M. Lane Open Forum BOS 4/3/2018

I'll begin with a few significant quotes, the first from Thomas Jefferson: *"All authority belongs to the people…in questions of power, let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution… Experience hath shewn, that even under the best forms of government those entrusted with power have, in time, and by slow operations, perverted it into tyranny…Indeed I tremble for my country when I reflect that God is just; that His justice cannot sleep forever."*

John Hancock: *"Resistance to tyranny becomes the Christian and social duty of each individual…Continue steadfast and, with a proper sense of your dependence on God, nobly defend those rights which heaven gave, and no man ought to take from us."*

And last, Constitutional attorney John Whitehead: *"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."*

The aforementioned quotes can be boiled down to one simple statement: ***Any act by any public officer either supports and upholds the Constitution, or opposes and violates it.***

Any laws, rules, regulations, codes and policies which conflict with, contradict, oppose and violate the national and state Constitutions are null and void, The following EDC representatives received notifications enumerating multiple violations of their Constitutional Oaths of Office: Commissioner Gary Miller, Planning/Development Director Roger Trout, CAO Don Ashton, and Supervisors Frentzen & Ranalli. Notification of legal responsibility is "the first essential of due process of law."

Significantly during the March 13th BOS meeting Supervisor Ranalli again violated my First Amendment rights when he ordered the microphone & camera be shut off before I could finish my brief comments concerning Agenda Item #25, Sheriff D'Agostini's Public Safety Strategy Plan. That prepared transcript, as well as the affidavits received by Supervisors Frentzen and Ranalli, are being entered into the public record.

In closing the words of Abe Lincoln ring even more true today: *"We the people are the rightful masters of both Congress and the courts not to overthrow the Constitution, but to overthrow men who pervert the Constitution." THAT IS HOW WE'LL MAKE AMERICA GREAT AGAIN.*

1) *3/13/18 #25 Public Comments 2) Ranalli Affidavit 3) Frentzen Affidavit*

I'd like to provide another perspective of the Sheriff's public safety policy, particularly the failure of EDSO's strategy to engage the community to identify the shortfalls of public safety and their abysmal failure to appropriately communicate or respond to calls for assistance.

Improving community relations was the specific purpose of COMPAS meetings that were scheduled in the office of Sheriff D'Agostini approximately every 3 months shortly after he was elected. Please note the similarities in my prepared agenda from our first meeting and today's public safety matrix.

As you are aware I've been the victim of shootings, threats, assault, arson, vandalism, theft, slander, libel, harassment, midnight intrusions, hacking, cybercrime, and identity theft. You also know the Sheriff has blocked my ability to communicate electronically with EDSO. The breakdown in communication becomes problematic especially as it pertains to Objectives 1, 3 & 4 on this matrix and the investigation of retaliatory crimes committed by members of the River Mafia Mob.

For instance last month it was necessary to meet with Lt. Faulkenstein to file yet another Citizen Complaint of Officer Misconduct. The case involved the discovery of a freshly sharpened 2-foot machete on my property and associated threats by two members of the River Mafia mob, one of whom is a neighbor with a history of violence for assaulting me and another woman several years ago. When the assailant began stalking me he was served with a TRO but he refused to relinquish his guns as required by law. The TRO expired but his retaliation resumed just a few months ago. Not only did EDSO refuse to pick up the weapon and other evidence, the deputy falsified his report and framed me as the problem. Compounding the issues, Sergeant Lewis hung up on me twice when I inquired into staff's unethical and un-constitutional conduct.

Another example pertains to increasing crime and targeting of women in our river community. For this reason friends encouraged me to obtain a CCW. I paid over $600 in fees and completed my training with flying colors. Sheriff D'Agostini deliberately delayed his initial approval of my CCW, but then adding insult to injury, he then sent a certified letter rescinding my CCW without justification just 3 days before I was scheduled to pick up my permit from EDSO. In retaliation for holding his feet to the fire the Sheriff endangered my personal safety and abused the public's trust in law enforcement.

Even more disturbing, Lt. Faulkenstein had the audacity to repeatedly lecture me about the limitations of my 2nd Amendment right to use a gun on my own property. The Founding Fathers provided the 2nd Amendment because they had a healthy dislike for tyranny. They knew that an armed citizenry ultimately would keep a government in check.

