plant superintendent sent the contract to all three directors on April 4, 2016 at 3:36 PM. This contract was initially sent to Mr. Hill at his city email address, and he subsequently forwarded it to the personal email address shared by he and his wife the same day at 6:19 PM.

Two days later, on April 6 at 4:18 PM, someone using the email address shared by Mr. Hill and his wife forwarded the contract to the party who initially raised this allegation.⁴⁴ This date and time is clearly reflected in the upper right-hand corner of the email chain. Significantly, when asked if she could refute this chain of events, the party who made this allegation admitted being unable to do so.

⁴³ Both of these allegations were made by a member of the public at the January 24, 2017 Arroyo Grande City Council meeting where the allegations against Jim Hill first arose.

⁴⁴ Even the party who made this allegation conceded a lack of knowledge about whether it was Mr. Hill or Mrs. Hill who sent this email.

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It is equally clear that this message was sent to the recipient from the email address associated with the name "Lin Hill".⁴⁵ The name of the party to whom the contract was forwarded from this email account is indicated immediately below that of Mrs. Hill.

Furthermore, two photographs depicting the computer screen of the individual who leveled these allegations provide further insight into this issue. These photographs were obtained during the course of this examination, and both are attached as Exhibits 20 and 21, respectively.

These photographs depict the user's Yahoo webmail application while it displays the email chain in question. Exhibit 20 clearly reflects all of the information set forth in the email chain previously identified as Exhibit 19.

Moreover, a paperclip icon is depicted in the upper right-hand corner of the display, and this indicates an attachment was associated with this message when it was received by the user. By the same token, the square red PDF icon near the lower left corner identifies the attached file by the abbreviated name "Daagrem.pdf". The evidence indicates the file attached to this message is in fact named "Daagreement" which presumably refers to "district administrator agreement".

Additionally, the far upper left corner of this photograph reflects the fact that the email containing the district administrator's contract was forwarded, and that the message containing this document was sent a total of three times when it was received by this user. This also tends to corroborate the sequence of events in the email chain set forth above.

The photograph identified as Exhibit 21 likewise depicts the email chain in question as it is displayed on the user's computer monitor. This photo also displays, however, the signature page of the attached contract which clearly reflects the name and address of the district administrator as well as his signature and date in blue ink. A review of this document at the time of this photograph revealed that it contained a total of six pages, a fact that is reflected in the words "Daagreement.pdf 6/6" on the screen immediately above the employee's name and address.

The examination also revealed that due to the loss of the backup data when the district's previous website was eliminated, there is apparently no objective way of determining when the board packet containing the contract in question was posted. The employee customarily

⁴⁵ This is the name and email address commonly used by both Jim and Lin Hill.

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responsible for assembling and posting this information is aware, however, of the rule requiring posting 72 hours in advance of a scheduled meeting. An interview with this employee revealed it was customary to post the agenda and related materials to the district website from mid to late Friday afternoon before a Wednesday board meeting, and the examination revealed no evidence to the contrary.

While this employee and the interim administrator at the time do not agree about which of them actually posted this material, both agree that the contract posted in advance of the April 6, 2016 meeting contained the incoming administrator's address.

Similarly, while these employees do not recall which of them discovered the contract contained this address, both acknowledge being aware of this at some point relatively shortly after it was posted.

One thing nobody seems to agree upon is the origin of the contract that was initially posted with the administrator's address. The administrative employee typically responsible for posting board packets claims to have received the document from the interim administrator while the interim administrator claims it was obtained from "legal". The attorney normally responsible for reviewing such documents claims to have never observed this document until it was presented in closed session.

This attorney also related that a contract such as the one in question should contain a mailing address, regardless of whether it is a residential address or a PO Box. If nothing else, such contracts should contain addresses as a matter of form for severance purposes.

Indeed, the attorney advised that had the contract not contained an address when it was initially presented, he would have recommended one be added. Accordingly, this attorney expressed the view that the fact that the contract contained an address when it was posted is not an issue per se.

By the same token, the district's attorney expressed the view that public disclosure of such a contract to a third-party is not an issue — even if it contains an address — unless such disclosure occurs before the board packet containing this document is posted as required by law.

In this instance, however, no evidence has been provided which suggests the contract was shared with a third party prior to April 6 at 6:19 PM when it was forwarded to the individual

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who initially raised this allegation. This was the same day, it should be noted, as the board meeting at which this contract was initially considered by the board.

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VII. SUMMARY OF OBJECTIVE FACTUAL FINDINGS:

1. As Mayor of the City, Jim Hill disclosed and/or provided access to closed session communications to third parties.
Not sustained — There is insufficient evidence to determine whether the alleged conduct occurred.
2. As Mayor of the City, Jim Hill disclosed confidential attorney-client and/or attorney work product privileged information/documents to third parties.
Unfounded — The investigation clearly established that the allegation is not true.
3. If alleged, as Mayor of the City, Jim Hill individually, and outside the direction of a majority of the Council acted unilaterally and outside his legislative role, including but not limited to becoming involved in and/or interfering in personnel matters.
Sustained — The alleged conduct occurred.
4. As Mayor of the City, Jim Hill disclosed confidential personnel matters to third parties.
Not sustained — There is insufficient evidence to determine whether the alleged conduct occurred.
 - A. Special Finding: Jim Hill more likely than not provided, permitted and/or was aware of access to his city email account by his wife, potentially exposing a variety of confidential communications to an unauthorized third party.
Sustained — The alleged conduct occurred.
5. As a Board member for the District, Jim Hill disclosed and/or provided access to closed session communications to third parties.
Unfounded — The investigation clearly established that the allegation is not true.
6. As a Board member for the District, Jim Hill disclosed confidential attorney-client and/or attorney-work product privileged information/documents to third parties.
Sustained — The alleged conduct occurred.
7. As a Board member for the District, Jim Hill individually, and outside the direction of a majority of the Board acted unilaterally and outside his legislative role, including but not limited to becoming involved in and/or interfering in personnel matters.
Sustained — The alleged conduct occurred.

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-
8. As a Board member for the District, Jim Hill disclosed confidential personnel matters to third parties.

Sustained — The alleged conduct occurred.

VIII. RECOMMENDED INVESTIGATION:

While additional factual investigation can almost always be conducted, and this matter is certainly no exception, particularly given the volume of data received to date. that said, no additional investigation is recommended at this time.

IX. REMAINING INVESTIGATION:

I have completed my specific assignment, and I am suspending further investigation at this time. Please do not hesitate to contact me if you have any questions or if you require additional assistance.

Respectfully submitted,



Scott K. Nelson, CLI, CFE

Ms. Shelline Bennett, Attorney at Law

Re: The Joint Investigation by the City of Arroyo Grande and the SSLOCSD

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APPENDICES

Item	Description
1	Transcript of public comments regarding the allegations at the January 24, 2017 Arroyo Grande City Council meeting
2	Jim Hill's January 31, 2017 Cal Coast News editorial responding to the allegations
3	Jim Hill's February 23, 2016 letter to the Federal Trade Commission
4	Jim Hill's public statement regarding his letter to the Federal Trade Commission
5	Responsive letter from the Federal Trade Commission
6	Text message conversation between one of Mr. Hill's critics and one of his supporters
7	May 5, 2016 email criticizing Jim Hill for his letter to the Federal Trade Commission
8	Public records request of May 5, 2016
9	Tribune article of March 3, 2017
10	Tribune article of March 2, 2017
11	Email message from Jim Hill dated September 15, 2016
12	Email message from Jim Hill dated October 5, 2016
13	Email message from Jim Hill dated the November 15, 2016
14	Email message from Jim Hill dated November 21, 2016
15	Two pages of notes memorializing a December 16, 2016 meeting with Jim Hill
16	Email chain memorializing Jim Hill's role in the extension of a January 2017 contract
17	Email chains memorializing Jim Hill's interference in a January 2017 personnel matter
18	February 4, 2017 email memorializing Jim Hill's conversation with legal counsel
19	April 2016 email chain reflecting transmission of administrator contract
20	Photograph depicting webmail program displayed on a computer monitor
21	Photograph depicting webmail program displayed on a computer monitor

Arroyo Grande City Council Meeting

January 24, 2017 Public Commentators

20:40 Patty Welsh

"I would like to bring to the attention the fact we have a Council person who has given their password to their city computer to their spouse and anything that is said to that computer can and is read by her including correspondence from attorneys both for the City and the Sanitation District. On one occasion an employee's contract that had not been approved and was confidential was sent to others from the council member's city email address. The contract also had personal information contained in it about the employee and was not legal to be given out, but it was. I have been privy to this council member going to a restaurant immediately after leaving closed session meetings and talking about closed session items with little regard to the fact that they were confidential. This is a breach of the public trust and the trust of the board that he is/they are to represent. This council member also acts in a unilateral manner on many occasions in regard to district policies and in his individual capacity as a director, interfering with the rights of the board as a whole at the Sanitation District. This council member has also acted unilaterally while serving on this Council and that issue was openly discussed with him but despite being called on this it seems it has made no difference since these actions are still occurring on one of the boards he sits on. This council member seems to have a pattern of asking for routine evaluations when he is wanting to remove a staff member, this started when he sat on the OCSD board and his first round on the Sanitation District but occurred yet again with our last city manager and now seems to be happening with our newly appointed general manager, Gerhardt Hubner, who brings 30 years of experience to the Sanitation District and who has worked very hard forming a relationship with other cities as we move forward in water reclamation project that will benefit all of the five cities area as a whole. I feel it is morally and ethically unacceptable for an elected official to give their password to anyone and really see no reason for this to be done. Under the Open Information Act people can request copies of most city emails, however, not all of them. I believe there is legal ramifications because of this statement "this email and attached files are confidential and intended solely for the intended recipient" this statement is at the end of emails from attorneys that are sent to this council member. Something needs to be done because I feel that this council member is doing things that are actually causing problems in this City as well as in the Sanitation District and will result in more litigation. The biggest problem I have is I no longer feel that this council member is looking out for what is in the best interest of the City of Arroyo Grande or the ratepayers of the Sanitation District. I am no longer sure if it is our council member setting policy on the Sanitation District or someone very close to him. I urge each of you to attend the next sanitation meeting at the Grover Beach Chambers February 1 at 6:30 to fully understand the situation. I do have hard copies to back up everything I stated and I would be more than happy to sit down with any of you and show you the facts. Thank you."

