

From: Melody Lane [mailto:melody.lane@reagan.com]

Sent: Monday, October 7, 2019 4:51 PM

To: 'Kim Dawson'

Cc: 'EDC COB'; 'Donald Ashton'; 'The BOSFIVE'; 'bosfour'; 'The BOSONE'; 'The BOSTHREE'; 'The BOSTWO'; 'Lori Parlin'; 'Lori Parlin'

Subject: RE: Follow up to 9/10 minutes Item #23 - CA Public Record Act Request

M. Lane Consent Calendar BOS  
10/8/2019

P 002371-100719

Kim,

Thank you for your reply. However once again you failed to properly respond to the following questions:

#1 – I've heard the excuse before that there are only two COBs, and that my documents were posted promptly after I brought them to your attention on 9/17. You still missed the whole point of this correspondence...

Such omissions have happened several times before, even when Jim Mitrisin was COB. But that still doesn't explain WHY YOU failed to include my documents in Item #23 when the minutes were posted to Legistar the afternoon of 9/13. Were they misplaced, clerical error, an oversight, were you directed to withhold them, or some other reason??? Your written explanation is in order.

#2 – For clarification my address book does NOT and has NEVER generated 'The BOSONE', 'The BOSTWO', etc. It is significant that the word "The" now precedes each BOS email address. However I suspect the problem has everything to do with Don Ashton/county counsel *unlawfully* authorizing IT to block my ability to communicate electronically with most county staff since August 2018. (See attached Ashton email)

Below is a copy/paste of what my address book actually generates. Note as well the highlighted portions indicating the obvious discrepancies:

To: Kim Dawson (Kim.Dawson@edcgov.us); 'Donald Ashton'; edc.cob@edcgov.us

Cc: 'bosfive@edcgov.us'; 'bosfour@edcgov.us'; 'bosone@edcgov.us'; 'bosthree@edcgov.us'; 'bostwo@edcgov.us'

Don's unlawful directive with the full knowledge and support of the BOS would also account for why staff is not responding to any of my petitions for redress of grievances or returning any of my phone calls. District #4 Lori Parlin has been particularly unresponsive to District #4 concerns as she demonstrated during today's Taxpayers Association meeting. When staff has knowledge of wrong doing and fails to take corrective action, then that public servant becomes complicit and liable.

At this point Don Ashton has some explaining to do about his unconstitutional actions, topics which we've discussed in several staff meetings *ad nauseam* going back as far as 2013. This is public information that the public is entitled to know about how its government really operates.

Since it is your responsibility to track and monitor CPRAs, please consider this a **Public Record Act** request for information pursuant to Government Code Section 6250 et seq. requesting Don Ashton provide in writing the significance of 'The BOSONE', 'The BOSTWO', etc. and specifying the actual recipients.

If you intend to withhold the requested information, I ask that you provide a signed notification citing the specific legal authorities on whom you rely. The agency must justify the withholding of any record by demonstrating that the record is exempt or that the public interest in confidentiality outweighs the public interest in disclosure. (§6255)

**Note:** County counsel has *no authority whatsoever* to run interference, respond on behalf of any public servant, nor to unlawfully delay responses to CPRAs, *many of which are MONTHS OVERDUE.*

*Melody Lane*

**Founder – Compass2Truth**

~ By identifying the people's sovereign will not with its latest but its oldest expression, the Framers succeeded in identifying the people's authority with the Constitution, not with the statutory law made by their representatives. ~

**From:** Kim Dawson [mailto:kim.dawson@edcgov.us]

**Sent:** Monday, October 7, 2019 12:14 PM

**To:** Melody Lane

**Cc:** EDC COB; Donald Ashton; The BOSFIVE; bosfour; The BOSONE; The BOSTHREE; The BOSTWO; Lori Parlin; Lori Parlin

**Subject:** Re: Follow up to 9/10 minutes Item #23 & 9/17 BOS

Good Afternoon Ms. Lane - Regarding your email:

- 1) Currently there are only two staff in the Clerk's office. Your public comments were attached promptly on 9/17 after you pointed out they had not been attached.
- 2) TheBOSONE, etc. is generated by your address book
- 3) No my response on 9/23 was not prepared by County Counsel.
- 4) No I have not been directed to refrain from responding to you.

Thank you, Kim

**From:** Donald Ashton [mailto:don.ashton@edcgov.us]

**Sent:** Friday, August 17, 2018 3:45 PM

**To:** Melody Lane

**Cc:** AD-Department-Heads-m; The BOSONE; The BOSTWO; The BOSTHREE; The BOSFOUR; The BOSFIVE

**Subject:** Email Access

Good afternoon Ms. Lane,

Over the last few months, you have sent numerous emails, sometimes including lengthy email chains and/or attachments along with your communication. These emails have included in their distribution numerous staff members in addition to Department Heads, my office, the offices of the Board of Supervisors and their assistants.

The County's email system is designed to make County operations more effective and efficient. In furtherance of that objective the County has a practice of limiting certain types of email traffic. The County has never by policy or practice opened its email system for indiscriminate use by the general public.

The County takes seriously its obligation to provide the constituents of the County with access to their local government, however, the County's email system is not a traditional public forum nor has the County designated it as such. As a nonpublic forum, the County can impose reasonable regulations on the use of its email system. In fact, even where a public forum is involved, the law allows reasonable time, place, and manner restrictions upon the use of that public forum. As has been noted "Freedom of expression does not mean that everyone with opinions or beliefs to express may do so at any time and place..." It has also been recognized that the government and the taxpayers it serves have a substantial interest in avoiding unnecessary drains upon the public resources. By sending these lengthy emails with extensive attachments to numerous County employees and officials, public resources are diverted from other important tasks when those employees and officials must open and review the email and attachments.

This is to let you know that effective immediately the County is restricting your ability to email County staff. In order to ensure you continue to have access to your local government, you will still be permitted to email all Board of Supervisors members, their assistants, County Department Heads as well as [edc.cob@edcgov.us](mailto:edc.cob@edcgov.us) and [planning@edcgov.us](mailto:planning@edcgov.us). You remain free to express any opinions, requests, or other comments in your emails as the County has no interest in restricting your ability express your viewpoint on matters of County governance.

We appreciate your interest in the operation of your local government and trust you understand that we share your desire to ensure that the County operates effectively and efficiently for all of the citizens of the County.

**WARNING:** This email and any attachments may contain private, confidential, and privileged material for the sole use of the intended recipient. Any unauthorized review, copying, or distribution of this email (or any attachments) by other than the intended recipient is strictly prohibited. If you are not the intended recipient, please contact the sender immediately and permanently delete the original and any copies of this email and any attachments.