At best, the Sheriff's "See something, say something" policy is hypocritical. Time doesn't permit to sufficiently describe constituent's frustration with EDSO to 'protect and serve' citizens of EDC. In ending, I'd like to share an email I received last month after a BOS meeting:

"Sheriff D'Agostini was the person at the Kramer's house yesterday. What a joke the whole thing was. You were right about everything. The stunt DAgostini pulled made me more angry than anything else because it was so unjust. It's not even the tower that's the most upsetting, it's the corruption thats the most disturbing. Before this happened I just didn't know any better. Now I will never look at things the same. But I'm not one to want to be in denial even if it's uncomfortable to know the truth. I'm glad I'm not alone in my frustration. Thanks again for all your support and help!"

Madam Clerk: Please enter these documents into the public record:

1) This transcript (4 min. 30 sec.)
2) 8/16/11 EDSO Agenda

AFFIDAVIT/DECLARATION OF TRUTH

To: Supervisor Michael Ranalli, District #4
El Dorado County Board of Supervisors
330 Fair Lane
Placerville, CA 95667

I, **Melody Lane,** the undersigned, hereinafter: Affiant/Declarant, make this Affidavit/Declaration of Truth of my own free will, and I hereby affirm, declare and solemnly swear, under oath, before a certified California Notary Public, that I am of legal age and of sound mind and hereby attest that all the information contained in this Affidavit/Declaration is true, correct and admissible as evidence.

This Affidavit/Declaration of Truth is lawful notification to you, and is hereby made and sent to you pursuant to the Federal Constitution, specifically, the Bill of Rights, in particular, Amendments I, IV, V, VI, VII, IX and X, and The Declaration of Rights of the California Constitution, in particular, Article 1, Sections 1, 2, 3, 9, 10, 11, 21, 23, and Article 3 Section 1, and requires your written rebuttal to me, specific to each and every point of the subject matter stated herein, within 30 days, via your own sworn and notarized affidavit, using true fact(s), valid law and evidence to support your rebuttal.

You are hereby noticed that your failure to respond, as stipulated, and rebut, with particularity and specificity, anything with which you disagree in this Affidavit/Declaration, is your lawful, legal and binding tacit agreement with and admission to the fact that everything in this Affidavit/Declaration is true, correct, legal, lawful, and fully binding upon you in any court in America, without your protest or objection or that of those who represent you. See: *Connally v. General Construction Co.*, 269 U.S. 385, 391. Notification of legal responsibility is "the first essential of due process of law." Also, see: *U.S. v. Tweel*, 550 F. 2d. 297. *"Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading."*

Affiant/Declarant hereby affirms that the following actions and events took place:

On June 27, 2017, I sent you, District #4 Supervisor Michael Ranalli, via USPS certified mail, a letter which you received on June 28, 2017, and which I entered into the public record during the June 27, 2017 Board of Supervisors meeting. That letter, attached hereto and marked **Exhibit A**, was sent to inform you of these events and statements made by you, and also as an inquiry to ascertain whether you, Michael Ranalli, as District #4 Supervisor, support and uphold them or would rebut them.

Pursuant to the lawful notification contained in that letter, as I originally stated therein, and as cited and included by reference herein, you were required to respond to and rebut anything contained in the attached June 26th letter with which you disagreed, within thirty (30) days of receipt thereof.

You failed to respond to that letter and thereby failed to rebut anything stated therein. Therefore, pursuant to the referenced lawful notification, you tacitly admit to all of the statements, charges and claims contained therein, fully binding upon you in any court, without your protest, objection or that of those who represent you.

Some of the things to which you admit include, but are not limited to, the following:

1) All actions by public officers conducted in the performance of their official duties either support and defend their Constitutional oaths of office, or oppose and violate them. On several occasions you've failed to show up for meetings, or lawfully respond to numerous verbal and written inquiries, including CA Public Record Act requests for information. The purpose of the meeting requests was to establish the facts surrounding your foreknowledge and approval of falsified information submitted by county staff to the Board of Supervisors, specifically concerning the River Management Plan, collusion, and serial meetings which the law specifically prohibits. Any enterprise, undertaken by any public official, such as you, other Board of Supervisors, or county staff, which tends to weaken public confidence and undermines the sense of security for individual rights, is against public policy. Fraud, in its elementary common-law sense of **deceit**, is the simplest and clearest definition of that word. You failed to provide honest public services pursuant to your oaths, and in so doing, you perjured your oath by violating my Constitutionally guaranteed Rights, in particular those secured in the Bill of Rights, including but not limited to my 1st Amendment Rights. *See United States v. Dial, 757 R2d 163, 168 (7th Cir 1985) includes the deliberate concealment of material information in a setting of fiduciary obligation. See also USC Title 18, § 2071 – Concealment, removal, or mutilation generally.* By your unlawful actions, you acted in sedition and insurrection against the Constitutions, both federal and state, and in treason against the People, in the instant case, me.