26:43 Mary Lucy

"Good evening, my name is Mary Lucy, I'm a resident of Oceano. I sat on the Board of Directors for many many years and so I applaud you all for taking this time out of your life and doing this important work. We have a dilemma, we have a collaboration, it's a Sanitation District it's important to every single household, it's important to every single business in this area. It's important that we keep it and that we keep it up to date and that we do the right thing with this project because it can only move forward with policies changing in Sacramento redundancy projects are of vital importance and most importantly reclamation projects are important. We have a lot of problems with our Sanitation District. Recently I was flipping through, I'll use the new buzz word, the alternative news sites, and I found some information that was particularly scary to me was that, and I do have the article with me, there is an investigation at the Sanitation District occurring right now, the Mayor of Arroyo Grande took it upon

Arroyo Grande City Council Meeting

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himself to not only speak to the media but do a complete interview with the media regarding closed session information, private investigations and basically called it a witch hunt and of course it mentioned me. I come to you not, tonight, to burden you, but it's all of our responsibilities whether we sit on boards or whether we're in the public, you know, the rates are going to go up. These lawsuits, these investigations they cost more and more money and so when you have employees that you can't control and then they demand an investigation for something it's 50, 60, 70, 80, 100 thousand dollars and the legal fees just keep eating it up and when they're eating it up they're eating it up out of our pockets. That's money that doesn't go into, you know, maintenance. And so I'm coming to you to ask you to please possibly consider going into closed session and assessing how valuable the Sanitation District is to the people of Arroyo Grande because it's extremely important, I think. And so, by commenting on ongoing litigation by your mayor I think that it puts us in even deeper into a lawsuit and it kind of validates or taints any kind of investigations and so please I'm asking you to intervene and at least get the information. Thank you."

29:40 John Clemons

"Hello, my name is John Clemons, I live in Oceano and I happen to work at the Sanitation District. Since the time I've worked there, they've cut the budget 1.9 million, I believe in the first year. And we've managed to maintain that kind of operational budget in the time I've worked there. We've turned around a lot of the disagreeable things that were going on at the District, Fanny Mui as an example, she was commended and not only recognized locally but also by tri-county which is Santa Barbara, SLO, and also the county of Ventura. Our district in terms of operation has a really good name within the industry because a lot of stuff that goes on, on the Board level and the administrative level. I guess, ultimately, I'm up here to say that we've been extremely successful over the last four years, there's been a lot of administrative fallout from different things but if you look at the work that's been done at the district, the improvement that's been done at the district, the reduction of violations, only one small spill in the last four years, the members of the staff being recognized by large agencies, one would have to acknowledge there's a lot of good things going on in the district. I'm the superintendent so I've been a part of all that. And ultimately what I'm up here to say, is I want to give Mayor Hill a vote of confidence. He's been a big part of the positive things that are going on. You know, there's a lot of challenges, there's a lot that goes on and so people can argue back and forth about who's the bad guy. My main thing as an operator is the effectiveness of the district and treating the water and discharging in a way that's acceptable to the water board and the agencies that keep the public safe and I think we've done that really well over the last four years and that's in large part because of Jim Hill. Take it for what it's worth, I've been working there four years and we've been extremely successful, I think Jim Hill being on the board is a large part of that. Thank you."

32:24 Mathew Guerrero

"Good Evening, Mathew Guerrero, a former board member of Oceano CSD, former board member of the South San Luis Obispo County Sanitation District and tonight just a citizen, thankfully I finished my government service. What I've heard tonight has caused me a number of concerns about whether or not a city council member here has given their password to their spouse, whether or not employee personal information is being shared illegally, whether or not information from closed session, by going to a restaurant as Mrs. Welsh has described following closed session and describing information to other people has been shared. If this is true, this is a breach of the public trust this is a breach of the trust of your board. I would ask that this board take it up, this is easy enough to prove, to find out if accounts are being logged into while people are at work, this is easy to prove, to find out whether or not there is

Arroyo Grande City Council Meeting

January 24, 2017 Public Commentators

information on city letterhead or emails or however it is found, this is easy enough to prove. If the public trust has been violated, if the trust of the rest of the board has been violated I think that this should be taken seriously and I think that action should be taken on it. I would ask that it either - that the conduct be denied or that somebody look at resigning and I think that it's that significant, that lawsuits, as Ms. Welsh has described, are being, that there's an emergence of potential lawsuits. Additionally, Ms. Lucy brought up this article, where Mayor Hill was quoted in it, if this information is at all brought up in front of the Sanitation District, I believe that Mayor Hill now has a conflict. Mayor Hill has taken a position out in front of the, the information being considered by that particular board and his wife is purported to be a witness. That is a conflict, I don't believe he should be allowed to have any input into that as a board member. So again I just ask that this board take these allegations seriously, I ask that it warrant further looking into and I thank you for your time."

35:04 Shirley Gibson

"Hi, Shirley Gibson, Halcyon. I really wasn't planning to speak. I for one am really tired of the poisonous atmosphere and would like some adults to step up and if people have done things wrong I think they need to own it and get it out of the way and I think we're wasting money and time and we're not focusing on the big picture and I'm here to save local history not to talk about other people. Thank you."

36:50 Patricia Price

"Hi, Patricia Price of Arroyo Grande. I also wasn't going to speak but I will and this is about the South San Board and Jim Hill and his being on that board. I've been going to the meetings for over 3 years now very regularly, I go to pretty much every meeting and I have watched from the time that I started going and it was very very obvious to me that there was a conflict of interest with Jim Wallace. I watched as he stepped down and the South San District went from losing a million dollars a year to where interim directors came on, gave guidance, we hired John Clemons he took over the South San Plant, he turned it around and we're making a million a year now and it is, it has been running very smoothly, there's been a bit of a glitch in things because the new administrator has in my opinion been doing a not very good job. I don't think he's qualified although there are people who say he is, I think he's come in and not made progress with the team at the plant. I've spoken about that and if anyone is really interested in this go back and watch the videos of the South San meetings and watch what has been going on and how things have been turned around with Jim Hill at the helm and John Clemons. I would say - I've heard a lot of allegations made and I know that many of them are untrue and I would like this cleared up. Because it does sound like there are deep divisions. I don't agree with a lot of what's been said tonight, I think, let's do look into it, let's get it cleared, and I am really really am not pleased with the tone that has been expressed from the audience, from the public, the allegations that have been made, I really think are not accurate and I would like it followed up and I would like the Council member mentioned, his name cleared on this, because I find it very distasteful what's been going on. I really hope things do get cleared up. Thank you, Jim, for your service."

Mayor Jim Hill responds to allegations

January 31, 2017



AG Mayor Jim Hill

OPINION by ARROYO GRANDE MAYOR JIM HILL

At Tuesday's Arroyo Grande City Council meeting, Oceano residents and former South County Sanitation District directors Mary Lucey and Matt Guerrero alleged I acted inappropriately on the San District Board. By no coincidence, earlier that day SLO County District Attorney Dan Dow brought criminal conflict of interest charges against former sanitation district administrator and engineer John Wallace.

During prior service, I attempted to bifurcate Wallace's contract to end his domination and engage other engineers. Former Mayor Tony Ferrara and Grover Councilman Bill Nicolls blocked that, endorsing Wallace.

Later, attorney Guerrero joined the board supporting drawn out litigation orchestrated by Wallace against the Water Board regarding the 2010 sewage spill fine. Fearing intent to evade limitation statutes, former Grover Mayor Debbie Peterson opposed Ferrara and Guerrero but was outvoted.

Even after a SLO County Grand Jury report highlighted Wallace's conflicts, Lucey and Guerrero sought to impede the district's investigation by Carl Knudsen which prompted the criminal charges. Lucey often called the citizens' group recommending Knudsen "haters." Guerrero filed intimidating records requests on group members.

With overwhelming support, I prevailed with efforts to engage Knudsen.