2) You were present to witness the entirety of the September 14, 2015 River Management Advisory Committee meeting when representative, Adam Anderson, falsely accused me of using profanity. In reality, I was seated quietly in the audience audio recording the entire pre-orchestrated charade. During that meeting Planning and Development Director, Roger Trout, and Parks & Recreation Manager, Vickie Sanders, basically took over and proceeded to publicly vilify me. That particular episode was witnessed by four other individuals whom I requested be present and who are willing to testify to the unlawful, unconstitutional actions of you, the RMAC representatives, Roger Trout and Vickie Sanders. During a subsequent meeting you personally witnessed Roger Trout's audio recorded admission that the September RMAC meeting was a collaborative "set up" to discredit and permanently silence me for whistleblowing. Your knowledge of collusion and failure to lawfully respond to constituent concerns, or take corrective measures, permits the continuation of El Dorado County corruption. The First Amendment guarantees the Right of free speech and the Right to petition government for redress of grievances, which, the oath taker, pursuant to his oath, is mandated to uphold. You failed this

requirement, thus, you violated two provisions of the First Amendment, the Public Trust and perjured your oath.

3) On several other occasions too numerous to mention, I have publicly brought to your attention, and to the entire Board of Supervisors, evidence of unlawful and criminal actions by the "River Mafia Mob" and other county officials, including law enforcement. If a public officer, such as you, fails to act and correct the matter, then, he condones, aids and abets criminal actions, and further, colludes and conspires to deprive me and other Citizens of their Rights guaranteed in the Constitutions, as a custom, practice and usual business operation of his office and the jurisdiction for which he works. This constitutes treason by the entire jurisdiction against me, and based upon the actions taken and what exists on the public record, it is impossible for any public officer to defend himself against treason committed. *See: 18 USC § 241 - Conspiracy against rights See also: U.S. v. Guest, Ga. 1966, 86 S.Ct. 1170, 383 U.S. 745, 16 L.Ed 239.*

4) In violation of the Brown Act, you refused on numerous occasions to respond publicly to verbal inquiries regarding your jurisdiction, denied the public the right to pull an item from Consent for public dialog, and failed to respond to meeting requests for the purpose of resolving specific River Management Plan issues, Code & Law Enforcement concerns, and Public Record Act requests for information. Anytime public officers, such as you, pursuant to their oaths, violate Rights guaranteed to Citizens in the Constitutions, they act outside their limited delegated authority, thus, perjure their oaths, and by their own actions, invoke the self-executing Sections 3 and 4 of the 14th Amendment; thereby vacate their offices and forfeit all benefits. In so doing, I was again harmed by your actions and deprived of due process.

5) The First Amendment guarantees the Right of free speech and the Right to petition government for **redress of grievances**, which, the oath taker, pursuant to his oath, is mandated to uphold. If he fails this requirement, then, he has violated two provisions of the First Amendment, the Public Trust and perjured his oath. By your own actions, pursuant to your oath, you have violated these First Amendment guarantees. By not responding and/or not rebutting, such as you have demonstrated, you, the oath taker denies the Citizen remedy, thus, denies the Citizen constitutional due process of law, as stated within the Bill of Rights. There is no legitimate argument to support the claim that oath takers, such as you, are not required to respond to correspondence or other public inquiries, which, in this case, act as petitions for redress of grievances, stating complaints, charges and claims made against them by Citizens injured by their actions. All American Citizens, can expect, and have the Right and duty to demand that you and other government officers uphold their oaths to the Constitution(s) and abide by all constitutionally imposed mandates of their oaths. This is an un-enumerated Right guaranteed in the Ninth Amendment, which I hereby claim and exercise.