Council member Caren Ray, who at the time was quick to denigrate the Grand Jury report and defend Wallace, immediately asked for investigation into Tuesday's allegations:

- Distributing unapproved employee contracts from closed session: The attorneys retain documents discussed in closed session. I've never had copies to distribute. Finalized unapproved contracts are included in public board agenda packets.

· Talking about closed session items: I may have spoken generally about a subject but not specifically confidential or attributable information. I am informed that a resident gadfly has listened at the door and reported discussion during several closed sessions.

· Acting unilaterally: Intending to prevent wasting district resources, I've insisted that a costly investigation demanded by Mary Lucey's partner not be authorized by Board Chairman John Shoals alone.

The sheriff's office determined there was nothing substantive there. Related, Lucey's continuous verbal sniping at sanitation district Superintendent John Clemons appears an attempt to belittle Clemons' excellent record in comparison to Wallace's.

· Giving statements about an investigation in progress. This refers to the "he said she said" claim by Mary Lucey's partner which the sheriff's office deemed without merit. No investigation was in progress. I reiterate my intent not to engage in costly investigations to no purpose. Perhaps Lucey wants to waste district funds to make the draw down under Wallace seem more normal comparatively.

· Giving my wife my email password: I haven't given anyone my password. I will continue routinely to converse with my wife about issues.

· Attempting to remove Administrator Gerhardt Hubner: On the contrary, although Mr. Hubner's ties to John Wallace go back to the Avila Beach oil remediation and he has no prior wastewater treatment experience, he did assist positively in settling the Water Board litigation.

I have so far attempted to facilitate better relationships between Mr. Hubner and the staff of licensed operators who have done an excellent job running the plant and building a financial reserve since Wallace left. However I have serious concerns about Mr. Hubner's management style and effectiveness leading the district. We've had personnel grievances, investigations, and contracting out work previously done by staff.

· Commenting about ongoing litigation: Despite Guerrero and Lucey's apparent past efforts to unnecessarily prolong Wallace's Water Board lawsuit, there is no ongoing litigation to comment on.

Lucey and Guerrero know I oppose their campaign against Superintendent Clemons. As mayor, the Health and Safety Code provides that I be the Sanitation District Board member. I take that responsibility very seriously. I will continue there to act in the best interests of ratepayers, employees and regional cooperation.

2/23/16

Chairwoman Edith Ramirez, Commissioners, and Staff
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

Dear Chairwoman Ramirez, Commissioners and Staff,

I am writing as Mayor of the City of Arroyo Grande, California (population 17,000), to express my concern regarding the effect of the Albertson's-Von's grocery store merger and associated divestiture on our community.

The Albertson's store in Arroyo Grande was divested in favor of a Von's location in our adjacent City of Grover Beach. The Albertson's store in Arroyo Grande (Haggen's Location #2152 at 1132 West Branch Street), along with many others, was sold to a new operator, Haggen's, who almost immediately went bankrupt and closed the store, leaving our city with no comprehensive traditional grocery store. The Von's location in Grover Beach is now overstressed and there is a lack of options or competition in our area. Our residents have been greatly inconvenienced by the closing, which has resulted in our area being labeled a "food desert", and have expressed the desire for the Albertson's/Haggen's location to reopen with a locally owned and operated full service grocery store.

A local independent grocer, Spencer's Fresh Markets, who operate comprehensive traditional grocery stores in Santa Maria and Morro Bay, California, have been diligently working to acquire the Arroyo Grande location and were reported to be the bidder of record at the Haggen's bankruptcy proceeding last November. Notwithstanding, this location was "tabled" at the bankruptcy auction due to "lease issues" with Haggen's and the store location remains vacant. I understand Albertson's has been reacquiring many of their former locations, which would seem to violate the spirit of divestiture as directed by your Commission. In this regard, Albertson's is now rumored to be negotiating to reacquire the Arroyo Grande location, when Spencer's Fresh Markets is a viable alternative to the anti-competitive situation that led your Commission to require the original divestiture.

I would greatly appreciate your attention to the issue with the former Albertson's/Haggen's location in Arroyo Grande and the possibility to restore competition and vital access for our residents to a full service traditional grocery store at the earliest.

Sincerely,

Jim Hill, Mayor
City of Arroyo Grande
300 East Branch Street
Arroyo Grande, CA 93420

805-481-5554

Last year's merger of Vons (Safeway) and Albertsons grocery stores resulted in the Federal Trade Commission ordering the combined company to sell certain stores to other operators to maintain competition and prevent monopoly pricing in local areas such as Arroyo Grande. One store ordered to be sold was the Albertsons location in Arroyo Grande which had always been convenient to residents and a top sales tax generator for the city. Albertson's sold the store to Haggens which almost immediately went bankrupt amid counter lawsuits with Albertsons. Haggens assets came under jurisdiction of the Federal Bankruptcy Court who put them up for sale to the highest bidder to compensate Haggens creditors. In the bankruptcy proceeding, the high bidder for the Arroyo Grande location was Arroyo Grande-based Spencer's Fresh Markets, the fact being widely publicized at the time.

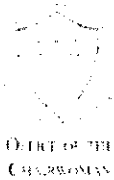
However Spencer's was not given possession of the store which remains vacant since early November. Meanwhile many former Albertsons customers moved to Trader Joes and Smart and Final, but many others moved to stores in other cities with consequent loss of tax revenue to Arroyo Grande. On February 23, over three months after Haggens abandoned Arroyo Grande, with no move by the City to facilitate a new operator for the store, and amid rumors of "tabling" the completed bankruptcy auction and monopolistic takeover maneuvers by Albertsons/Vons, I wrote to the Federal Trade Commission expressing concern over the situation and the possibility to have Spencer's, being the top bidder, or at least another competitive operator reopen the store as soon as possible.

Now Council member Barbara Harmon is criticizing my contact of the Trade Commission claiming "lack of transparency", apparently because I didn't check with her in advance.

Ms. Harmon claims unnamed supporters "knew about that letter months ago". Fact: the letter was only sent one month before the response was delivered to Harmon and others. No one could have known "months ago" and in fact Haggens had only closed three months before the letter was written.

Ms. Harmon claims concern about appearance of supporting one business over another. Fact: the letter was sent only after Spencer's was widely publicized as being the high bidder in the bankruptcy auction. What the letter in fact advocates is transparency in the process and opening a competitive grocery store in the location as soon as possible.

Ms. Harmon correctly notes that Spencer's were supporters of my election campaign, and I'm proud that a great employer such as Spencer's did support me. Ms. Harmon's claimed shock is ultimately revealed as just another political attack in an election year.



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

RECEIVED
APR 05 2016
CITY OF ARROYO GRANDE

March 29, 2016

The Honorable Jim Hill
Mayor, City of Arroyo Grande
300 East Branch Street
Arroyo Grande, CA 93420

Dear Mayor Hill:

I write in response to your February 23, 2016 letter regarding the status of the former Albertson's store in your city (at 1132 West Branch Street) that was divested to Haggen's, which subsequently filed for bankruptcy protection.

Like you, I had understood from media reports that Spencer's Fresh Markets was the highest bidder for the Arroyo Grande store at a Haggen's bankruptcy auction conducted last November but that this store was pulled from the auction because of unresolved lease issues between Haggen's and the landlord. It appears that Haggen's, with the approval of the bankruptcy court, subsequently rejected the lease on this store. Consequently, if Spencer's remains interested in acquiring this store, my understanding is that it will have to negotiate with the landlord directly.

You indicate that Albertson's is rumored to be negotiating to reacquire this store. Under the consent order it entered into with the Commission, Albertson's is required to inform us if it intends to do so. Should that happen, we will be sure to consider the information you have provided in your letter, along with other relevant information, in deciding whether further action is needed.

Thank you for bringing your concerns to my attention.

Sincerely,

Edith Ramirez
Chairwoman

C. City Council
City Manager
City Attorney
City Clerk

motion
Hill
le month
Trinity Health

Compose

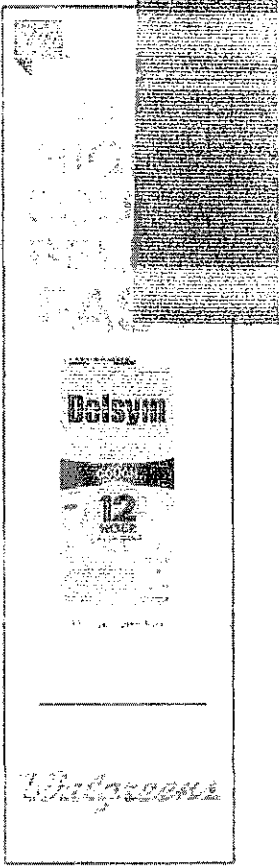
Archive Move Delete Spam More

Up Down X

- inbox (8)
- Drafts (38)
- Sent
- Archive
- Spam (164)
- Trash (15)
- Starred
- Important
- Unread
- Starred
- People
- Social
- Shopping
- Travel
- Finance

[No Subject]