Lawful notification has been provided to you stating that if you do not truthfully and factually rebut the statements, charges and averments made in this Affidavit/Declaration, then, you agree with and

admit to them. Pursuant to that lawful notification, if you disagree with anything stated under oath in this Affidavit/Declaration of Truth, then rebut that with which you disagree, with particularity, within thirty (30) days of receipt thereof, by means of your own written, sworn, notarized affidavit of truth, based on true specific, relevant fact and valid law to support your disagreement, attesting to your rebuttal and supportive positions, as valid and lawful, under the pains and penalties of perjury under the laws of the United States of America and this state of California. An un-rebutted affidavit stands as truth before any court.

Your failure to respond, as stipulated, is your agreement with and irrevocable admission to the fact that everything in this Affidavit/Declaration of Truth is true, correct, legal, lawful, fully binding upon you, Michael Ranalli, as District #4 Supervisor, in any court of law in America, without your protest, objection or that of those who represent you.

Further Affiant sayeth naught.

By: Melody Lane
Melody Lane

Date: 8/9/17

Melody Lane
Compass2Truth
C/o P.O. Box 598
Coloma, California [95613]

(See attached California Notarization) M.G.P

Attachments:

- Exhibit A – June 26, 2017 Letter to Supervisor Michael Ranalli, District #4

CC: Dist. #1 Supervisor John Hidahl
Dist. # 2 Supervisor Shiva Frentzen
Dist. # 3 Supervisor Brian Veerkamp
Dist. # 5 Supervisor Sue Novasel
EDC District Attorney Vern Pierson
Media and other interested parties

CALIFORNIA JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }

COUNTY OF El Dorado }

Subscribed and sworn to (or affirmed) before me on this 9th (Date) day of August (Month), 2017 (Year)

by Melody Lane

Name of Signers

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature: Maria G Pelayo
Signature of Notary Public

MARIA G. PELAYO
Comm. # 2158170
Notary Public California
El Dorado County
My Comm. Expires June 26, 2020

Seal
Place Notary Seal Above

---------- **OPTIONAL** ----------

Though this section is optional, completing this information can deter alteration of the document or fraudulent attachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Affidavit/Declaration OF Truth

Document Date: 8/9/2017

Number of Pages: 4

Signer(s) Other Than Named Above:

Melody Lane
Compass2Truth
P.O. Box 598
Coloma, CA 95613

June 26, 2017

Supervisor Michael Ranalli, Dist. #4
El Dorado County Board of Supervisors
330 Fair Lane
Placerville, CA 95667

Supervisor Michael Ranalli,

This letter is lawful notification to you, and is hereby made and sent to you pursuant to the national Constitution, specifically, the Bill of Rights, in particular, Amendments I, IV, V, VI, VII, IX and X, and the California Constitution, in particular, Article 1, Sections 1, 2, 3, 9, 10, 11, 21, 23, and Article 3 Section 1. This letter requires your written rebuttal to me, specific to each claim, statement and averment made herein, within 30 days of the date of this letter, using fact, valid law and evidence to support your rebuttal.

You are hereby noticed that your failure to respond within 30 days as stipulated, and rebut with particularity everything in this letter with which you disagree is your lawful, legal and binding agreement with and admission to the fact that everything in this letter is true, correct, legal, lawful and binding upon you, in any court, anywhere in America, without your protest or objection or that of those who represent you. Your silence is your acquiescence. See: *Connally v. General Construction Co.*, 269 U.S. 385, 391. Notification of legal responsibility is "the first essential of due process of law." Also, see: *U.S. v. Tweel*, 550 F. 2d. 297. *"Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading."*

What I say in this letter is based in the supreme, superseding authority of the Constitution for the United States of America, circa 1787, as amended in 1791, with the Bill of Rights, and the California Constitution, to which all public officers have sworn or affirmed oaths, under which they are bound by Law. It is impossible for an oath taker to *lawfully* defy and oppose the authority of the documents to which he or she swore or affirmed his or her oath. My claims, statements and averments also pertain to actions taken by you regarding multiple violations of the River Management Plan, the California Ralph M. Brown Act, and your lack of response to constituents, in this case me, as required pursuant to your oaths. When I use the term "public officer(s)", this term includes you.

Since America and California are both Constitutional Republics, not democracies, they are required to operate under the Rule of Law, and not the rule of man. The Supreme Law and superseding authority in this nation is the national Constitution, as declared in Article VI of that document. In Article IV, Section 4 of that Constitution, every state is guaranteed a republican form of government. Any "laws", rules, regulations, codes and policies which conflict with, contradict, oppose and violate the national and state Constitutions are null and void, *ab initio*. It is a fact that your oath requires you to support the national and state Constitutions and the rights of the people secured therein.