I heard people are upset with what you did. Sounds like MARY Lucey and MATT Guerrero are trying to capitalize on it, and Caren Ray also. The truth needed to be told. You did what you believed needed to be done. I hope the situation gets handled if it hasn't been already. Who did you hear is upset with me? Let's just say there are people who wish it had been handled privately and not publicly. I'd rather they speak with you themselves. Tell them to contact me. I tried to handle it privately. I have proof of what I said. You know it was happening and just finally brought light to it. You know what I would have liked to have had happen? Jim would have been an ethical and moral man and not have done what he had and continues to do. Then I would not have had to stand up at a council meeting and bring it into the light. I did the right thing and people would have preferred it stayed behind closed doors and continued I do understand that you tried to handle it privately. Most people don't know that however. Since I don't speak to the Hill's I have no idea if he's changed the way he deals with his city iPad or not. I just don't know. Because why do you think Jim even gave Lin the password? That is what still puzzles me why did she need it? Honestly I think he did it for the same reason I know JOHN'S email password--not any bad intent, but as a matter of convenience. JOHN will have me go into his occasionally and forward an email of some such thing. Since JIM is not nearly as available during the day, and with no smartphone to check his own mail (shame on him--grow up and get one if you're going to be the mayor). In my heart I don't believe it was more than that. To me, and this is just my opinion, is that was REALLY wrong was for Lin not to keep her mouth shut. She shouldn't have shared ANYTHING with you or me or whoever but she can't keep quiet. In the big picture I think Jim is trying to do the right things. I want to keep focused on Shoals who I think is very corrupt. Guerrero who I feel the same way about, CAREN Ray etc. to me, THOSE are the bad players, the REALLY bad players. But what about the confidential stuff isn't that REALLY bad stuff too? When you guys would do coffee would she tell you stuff you knew was confidential? Don't you think Jim knew damn well she couldn't keep her mouth shut. I agree with you on the confidential items. I think if/when she talked about it she obviously felt she could trust you/me not to talk. Jim's problem is he can't trust HER not to talk. I believe Jim knew he could not trust her because of all the times I was at the house and she/they would say things. When you guys did dinner did she talk freely about things in front of him like they did with me? Sometimes I suppose. LIN's like a little kid who can't stand not telling you what's in every gift under the Christmas tree. For the most part it went in one ear and out the other. I probably could not tell you 5 "important" things she ever told me. It just never really was important enough for me to remember. What are the 5 I too am trying to remember specifics. I am trying to remember all we were told during the Dt fiasco I said I couldn't remember 5. Now that you ask, I can't remember one. I'm telling you--it was important to LIN to share--it wasn't important to me to remember. Honestly feels like 100 years ago. So much has happened lately to make me really realize how nice it is not to have that drama as a part of my daily routine. It's easy to get sucked in. A little time and distance and I don't miss it at all. I do still think Jim is trying to do the right thing. I know without him we never would have gotten the Knudsen report. I know I am dealing with my dad, my half sister and now this. If you remember anything PLEASE let me know. I



From: Barbara Harmon <bharmon@arroyogrande.org>
Date: May 5, 2016 at 11:51:53 AM PDT
To: Jim Hill <jhill@arroyogrande.org>
Subject: Federal Trade Commission letter

Mayor Hill,

After giving this matter much consideration, I am sending this email to express my disappointment and disbelief about your actions and your lack of transparency involving your Feb. 23, 2016 letter to the Federal Trade Commission (FTC).

Initially, my main concern was that Council had no knowledge about your contact with the FTC, on behalf of the City, and because my only notification was via the FTC's response, received one month later.

Since then, other concerns have materialized. Approximately 3 weeks ago, one of your supporters told me that, "we knew about that letter (FTC letter) months ago." This statement shocked me. How do you reconcile that your supporters knew of your intentions, and yet, the Council was not notified? How do these actions demonstrate transparent governance?

Another concern I have, is that the contents of your letter convey an official city position in support of one business over others. This is also a business that is well known in our community as a key supporter of your campaign. I'm concerned that the appearance of supporting one business over others could place the city in a position of an unfriendly business environment. A position opposite of what you and I have been striving to remedy.

It would be helpful to know why you did not inform the Council, even with a courtesy notification, that you would be contacting the Federal Trade Commission on the City's behalf. You and I made a commitment to promote transparency in our city government, yet your actions are contrary to this commitment.

Please offer an explanation about why you acted without consideration or notification to the Council.

Respectfully,

Mayor Pro Tem
Barbara Harmon

Kitty Norton

From: Kitty Norton
Sent: Tuesday, May 10, 2016 3:52 PM
To: 'pc'
Subject: 1-Public Records Act Request - 05-05-16
Attachments: PRA Email from B Harmon _R.pdf; PRA Email from J Hill_R.pdf

Dear Patty,

The attached documents are provided in response to your first Public Records Act request from last week regarding emails between Mayor Hill and Mayor Pro Tem Harmon (further referenced below).

Sincerely,

Kitty Norton

Executive Assistant/Deputy City Clerk
City of Arroyo Grande
(805) 473-5400 x. 5414

From: Kitty Norton
Sent: Thursday, May 05, 2016 4:48 PM
To: 'pc'
Subject: Public Records Act Request - 05-05-16

Dear Patty,

The City received your Public Records Act request via voicemail today requesting emails and/or correspondence between Mayor Hill and Mayor Pro Tem Harmon from May 1 to May 5, 2016. This email is to confirm receipt and that your request is being processed in accordance with Government Code Section 6253(c).

Sincerely,

Kitty Norton

Executive Assistant/Deputy City Clerk
City of Arroyo Grande
(805) 473-5400 x. 5414

<http://www.sanluisobispo.com/news/local/article136339683.html>

Local

March 03, 2017 4:16 PM

Arroyo Grande Mayor Jim Hill says he didn't violate Brown Act

By Kaytlyn Leslie

kleslie@thetribunenews.com

Arroyo Grande Mayor Jim Hill denies claims he violated the state **Brown Act** by emailing an unapproved employment contract to an email account he shares with his wife, saying the contract was already available to the public in a meeting agenda packet and didn't contain any confidential information.

"I've done my best to represent the city and the district to the best of my abilities," Hill said Friday. "This is obviously very upsetting for me, and it's very distressful for my wife."

The Arroyo Grande City Council and South San Luis Obispo County Sanitation District have launched a \$15,000 independent investigation into the claims. On Thursday, The Tribune asked Hill for a comment for its story on the district's decision. He responded after publication, on Friday.

An April 2016 email chain shows a copy of the employment contract for district administrator Gerhardt Hubner being sent from Hill's city email account to a different account two days before the contract was approved by the district. The contract included Hubner's home address.

Hill said the email is an account he and his wife share, although her name appears as the owner of the account in emails.

According to Hill, he emails city or district documents to that account so he can print them out at home and notate before meetings, rather than viewing them on his city-issued iPad. He asserted that his wife does not view the documents in the email, and no confidential information has been shared via that account.

Hill said he has since directed staff to deliver hard copies of documents to him, rather than printing at home.

Kaytlyn Leslie: [805-781-7928](tel:805-781-7928), @kaytyleslie



Arroyo Grande Mayor Jim Hill Kaytlyn Leslie kleslie@thetribunenews.com

MARCH 12, 2017 3:28 PM

Sanitation district joins investigation into Arroyo Grande Mayor Jim Hill

By Kaytlyn Leslie

kleslie@thetribunenews.com

The South San Luis Obispo County Sanitation District will join an investigation into allegations that Arroyo Grande Mayor Jim Hill shared confidential district information, including an unapproved employment contract that he allegedly sent from his city email account to a personal account that appears to be operated by his wife.

The district board, with Hill recusing himself, voted Wednesday to split the cost of an independent investigation with the Arroyo Grande City Council. The investigation could cost up to \$15,000, with the city and the district each paying half.

Grover Beach Mayor John Shoals — one of three district board members, along with Hill and Oceano Community Services District Director Karen White — stressed that the decision was in response to liability concerns for the district and not an attack on Hill.

“This is not a witch hunt. I actually like working with Jim,” Shoals said. “If we have to go through this to clear his name, then we need to get to the facts, and we have to get to the bottom of this.”

The Arroyo Grande City Council decided Feb. 14 to pursue the investigation and approach the sanitation district to share the cost, because the allegations involve Hill’s positions with the city and the district.

Hill has denied the accusations, calling them a “pure political attack” derived from his long-standing opposition to former sanitation district administrator John Wallace.

Wallace was recently charged with felony conflict of interest after a district investigation into Wallace’s management practices — an investigation for which Hill strongly advocated.

The allegations against Hill were raised at the council’s Jan. 24 meeting.

Among the accusations are claims that Hill shared his city email password with his wife, shared an unapproved employment contract from a closed-session meeting and discussed confidential, closed-session information in public.

An email chain given to the city of Arroyo Grande and the district as part of the allegations shows a copy of the employment contract for district administrator Gerhardt Hubner being sent from Hill’s city email account to a personal account April 4 — about two days before the contract was approved by the district.

The second account’s owner is labeled as Hill’s wife, Lin Hill.

The second email account has been used to send news releases, opinion pieces and comments from Hill to The Tribune in the past, though the information in the body of the email has never been stated to be from his wife and, in most instances, is signed by Jim Hill.

Hill did not return a request for comment Thursday.

In a previous comment to The Tribune regarding the allegations, however, Hill said that unapproved contracts are routinely included in public board packets before meetings. (The Brown Act requires an agenda and supplementary materials be posted and made available to the public at least 72 hours before a meeting).

The board packet for the April 6 district meeting does include an employment contract for Hubner.

Hubner did not respond to a request for comment about whether the shared contract was the same contract that appeared in the board packet or whether it included confidential information beyond the publicly available version.

If we have to go through this to clear his name, then we need to get to the facts, and we have to get to the bottom of this.

John Shoals, member of South San Luis Obispo County Sanitation District Board of Directors

Several members of the public spoke in support of Hill at Wednesday's sanitation district meeting, calling the investigation a waste of money.

"Jim Hill has an excellent reputation in Arroyo Grande," Arroyo Grande resident Otis Page said. "He has been disparaged by this act. OK? It's unfair."

The investigation will be conducted by Liebert Cassidy Whitmore, which specializes in public agency personnel matters. The firm is involved in at least one other investigation with the sanitation district. The process could take four to six weeks.

Kaytlyn Leslie: SOS 781-7928, @kaytleslie

Gerhardt Hubner

From: Jim Hill <jhill@arroyogrande.org>
Sent: Thursday, September 15, 2016 10:49 PM
To: GAT1848
Cc: John Clemons; Gerhardt Hubner; Tim Brown
Subject: Fwd: Complaint

Mr. Trujillo-

I have seen the hateful, ignorant, inaccurate, inflammatory and appalling comments Ms. Lucey made regarding [REDACTED]. As you know, Ms. Lucey has a long history of publicly disparaging [REDACTED], including commenting on [REDACTED] private life. I believe [REDACTED] has more than enough grounds for [REDACTED] complaint and I'm very concerned about liability of the District that may result from Ms. Lucey's actions. I am also concerned that Ms. Lucey appears to have violated the Government Code by disparaging [REDACTED] a candidate for public office, under color of her position as a Director of our District.

Further, Ms. Lucey has provided unilateral direction to District management in regard to revision of District policies in her individual capacity as a Director, interfering with the rights of the Board as a whole. I am hereby requesting that items be placed on our next agenda to censure Ms. Lucey and pursue all appropriate remedies from her personally for her actions.

-Jim Hill

Sent from my iPad

Begin forwarded message:

From: John Shoals <jshoals@grover.org>
Date: September 15, 2016 at 11:16:48 AM PDT
To: [REDACTED] <[REDACTED]@ssloesd.us>
Cc: "gat1848@comcast.net" <gat1848@comcast.net>, "Jim Hill (jhill@arroyogrande.org)" <jhill@arroyogrande.org>, "Gerhardt@ssloesd.us" <Gerhardt@ssloesd.us>
Subject: Re: Complaint

[REDACTED]

Thank you for bringing this matter to my attention.

Regards,

Chair Shoals

Sent from my iPhone

On Sep 15, 2016, at 7:44 AM, John Clemons <jclemons@ssloesd.us> wrote:

Gil, Chairman Shoals

Gerhardt Hubner

From: Gilbert A. Trujillo <gat1848@comcast.net>
Sent: Friday, September 16, 2016 12:25 PM
To: Jim Hill
CC: Gerhardt Hubner
Subject: RE: Complaint

Hi Jim,

I have spoken to Gerhardt and your item will be added to the upcoming agenda pursuant to your direction and authority under the bylaws. Thank you.

Gil

Sent from Mail for Windows 10

From: Jim Hill
Sent: Thursday, September 15, 2016 10:49 PM
To: GAT1848
Cc: John Clemons; Gerhardt Hubner; Tim Brown
Subject: Fwd: Complaint

Mr. Trujillo-

I have seen the hateful, ignorant, inaccurate, inflammatory and appalling comments Ms. Lucey made regarding [REDACTED]. As you know, Ms. Lucey has a long history of publicly disparaging [REDACTED], including commenting on [REDACTED] private life. I believe [REDACTED] has more than enough grounds for [REDACTED] complaint and I'm very concerned about liability of the District that may result from Ms. Lucey's actions. I am also concerned that Ms. Lucey appears to have violated the Government Code by disparaging [REDACTED], a candidate for public office, under color of her position as a Director of our District.

Further, Ms. Lucey has provided unilateral direction to District management in regard to revision of District policies in her individual capacity as a Director, interfering with the rights of the Board as a whole. I am hereby requesting that items be placed on our next agenda to censure Ms. Lucey and pursue all appropriate remedies from her personally for her actions.

-Jim Hill

Sent from my iPad

Begin forwarded message:

From: John Shoals <jshoals@grover.org>
Date: September 15, 2016 at 11:16:48 AM PDT
To: [REDACTED]@sslocsd.us
Cc: "gat1848@comcast.net" <gat1848@comcast.net>, "Jim Hill (jhill@arroyogrande.org)" <jhill@arroyogrande.org>, "Gerhardt@sslocsd.us" <Gerhardt@sslocsd.us>
Subject: Re: Complaint

[REDACTED]

Gerhardt Hubner

From: Gerhardt Hubner
Sent: Friday, September 16, 2016 2:31 PM
To: Jim Hill
Cc: Gilbert A. Trujillo
Subject: RE: Complaint

Jill,

I forgot to mention in our phone call just now, and for the record, that I have not forwarded this original message to Ms. Lucy. My only communication was a telephone call heads up on the draft agenda, and inclusion of this request on next Wednesday's agenda.

Gerhardt

From: Gilbert A. Trujillo [mailto:gat1848@comcast.net]
Sent: Friday, September 16, 2016 12:25 PM
To: Jim Hill <jhill@arroyogrande.org>
Cc: Gerhardt Hubner <Gerhardt@sslocsd.us>
Subject: RE: Complaint

Hi Jim,

I have spoken to Gerhardt and your item will be added to the upcoming agenda pursuant to your direction and authority under the bylaws. Thank you.

Gil

Sent from [redacted] for Windows 10

From: [redacted]
Sent: Thursday, September 15, 2016 10:49 PM
To: [redacted]
Cc: [redacted]; Gerhardt Hubner; Tim Brown
Subject: Fwd: Complaint

Mr. Trujillo-

I have seen the hateful, ignorant, inaccurate, inflammatory and appalling comments Ms. Lucey made regarding [redacted]. As you know, Ms. Lucey has a long history of publicly disparaging [redacted], including commenting on [redacted] private life. I believe [redacted] has more than enough grounds for [redacted] complaint and I'm very concerned about liability of the District that may result from Ms. Lucey's actions. I am also concerned that Ms. Lucey appears to have violated the Government Code by disparaging [redacted], a candidate for public office, under color of her position as a Director of our District.

Further, Ms. Lucey has provided unilateral direction to District management in regard to revision of District policies in her individual capacity as a Director, interfering with the rights of the Board as a whole. I am hereby requesting that items be placed on our next agenda to censure Ms. Lucey and pursue all appropriate remedies from her personally for her actions.

Gerhardt Hubner

From: Jim Hill <jhill@arroyogrande.org>
Int: Wednesday, October 5, 2016 9:45 PM
To: Jeff Edwards; GAT1848; Gerhardt Hubner
Subject: Re: CPRA request

Gerhardt-

As I indicated to you at our recent meeting, non-compliance with both the letter and the spirit of the Public Records Act is not acceptable. Our policy must be full compliance. Please provide the requested records immediately.

-Jim Hill

Sent from my iPad

On Oct 5, 2016, at 10:19 AM, Jeff Edwards <jhedwardscompany@gmail.com> wrote:

Still no corrected response.

I am waiting patiently.

If necessary I will take my concerns to the District Attorney's office for failure to comply with the CPRA.

Julie

Julie Tacker
Administrative Assistant

J.H. Edwards Company
P.O. Box 6070
Los Osos, CA 93412
805.235.0873 - Jeff
805.235.8262 - Julie
805.528.3569 - Office

On Mon, Oct 3, 2016 at 5:22 PM, Jeff Edwards <jhedwardscompany@gmail.com> wrote:

Hello All,

I got no response from the District on this inaccurate document again today. Since the document provided on Friday was incorrect you are now 3 days out of compliance with the 10-day rule.

Please remedy immediately.,

Thank you,

Julie

Julie Tacker
Administrative Assistant

J.H. Edwards Company
P.O. Box 6070
Los Osos, CA 93412
805.235.0873 - Jeff
805.235.8262 - Julie
805.528.3569 - Office

On Fri, Sep 30, 2016 at 2:29 PM, Jeff Edwards <jhedwardscompany@gmail.com> wrote:
Dear Amy,

Thank you for this but it is the wrong record.

Dear Gerhardt,

I tried to call you at 2:28pm today. You did not answer, so I left a message letting you know this email was on its way. So here it is.

I know you're reading these requests for information. You must have missed the thrust of the request, (on accident? on purpose? See, I sent the original email and I have the copy Mary Lucey provided to the public at the September 21st board meeting, what I am missing is the email that was sent from the district (likely you) to Ms. Lucey.

See the request again here: (I have **bolded** in red and underlined the pertinent portion specifying EXACTLY what it is I am looking for).

You are denying me access to a public record again, just as you did with the resume.

Do not play games. Please provide the records I seek in a timely fashion. Tomorrow marks the 10th day for this request. Items that are readily available should be sent as soon as possible.