During two meetings that I audio recorded, specifically on August 4, 2016, and again on May 17, 2017, you verbally affirmed that all public officers are required to abide by their oaths in the performance of their official duties. No public officer, including you, has the constitutional authority to oppose, deny, defy, violate and disparage the very documents to which he or she swore or affirmed his or her oath. All actions by public officers conducted in the performance of their official duties either support and defend the national and state Constitutions, or oppose and violate them.

> *"The Oath of Office is a quid pro quo contract in which clerks, officials, or officers of the government pledge to perform (Support and uphold the United States and State Constitutions) in return for substance (wages, perks, benefits). Proponents are subjected to the penalties and remedies for Breach of Contract,* ***conspiracy*** *under Title 28 U.S.C., Title 18 Sections 241, 242.* ***treason*** *under the Constitution at Article 3, Section 3., and intrinsic* ***fraud****..."*

The Board of Supervisors has been regularly apprised that they are routinely receiving falsified information from the River Management Advisory Committee, Parks & Recreation, the CAO, and the Planning Commission. Despite frequent public testimony and evidence submitted into the public record of fraudulent information submitted by the aforementioned public agencies to the BOS, you have failed to take corrective action and the BOS voted unanimously to approve their recommendations. Any enterprise, undertaken by any public official, such as you and other Board of Supervisor members, which tends to weaken public confidence and undermines the sense of security for individual rights, is against public policy. Fraud, in its elementary common-law sense of **deceit**, is the simplest and clearest definition of that word. My claims, statements and averments also pertain to your actions taken regarding your failure to provide honest public services, pursuant to your oaths.

It is the duty of every Citizen to demand that government employees, such as you, specifically perform pursuant to the constitutional mandates contained within their oaths, thereby uphold and protect the rights of the people, as opposed to upholding and promoting the profits of a rapacious, destructive association that perniciously violates the rights of the people as its apparent routine custom, practice and policy.

Whenever constitutional violations are committed by public officers, there are constitutional remedies available to the people. Such remedies make those who violate their oaths, such as you, accountable and liable for their unconstitutional actions conducted in perjury of their oaths. When public officers take oaths, yet are ignorant of the constitutional positions to which they are bound by their oaths, and then fail to abide by them in the performance of their official duties, this suggests that they may have had no intention of ever honoring their oaths, and their signatures upon the oath documents constitute fraud. Fraud vitiates any action.

The preamble of the Ralph M. Brown Act states,

> "The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. **The people do not yield their sovereignty to the bodies that serve them. The people insist on remaining informed to retain control over the legislative bodies they have created."**

You've publicly stated three times during the January 5, 2016 Board of Supervisors meeting, *"I'll meet with anyone...I've never refused a meeting."* However, you have refused to respond publicly to verbal inquiries, denied the public the right to pull an item from Consent for public dialog, and failed to respond to my meeting requests for the purpose of resolving specific issues that have been perpetually avoided for years. Concerns have been expressed monthly, and sometimes weekly, particularly regarding the transparency and accountability of the **River Management Advisory Committee, Parks & Recreation Commission, Planning Commission, Code &Law Enforcement, Coloma-Lotus Fire Council, and CA Environmental Quality Assurance (CEQA).** Additionally CA Public Record Act requests for information have not been responded to as required by law. You have either been unresponsive to communications, relegated your comments to hallway conversations, or you've obfuscated and diverted any meaningful public replies whatsoever. (See U.S. versus Tweel above.)

For example, in 2016 and 2017 the following interrelated public meetings were all **cancelled** by county staff without explanation but with your foreknowledge:

Parks & Recreation Commission:
2016: January, April, June, August, September, October and December.
2017: April and June

River Management Advisory Committee (RMAC):
2016: February, March, July, August, September.
2017: January, February, March, and May. (June minutes not yet posted.)