----- Forwarded message -----
From: Jeff Edwards <jhedwardscompany@gmail.com>
Date: Wed, Sep 21, 2016 at 10:53 PM
Subject: CPRA request
To: Amy Simpson <amy@sslocsd.us>

Good evening Amy,
Please provide the Sept. 1 email about Oceano drainage that I mistakenly sent to John Clemons at work as it was sent to Mary Lucey sometime in the weeks since. I believe it had to have come from Mr. Hubner, but would like a copy to confirm.
Please tell John I apologize for that mistake and appreciate that he did not respond on district time.
Thanks much,
Julie

Julie Tacker
Administrative Assistant

J.H. Edwards Company
P.O. Box 6070
Los Osos, CA 93412
805.235.0873 - Jeff
805.235.8262 - Julie
805.528.3569 - Office

On Fri, Sep 30, 2016 at 1:36 PM, Amy Simpson <Amy@sslocsd.us> wrote:

Hello Julie,

Please see the District's response to your CPRA dated Sept. 21, 2016.

Sincerely,

Amy Simpson

Bookkeeper/Secretary

South San Luis Obispo County Sanitation District

Ph 805 481-6903

Fax 805 489-2765

amy@sslocsd.us

From: Jeff Edwards [mailto:jhedwardscompany@gmail.com]

Sent: Wednesday, September 21, 2016 10:54 PM

To: Amy Simpson <Amy@sslocsd.us>

Subject: CPRA request

Good evening Amy,

Please provide the Sept. 1 email about Oceano drainage that I mistakenly sent to John Clemons at work as it was sent to Mary Lucey sometime in the weeks since. I believe it had to have come from Mr. Hubner, but would like a copy to confirm.

Please tell John I apologize for that mistake and appreciate that he did not respond on district time.

Thanks much,

Julie

Julie Tacker

Administrative Assistant

J.H. Edwards Company

P.O. Box 6070

Los Osos, CA 93412

805.235.0873 - Jeff

805.235.8262 - Julie

805.528.3569 - Office

Gerhardt Hubner

From: GAT <gat1848@comcast.net>
Sent: Tuesday, November 15, 2016 10:26 AM
To: Gerhardt Hubner; J. Scott Tiedemann Esq.; Michael D. Youril
Subject: Fwd: Request to address Board

FYI

Begin forwarded message:

From: Jim Hill <jhill@arroyogrande.org>
Date: November 15, 2016 at 10:19:50 AM PST
To: GAT1848 <gat1848@comcast.net>
Cc: Tim Brown <tbrown@arroyogrande.org>, [REDACTED] <[REDACTED]@sslocsd.us>
Subject: Fwd: Request to address Board

Gil-

[REDACTED] request seems not only reasonable but imperative. I am hereby asking that this be put on the agenda, if not now as an emergency add then at the most immediate opportunity, even a special meeting (other than Tuesday night), for a closed session personnel item. Please make sure this happens. This needs to be resolved without litigation and more cost, and we need to hear it immediately. Thank you!

-Jim Hill

Sent from my iPad

Begin forwarded message:

From: [REDACTED] <[REDACTED]@sslocsd.us>
Date: November 15, 2016 at 5:59:47 AM HST
To: "jshoals@grover.org" <jshoals@grover.org>, Jim Hill <jhill@arroyogrande.org>, Mary Lucey <marylucey15@yahoo.com>, "tbrown@arroyogrande.org" <tbrown@arroyogrande.org>, "matthewguerrero@sbcglobal.net" <matthewguerrero@sbcglobal.net>
Cc: "gat1848@comcast.net" <gat1848@comcast.net>, Wendy Stockton <wendylegal55@gmail.com>, Alicia Lara <alicia@larahrservices.com>, "Alicia Lara" <aialara13@gmail.com>
Subject: Request to address Board

Chairman Shoals and SSLOCSD Board of Directors,

To: SSLOCSD Board of Directors
From: [REDACTED]
Regarding: [REDACTED] Investigation

Chairman Shoals and Board,

I am writing to you because I would like the opportunity to address the board privately
[REDACTED]

Gerhardt Hubner

From: Jim Hill <jhill@arroyogrande.org>
Sent: Sunday, November 27, 2016 7:21 PM
To: Gerhardt Hubner
Cc: GAT1848
Subject: Fwd: Trailer

FYI -copy of my original email.

Sent from my iPad

Begin forwarded message:

From: <jhill@arroyogrande.org>
Date: November 21, 2016 at 9:58:28 AM PST
To: Gerhardt Hubner <Gerhardt@sslocsd.us>, GAT1848 <gat1848@comcast.net>
Subject: Trailer

Gerhardt-
I'm concerned with the amount being spent on the temporary trailer when we are still awaiting a permit. Please put consideration of the trailer on this agenda and I request we don't expend any additional funds on the trailer until that has been considered. Thank you.
-Jim Hill

Sent from my iPad

Gerhardt Hubner

From: Gerhardt Hubner
ant: Monday, November 28, 2016 7:43 AM
To: jhill@arroyogrande.org
Cc: gat1848@comcast.net
Subject: RE: Trailer

Good Morning Jim,

I had this response completed but waited until after the Thanksgiving Holidays to send. I see you send a reminder yesterday.

We can certainly put it on the agenda. However, some facts to consider prior to doing so include:

1. Most, if not all, cost (except additional chairs which we need for Adm. Bldg. regardless) has already been incurred.
2. The trailer lease is for one year, as a monthly payment. This was the shortest time allowed to rent. That expense must be paid regardless. Delivery and future pickup costs have already been paid.
3. Per Coastal Commission staff, we can utilize the trailer pending the CDP waiver which is scheduled to be issued December 9th.
4. We are awaiting phone and internet service which Charter Business has been continuously delayed. Installation is now scheduled for December 19th.
5. Several documented structural and environmental concerns remain with the Adm. Building. Trailer use during remediation of these issues (replacing the flooring as one example) will minimize disruptions to staff and safeguard their well-being. The trailer resolves privacy concerns and space limitation.
6. The C-Train (and records contained within) must be removed by September 1, 2017, irregardless of the deposition of the trailer. The trailer is anticipated and expected to assist with that effort.

With the above information do you still want this on the next agenda?

Gerhardt

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

From: Jim Hill [mailto:jhill@arroyogrande.org]
Sent: Monday, November 21, 2016 9:58 AM
To: Gerhardt Hubner <Gerhardt@sslcsd.us>; GAT1848 <gat1848@comcast.net>
Subject: Trailer

.erhardt-

10:30 am

Jill Hill

MT

December 16, 2016

- Personnel Policy Manual

Update + Discussed - Progress ✓

Include

Expedite job descriptions ✓

- Facilitation

Gil - list from

Priority

✓ Finance Mgt / Award Board

- SEIU

Double-check - Email Notification to Board

- Wallace Investigation
Clayton - Call about files,

- Communication

- Routine Board informed on District Interest.

- Investigative / Compliant
Not Board informed. - G.I

No Surprises

Gerhardt Hubner

From: Gerhardt Hubner
Sent: Monday, January 9, 2017 9:22 AM
To: Greg Larson
Subject: Revised Exhibit B to Consultant Service Contract - Updated Schedule

Greg,

I proposed the following Exhibit B schedule changes to the Consultant contract, since several dates have lapsed:

Estimated Project Timeline Completion Schedule

Activity 1: Start Project and Review Background Materials	=	July 31st
Activity 2: Gather Information	=	January 2017
Activity 3: Design and Facilitate Strategic Planning Workshop	=	February 2017
Activity 4: Prepare and Submit		
Phase I Draft and Final Strategic Plan	=	April 2017

Do you concur?

Thanks

Gerhardt

Gerhardt Hubner

From: Gerhardt Hubner
Sent: Friday, January 13, 2017 7:56 AM
To: Greg Larson
Subject: RE: Re: Revised Exhibit B to Consultant Service Contract - Updated Schedule

Agreed. Let's make it the 30th

One additional change:

The contract termination date should be extended to March 15 or 30.

Greg

On Jan 9, 2017, at 9:22 AM, Gerhardt Hubner <Gerhardt@ssloesd.us> wrote:

Greg,

I proposed the following Exhibit B schedule changes to the Consultant contract, since several dates have lapsed:

Estimated Project Timeline Completion Schedule

Activity 1: Start Project and Review Background Materials	=	July 31st
Activity 2: Gather Information	=	January 2017
Activity 3: Design and Facilitate Strategic Planning Workshop	=	February 2017
Activity 4: Prepare and Submit Phase I Draft and Final Strategic Plan	=	April 2017

Do you concur?

Thanks

Gerhardt

Gerhardt Hubner

From: Wendy Stockton <wendylegal55@gmail.com>
Sent: Friday, January 13, 2017 1:23 PM
To: Gerhardt Hubner
Cc: Gil Trujillo
Subject: Re: Extension to long-range planning agreement

Perfect; thank you!

On Fri, Jan 13, 2017 at 12:32 PM, Gerhardt Hubner <Gerhardt@sslocsd.us> wrote:
Wendy

As we just discussed I extended the contract by email and mutual consent yesterday

Hi Gerhardt,

Following up on my conversation with Director Hill and my voice mail to you, here is a form Amendment #1 to extend the Agreement for Professional Services for the long-range planning project. Just fill in the names and desired dates, and collect signatures.

Thank you,

--

Wendy

Wendy Stockton, Esq.
Please note my new telephone
(805) 709-2913

--

Wendy

Wendy Stockton, Esq.
Please note my new telephone
(805) 709-2913

From: Jim Hill
To: GAT1848; Gil Trujillo
Subject: Fwd: Formal complaint
Date: Friday, December 30, 2016 4:16:28 PM

Gil-
From Lin's observation of the alleged incident, as stated to you and me that evening, there is a lot of false and misleading material here.
I'm reminded of [REDACTED] having continually harassed [REDACTED] during multiple previous Board meetings.
-Jim Hill

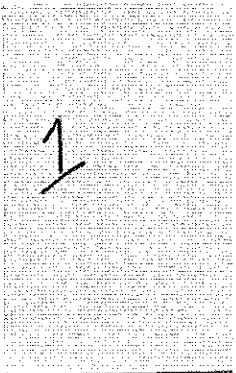
Sent from my iPad

Begin forwarded message:

From: Nancy J MacNeil [REDACTED]
Date: December 30, 2016 at 2:01:05 PM PST
To: <gerhardt@sslocsd.us>
Cc: <jhill@arroyogrande.org>, <jshoals@grover.org>, <lindaaustin6149@att.net>, <gtrujillo@cityofsantamaria.org>, <jbrennan@co.slo.ca.us>, <ianparkinson@co.slo.ca.us>
Subject: Formal complaint

This is to document an incident that occurred after I had attended a local public meeting of the South County Sanitation District held in Oceano at the OCSD.

Dec. 21, 2016 - approximately between 7:15pm and 7:30pm.



From: Jim Hill
To: jclemons111@yahoo.com
Subject: Fwd: Formal complaint
Date: Friday, December 30, 2016 3:54:15 PM

Your friends Mary and Nancy are at it again....

Sent from my iPad

Begin forwarded message:

From: Nancy J MacNeil <[REDACTED]>
Date: December 30, 2016 at 2:01:05 PM PST
To: <gerhardt@sslocsd.us>
Cc: <jhill@arroyogrande.org>, <jshoals@grover.org>, <lindaagustin6149@att.net>, <gtrujillo@cityofsantamaria.org>, <jbrennan@co.slo.ca.us>, <ianparkinson@co.slo.ca.us>
Subject: Formal complaint

This is to document an incident that occurred after I had attended a local public meeting of the South County Sanitation District held in Oceano at the OCSD.

Dec 31, 2016 approximately between 7:15am and 7:30am.

From: Jim Hill
To: ldemons111@yahoo.com
Subject: Fwd: Formal complaint
Date: Friday, December 30, 2016 4:18:21 PM

My note to Gil, FYI-

Sent from my iPad

Begin forwarded message:

From: Jim Hill <jhill@arroyogrande.org>
Date: December 30, 2016 at 4:16:28 PM PST
To: GAT1848 <gat1848@comcast.net>, Gil Trujillo
<gtrujillo@cityofsantamaria.org>
Subject: Fwd: Formal complaint

Gil-

From Lin's observation of the alleged incident, as stated to you and me that evening, there is a lot of false and misleading material here.

I'm reminded of [REDACTED] having continually harassed [REDACTED] during multiple previous Board meetings.

-Jim Hill

Sent from my iPad

Begin forwarded message:

From: Nancy J MacNeil <[REDACTED]>
Date: December 30, 2016 at 2:01:05 PM PST
To: <gerhardt@sslocsd.us>
Cc: <jhill@arroyogrande.org>, <jshoals@grover.org>, <lindaaustin6149@att.net>, <gtrujillo@cityofsantamaria.org>, <jbrennan@co.slo.ca.us>, <ianparkinson@co.slo.ca.us>
Subject: Formal complaint

This is to document an incident that occurred after I had attended a local public meeting of the South County Sanitation District held in Oceano at the OCSD.

Dec. 21, 2016 - approximately between 7:15pm and 7:30pm.

[REDACTED]

[REDACTED] and [REDACTED]'s animosity and prejudice against [REDACTED] us well known. Mr. Trujillo was informed what happened that night. The Sheriff's office declined to investigate. We need to follow their lead and not waste any more money or time on this.

Jim Hill

Sent from my iPad

On Jan 16, 2017, at 4:40 PM, Wendy Stockton
<wendylegal55@gmail.com> wrote:

Confidential

Attorney Client and Work Product Privileges

Honorable Chair and Members of the Board:

In order to facilitate an effective investigation into this complaint, especially in light of the District's relatively small size, please do not discuss the investigation with anyone other than me or the District's special counsel, Liebert Cassidy Whitmore. Please contact me if you have questions. Thank you for your cooperation.

Wendy

Wendy Stockton, Esq.
District Co-Counsel
Please note my new telephone
(805) 709-2913

5

From: Wendy Stockton [mailto:wendylegal55@gmail.com]
Sent: Monday, January 16, 2017 4:54 PM
To: John Clemons <jclemons@sslocsd.us>
Cc: Gil Trujillo <gat1848@comcast.net>
Subject: Confidential¹ - Notice of Investigation

John,

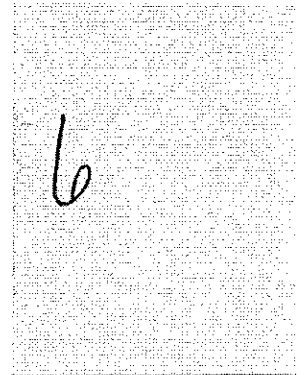
Attached is a Notice of Investigation. Please contact me if you have questions.

Sincerely,

--

Wendy

Wendy Stockton, Esq.
Please note my new telephone
(805) 709-2913



From: Jim Hill
To: John Clemons
Subject: Fwd: Confidential - Investigation into Complaint from a Member of the Public
Date: Tuesday, January 17, 2017 7:30:28 PM

Sent from my iPad

Begin forwarded message:

From: Jim Hill <jhill@arroyogrande.org>
Date: January 17, 2017 at 12:02:37 PM PST
To: Wendy Stockton <wendylegal55@gmail.com>
Cc: John Shoals <jshoals@grover.org>, "lindaaustin6149@att.net" <lindaaustin6149@att.net>, Gil Trujillo <gat1848@comcast.net>, Gerhardt Hubner <Gerhardt@sslocsd.us>
Subject: Re: Confidential - Investigation into Complaint from a Member of the Public

Nonsense. Stop the harassment of our employee now! -Jim Hill

Sent from my iPad

On Jan 16, 2017, at 8:45 PM, Wendy Stockton <wendylegal55@gmail.com> wrote:

Confidential
Attorney Client and Work Product Privileges

Director Hill,

Thank you for your email. Unfortunately the District does not appear to have a choice in this matter. I will convey your concerns to the investigator.

Sincerely,

Wendy

Wendy Stockton, Esq.
Please note my new telephone
(805) 709-2913

On Mon, Jan 16, 2017 at 8:32 PM, Jim Hill <jhill@arroyogrande.org> wrote:

Wendy-

This issue doesn't warrant any investigation. [REDACTED]

8

7

From: Jim Hill
To: Wendy Stockton; Gil Trujillo; John Clemons; Gerhardt Hubner
Bcc: Jeff Edwards
Subject: Re: Confidential - Notice of Investigation
Date: Tuesday, January 17, 2017 11:44:09 AM

I demand that the [REDACTED] cited by [REDACTED] cease immediately!! Stop the phony "investigations", stop wasting our time and resources!! -Jim Hill

Sent from my iPad

On Jan 17, 2017, at 10:00 AM, John Clemons <jclemons@sslccsd.us> wrote:

10

9

From: Jim Hill
To: John Clemens
Subject: Fwd: Confidential - Investigation into Complaint from a Member of the Public
Date: Tuesday, January 17, 2017 7:30:28 PM

Sent from my iPad

Begin forwarded message:

From: Jim Hill <jhill@arroyogrande.org>
Date: January 17, 2017 at 12:02:37 PM PST
To: Wendy Stockton <wendylegal55@gmail.com>
Cc: John Shoals <jshoals@grover.org>, "lindaustin6149@att.net" <lindaustin6149@att.net>, Gil Trujillo <gat1848@comcast.net>, Gerhardt Hubner <Gerhardt@sslocsd.us>
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Please note my new telephone
(805) 709-2913

On Mon, Jan 16, 2017 at 8:32 PM, Jim Hill <jhill@arroyogrande.org> wrote:

Wendy-

This issue doesn't warrant any investigation. [REDACTED]

Exhibit 17 Supplemental Information

Gerhardt Hubner

From: Wendy Stockton <wendylegal55@gmail.com>
Sent: Monday, January 16, 2017 4:40 PM
To: John Shoals; jhill@arroyogrande.org; lindaaustin6149@att.net
Cc: Gerhardt Hubner; Gil Trujillo
Subject: Confidential - Investigation into Complaint from a Member of the Public

Confidential

Attorney Client and Work Product Privileges

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Wendy

Wendy Stockton, Esq.
District Co-Counsel
Please note my new telephone
(805) 709-2913