Planning Commission:
2016: February, March, April, July.
2017: January

One example of your evasion occurred on October 4, 2016. You and Sheriff D'Agostini both failed to show up for a scheduled meeting, without explanation, and instead, CAO Don Ashton and county counsel Paula Franz appeared in your stead and represented you. They have no authority whatsoever to act as your spokespersons. **(See Exhibit A)**

Another example of evasion is the May 9, 2017 memo from Laura Schwartz, Deputy CAO, posted as Consent Item #6 to the 5/16/17 BOS agenda concerning two new appointments to the River Management Advisory Committee (RMAC). I requested this item be pulled from Consent, but you refused to pull it or dialog as required by the Brown Act, Sections 54954.2(a) and 54954.3:

Please pull Item #6 from Consent for public discussion and dialog
1 message

Melody Lane <melody.lane@reagan.com> Mon, May 15, 2017 at 10:18 AM
To: Michael Ranalli <michael.ranalli@edcgov.us>
Cc: shiva.frentzen@edcgov.us, brian.veerkamp@edcgov.us, sue.novasel@edcgov.us, john.hidahl@edcgov.us, Jim Mitrisin <jim.mitrisin@edcgov.us>, edc.cob@edcgov.us, Donald Ashton <don.ashton@edcgov.us>, bosfive@edcgov.us, bosfour@edcgov.us, bosone@edcgov.us, bosthree@edcgov.us, bostwo@edcgov.us

Supervisor Ranalli, et al:

There are several issues pertaining to the River Management Advisory Committee that have been perpetually swept under the rug of government bureaucracy. In the interest of public transparency and accountability, and pursuant to Sections 54954.3 and 54954.2(a) of the Brown Act, please pull Item #6 from Consent for public discussion and dialog.

Also ensure the entirety of this message, with attachments, is timely posted via the government distribution system.

In her May 9, 2017 memo Ms. Schwartz states, *"...we recommend that this committee be dissolved and that the County encourage interested participants to form an ad-hoc committee...Over the past several months, the majority of RMAC members have stepped down from the Committee resulting in not enough members to reach quorum. Several meetings have been cancelled at the request of RMAC due to a lack of a quorum or no issues to discuss...The Chief Administrative Office recommends that the Board consider filling the vacancies noting that RMAC may be dissolved by the end of the year."* **(See Exhibit B)**

Despite sufficient members to constitute a quorum for monthly meetings, all evidence obtained through CA Public Record Act requests indicates that county staff has been colluding in cancelling RMAC meetings in an attempt to stall the River Management Plan updates. In actuality, the RMAC members have not stepped down; rather they have been participating in serial meetings which the law specifically prohibits. In fact, the ACAO's May 9th memorandum outlines the county's long range plan for RMAC, thus demonstrating that public meetings and workshops soliciting resident input are nothing more than fraudulent bureaucratic attempts to convince

Citizens that their input makes a difference in the management of the most valuable Sierra watershed.

Yet a third example is the May 26, 2016 Special Meeting requested by Nate Rangel scheduled to be held at 6:00 PM in the Marshall Gold Discovery Park Museum. The only topic of this special meeting was the RMP Update. By 6:30, there were only three people in the room, including myself and one other member of the public. After waiting for a half hour, RMAC Representative Marilyn Tahl announced that she had no idea where everyone was. When it was apparent no meeting was going to take place, I exited the building. I was bid farewell by Chairman Nate Rangel seated outside the Museum casually talking to another individual

Although the RMAC meeting was never officially cancelled, the next day the meeting minutes appeared on the EDC Legistar calendar indicating that the RMAC meeting commenced immediately at 6:30 PM ***after I had left the premises***. The stall tactics apparently were a strategic attempt to get me to leave so they could conduct the meeting without me. It is significant that the previously posted minutes have disappeared from the government website and the audio is "unavailable" and cannot be played. "Technical difficulties" appear to be a convenient frequent problem, especially when there are matters concerning government transparency and compliance with the law:

River Management Advisory Committee (RMAC)	5/26/2016	6:00 PM	Marshall Gold Discovery State Historic Park Museum Building 310 Back St. Coloma, Ca Special Meeting	Meeting details	Agenda

Authentic transparency and accountability in the administration of the RMP, and the public's right to address their grievances concerning the RMP, have been blatantly avoided literally for decades by the BOS. This was one of the topics addressed during our 8/3/16 meeting with you, CAO Don Ashton, and Planning Services Director Roger Trout. **(See Exhibit C)**