Gerhardt Hubner

From: Jim Hill <jhill@arroyogrande.org>
At: Monday, January 16, 2017 8:33 PM
To: Wendy Stockton
Cc: lindaustn6149@att.net; Gerhardt Hubner; Gil Trujillo; John Clemons
Subject: Re: Confidential - Investigation into Complaint from a Member of the Public

Wendy-

This issue doesn't warrant any investigation. [REDACTED]
[REDACTED] Mr. Trujillo was informed what happened that night. The Sheriff's office declined to investigate. We need to follow their lead and not waste any more money or time on this.
Jim Hill

Sent from my iPad

On Jan 16, 2017, at 4:40 PM, Wendy Stockton <wendylegal55@gmail.com> wrote:

Confidential

Attorney Client and Work Product Privileges

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Wendy

Wendy Stockton, Esq.
District Co-Counsel
Please note my new telephone
(805) 709-2913

Gerhardt Hubner

From: Jim Hill <jhill@arroyogrande.org>
nt: Tuesday, January 17, 2017 11:44 AM
To: Wendy Stockton; Gil Trujillo; John Clemons; Gerhardt Hubner
Subject: Re: Confidential - Notice of Investigation

I demand that the [REDACTED] cease immediately!! Stop the phony "investigations", stop wasting our time and resources!! -Jim Hill

Sent from my iPad

On Jan 17, 2017, at 10:00 AM, John Clemons <jclemons@sslocsd.us> wrote:

From: John Clemons
Sent: Tuesday, January 17, 2017 9:30 AM
To: 'Wendy Stockton' <wendylegal55@gmail.com>
Cc: Gil Trujillo <gtrujillo@cityofsantamaria.org>
Subject: FW: Confidential - Notice of Investigation

Wendy,

[REDACTED]

Thank you,

John L. Clemons
Plant Superintendent/CPO
South San Luis Obispo County Sanitation District
1600 Aloha Place
Oceano, Ca. 93445
805-489-6666
805-270-6210
<image002.jpg>

From: John Clemons
Sent: Tuesday, January 17, 2017 9:21 AM
To: 'Wendy Stockton' <wendylegal55@gmail.com>
Cc: Gil Trujillo <gtrujillo@cityofsantamaria.org>
Subject: RE: Confidential - Notice of Investigation

Wendy,

John Clemons

From: Wendy Stockton [mailto:wendylegal55@gmail.com]
Sent: Monday, January 16, 2017 4:54 PM
To: John Clemons <jclemons@sslocsd.us>
Cc: Gil Trujillo <gat1848@comcast.net>
Subject: Confidential - Notice of Investigation

John,

Attached is a Notice of Investigation. Please contact me if you have questions.

Sincerely,

--

Wendy

Wendy Stockton, Esq.
Please note my new telephone
(805) 709-2913

Gerhardt Hubner

From: Jim Hill <jhill@arroyogrande.org>
Sent: Tuesday, January 17, 2017 12:03 PM
Cc: Wendy Stockton
Subject: John Shoals; lindaaustin6149@att.net; Gil Trujillo; Gerhardt Hubner
Re: Confidential - Investigation into Complaint from a Member of the Public

Nonsense. Stop the [REDACTED] of our employee now! -Jim Hill

Sent from my iPad

On Jan 16, 2017, at 8:45 PM, Wendy Stockton <wendylegal55@gmail.com> wrote:

Confidential
Attorney Client and Work Product Privileges

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Please note my new telephone
(805) 709-2913

On Mon, Jan 16, 2017 at 8:32 PM, Jim Hill <jhill@arroyogrande.org> wrote:

Wendy-

This issue doesn't warrant any investigation. [REDACTED]

[REDACTED] Mr. Trujillo was informed what happened that night. The Sheriff's office declined to investigate. We need to follow their lead and not waste any more money or time on this.

Jim Hill

Sent from my iPad

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Attorney Client and Work Product Privileges

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Wendy

Wendy Stockton, Esq.
District Co-Counsel
Please note my new telephone
(805) 709-2913

Gerhardt Hubner

From: Wendy Stockton <wendylegal55@gmail.com>
nt: Saturday, February 4, 2017 9:42 AM
To: Gerhardt Hubner; Gil Trujillo
Subject: Confidential - Board Member Contact

Confidential
Attorney Client and Work Product Privileges

Hi Gerhardt,

I apologize for contacting you on the weekend and hope that email is more polite than a phone call.

Last evening as I was leaving town I received a phone call from Director Hill. He was upset about employee relations at the wastewater plant. He wanted to find a way to put the matter of the investigations onto the Board agenda. He felt the investigations were not called for by the personnel policy manual. (He had requested an additional copy of the manual last week and I asked Amy to provide it.)

It took quite a while to talk Mr. Hill out of this idea. I explained how the combined investigations came about as a personnel decision as well as a directive from the policy manual. I explained that there could not be an open session because of privacy rights, and there was no information nor basis for a closed session. I brought up the [REDACTED] advice to stay out of personnel matters [REDACTED].

Wendy

Wendy Stockton, Esq.
Please note my new telephone
(805) 709-2913

Lin Hill <1jlhill@gmail.com>

04/06/16 at 4:18 PM

To: Patty W

----- Forwarded message -----

From: **Jim Hill** <jhill@arroyogrande.org>

Date: Mon, Apr 4, 2016 at 6:19 PM

Subject: Fwd: District Administrator's Contract

To: "1jlhill@gmail.com" <1jlhill@gmail.com>

Sent from my iPad

Begin forwarded message:

From: John Clemons <jclemons@sslocsd.us>

Date: April 4, 2016 at 3:36:19 PM PDT

To: "jshoals@grover.org" <jshoals@grover.org>, "Jim Hill (jhill@arroyogrande.org)" <jhill@arroyogrande.org>, Mary Lucey <marylucey15@yahoo.com>

Cc: Amy Simpson <Amy@sslocsd.us>

Subject: District Administrator's Contract

Board of Directors,

Please find attached a copy of the SSLOCSD contract with the new District Administrator.

Regards,

John L. Clemons

Plant Superintendent/CPO

South San Luis Obispo County Sanitation District

1600 Aloha Place

Oceano, Ca. 93445

805-489-6670

Type of Records request from Julie Tacker to the San district

1. Loan agreement with city national
2. Emails Ms. Tacker accidentally sent to John Clemmons
3. Asking why Mary Lucey has to approve flyer going to island people
4. Invoices/contracts associated with newsletter about change in billing
5. All evidence the WWTP has had increased system demand since 2010
6. All permits acquired in 2016 in regards to the redundancy plan
7. Paycheck and paystubs of Mr. Hubner
8. Video tape from the district front gate
9. Copy of letter confirming SEIU local 620 now represents SSLOCSD employees
10. Back up plan for FFR
11. Confirm cal pers prepayment was made and accepted
12. Confirm CoGen payment was made and accepted
13. Wants any and all receipts for purchases at Farm supply
14. Any/all correspondence with Cambria CSD brine disposal
15. Change order for grit removal project
16. District correspondence with Wallace Group and John Wallace since April 1, 2016
17. Itemized reimbursement for CASA and Sacramento trip
18. Press release from district and the actual settlement
19. Copy of Mr. Hubner's automobile general liability and property damage policy
20. Copies of the last 6 months of district phone bills

San Diego Administrative Contract (3)

Forwarded message

From: John Clements

Sent: Monday, April 5, 2016 at 3:16 PM

To: John Clements

Date: Monday, April 4, 2016 at 5:16 PM

Subject: San Diego Administrative Contract

For: John Clements

For: John Clements

For: John Clements

For: John Clements

For: John Clements

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For: John Clements

For: John Clements

ATTACHMENT: From Daagreen.pdf
Fwd: District Administrator's Contract (3)
2 Attachments | View all | Download all

pc <paddywaggon@gmail.com>
To Bob McFall, Heather Whitman

pc Here is the information we discussed today. Dates are meeting to:
1st 9 at 6:30 PM
2nd 11 at 4:00 PM

On Wednesday, April 6, 2016 4:18 PM, Lin Hill <lhill@gmail.com> wrote:
v Fwd: District Administrator's Contract (3)

Forwarded message
From: Jim Hill <jhill@arroyogrande.org>
Date: Mon, Apr 4, 2016 at 6:19 PM
Subject: Fwd: District Administrator's Contract
To: "jhill@gmail.com" <jhill@gmail.com>

Sent from my iPad
Begin forwarded message:

From: John Clemons <jclemons@sslocsd.us>
Date: April 4, 2016 at 3:36:19 PM PDT
To: "jshoals@grover.org" <jshoals@grover.org>, "Jim Hill" <jhill@arroyogrande.org>, Mary Lucey <marylucey15@yahoo.com>

To Employees: Gerhardt Holmer
1895 S. Hill Road
Ventura CA 93003

ENTIRE AGREEMENT.
This Agreement supersedes any and all other agreements and/or understandings, whether oral or in writing, concerning District Administrator's employment hereunder.

In Witness Whereof, District and the Employees have executed this Agreement as of the date first written above.

South San Luis Obispo County Sanitation District
John Shoals, Chair (Date)
District Administrator
Gerhardt Holmer (Date) 3/25/16

ATTTEST
Clerk of the Board (Date)
APPROVED AS TO FORM
Attorney for District (Date)