Note the specific item addressing the RMP Update was the only topic on the most recent June 12, 2017 RMAC meeting agenda. Significantly, the SOFAR Charter (RMP) was scheduled as Consent Item #9 on the June 20, 2017 BOS meeting agenda, but it was surreptitiously diverted to the June 27th BOS meeting Item #50. The same topic was also scheduled for the June 22, 2017 Planning Commission Item #4: **17-0659 WORKSHOP - Chief Administrative Office, Parks Division, requesting a workshop to discuss proposed changes to the El Dorado County River Management Plan (RMP). No action was to be taken by the Planning Commission.** Contrary to the posting made by Nate Rangel to the CL News, that Planning meeting was neither a workshop nor a hearing as Mr. Rangel publicly had communicated. Commissioner Gary Miller, who has a history of violating the Brown Act and abusing his Principal Agent Oath of Office, permitted Nate Rangel to speak for 15 minutes, meanwhile dialoging and asking him numerous questions. Notably, Chairman Miller denied other members of the public the same rights to dialog.

You've been made aware of numerous unlawful government practices within your district, yet you've failed to take any corrective action. In so, doing you've aided and abetted the perpetuation of government fraud, and are therefore culpable, complicit and liable.

Mr. Ranalli, you were not elected to maintain the dysfunctional status quo of El Dorado County via bureaucratic obfuscations and diversions. Public Service Ethics training as required by the Political Reform Act and AB1234 is mandatory of all elected officials. The ethics manual published by the Institute for Local Government repeatedly emphasizes the following:

- Must conduct public hearings in accordance with due process principles.
- Cannot retaliate against those who whistle-blow.
- Even though a course of action may be lawful under state law, it may not be lawful under federal law.
- The law provides only minimum standards for ethical conduct. Just because a course of action is legal, doesn't make it ethical/what one ought to do.
- Refrain from discussing or voting on a matter
- Transparency is an important element of public service.

By your actions and in some cases, inaction, it is clear that you have violated each and every one of these provisions on numerous occasions.

When you and other public officers violate the Constitutions, at will, as an apparent custom, practice and policy of office, you and they subvert the authority, mandates and protection of the Constitutions, thereby act as domestic enemies to these Republics and their people. When large numbers of public officers so act, this reduces America, California and the County of El Dorado to the status of frauds operating for the benefit of governments and their corporate allies, and not for the people they theoretically serve.

You have no constitutional or any other valid authority to defy the Constitution, to which you owe your LIMITED authority, delegated to you by and through the People, and to which you swore your oath. Yet, by your actions against me, committed repeatedly on the aforementioned dates and several other occasions too numerous to mention, you've deprived me and other members of the public their rights to address public officers and provide testimony. It is apparent the public's input has been reduced to irrelevancy, thereby demonstrating that public meetings are little more than predetermined outcomes designed to falsely give Citizens the impression of government transparency and accountability, while providing neither. This blatant fraud perpetrated by you and other elected/appointed officers against the people they are required to serve and who pay their respective salaries.

The Ralph M. Brown Act further states:

§54954.3 **Public's right to testify at meetings.** (c) The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law. Care must be given to avoid violating the speech rights of speakers by suppressing opinions relevant to the business of the body.

As such, members of the public have broad constitutional rights to comment on any subject relating to the business of the governmental body. Any attempt to restrict the content of such speech must be narrowly tailored to effectuate a compelling state interest. Specifically, the courts found that policies that prohibited members of the public from criticizing school district employees were unconstitutional. *(Leventhal v. Vista Unified School Dist. (1997) 973 F. Supp. 951; Baca v. Moreno Valley Unified School Dist. (1996) 936 F. Supp. 719.)* **These decisions found that prohibiting critical comments was a form of viewpoint discrimination and that such a prohibition promoted discussion artificially geared toward praising (and maintaining) the status quo, thereby foreclosing meaningful public dialog.**

Where a member of the public raises an issue which has not yet come before the legislative body, **the item may be briefly discussed** but no action may be taken at that meeting. The purpose of the discussion is to **permit a member of the public to raise an issue or problem** with the legislative body or to permit the legislative body to provide information to the public, provide direction to its staff, or **schedule the matter for a future meeting. (§ 54954.2(a).)"**

Anytime public officers, pursuant to their oaths, violate Rights guaranteed to Citizens in the Constitutions, they act outside their limited delegated authority, thus, perjure their oaths, and by their own actions, invoke the self-executing Sections 3 and 4 of the 14th Amendment; thereby vacate their offices and forfeit all benefits thereof, including salaries and pensions, as you did on several other occasions, which are now a matter of public record. Following are just a few examples:

1) On September 14, 2015, I requested four witnesses to accompany me to the meeting of the River Management Advisory Committee (RMAC). One of my witnesses was Parks & Recreation Commissioner, Kris Payne. After consultation with Parks & Recreation Manager Vickie Sanders, and at my request, the planned subject matter of the September RMAC meeting focused on Special Use Permits (SUP) and other violations of the River Management Plan. As is my custom, I personally audio recorded the meeting as I always do. You were present for the entirety of the meeting seated at the back of the room when RMAC business representative, Adam Anderson, falsely accused me of using profanity. As all four of my witnesses can attest, in reality I was quietly seated in the audience. This appeared to be the cue to the audience to launch their attack.

Planning Services Director Roger Trout then actively participated with some members of the community known as the "River Mafia" who then proceeded to take turns at publicly vilifying me.

In violation of the Brown Act and my constitutional secured inherent rights, I was not permitted by Chairman Nate Rangel to respond to any of their fraudulent accusations, nor would Vickie Sanders correct the minutes to reflect what actually transpired as I later requested in writing. You were apprised and requested by me to take action to correct the on-going deception, but you failed to respond to my phone calls or correspondence.

Then, during a meeting held April 1, 2016 in the Marshall Gold Discovery Park, with Superintendent Barry Smith and CSP RMAC representative Bill Deitchman, the issue of the September 14, 2015 RMAC meeting was on the agenda. Of primary concern was the fact that Bill Deitchman was not present for that meeting, yet it appeared he was in collusion with El Dorado County staff and other government agencies to unethically deprive the public of honest services. Contrary to public policy, the minutes of the September 2015 RMAC meeting reflect Mr. Deitchman's approval of the fraudulent meeting when he should have actually recused himself as being absent. Mr. Deitchman responded, *"County Counsel told us we don't have to be present to approve the minutes!"* **(See Exhibit D)**

Significantly, on **February 18, 2014 @ 3:38 PM, Noah Triplett had distributed to all RMAC representatives the following directive:**

> *Ms. Lane submitted a doc. Cc'd to half the County Gov. today. You do not need to pull the minutes from consent and have her 3 three or 5 minutes allowed to speak. It is attached.*
>
> *Whomever is the chair please let her know she can speak after the committee is done discussing whatever agenda item it is during public comment on whatever item she wishes to comment on* ***and you do not have to reply to her if you do not want to.***

On August 7, 2015 @ 5:20 PM, Noah Triplett distributed an email to RMAC representatives informing them the August 10, 2015 RMAC meeting had been CANCELLED without reason. The following exchange took place between Noah Triplett and RMAC Chairman Nate Rangel:

On August 7 2015 @ 6:31 PM, Nathan Rangel wrote:

> *Hi Noah,*
> *I think it would be both prudent and courteous to at least check in with me prior to cancelling any of our meetings. That's what occurred in the past. Any reason why it didn't this time?*

On August 7, 2015 @ 7:05 PM Noah Triplett replied:

Hi Nate,
I was understood that Vickie talked to you about the draft not being done and no need to agendize HLP property issues.
There's nothing for the agenda at this time.
Melody Lane wants us to put a SUP compliance item on the next meeting agenda for discussion.
I will confirm with you before cancelling another meeting.

On August 8, 2015 @ 5:21 AM Nathan Rangel responded:

Hey Noah,
No worries. No, Vickie didn't touch base with me. It's just that when we cancel a meeting I let the other members know the reason. I've got 4 emails asking why....I'll let them know.
Melody's item should be interesting! Take care and I'll touch base with you next week.

It should be noted that in our audio recorded meetings with Parks & Recreation Manager Vickie Sanders and consultant Steve Peterson that we specifically requested confidentiality of these sensitive issues due to the personnel problems associated with Noah Rucker-Triplett and his association with the "River Mafia." It became apparent that Ms. Sanders did not honor her agreement, and thus violated EDC personnel protocols as well as her Oaths of Office. During our 8/3/15 meeting with you, concern was expressed about the history of retaliation, particularly against women in the river community, by the "River Mafia" and Parks & Recreation personnel. In addition to being entered into the public record during several BOS meetings, these frequent breaches in public policy were also brought to the attention of the Human Resources Director and County Counsel. **(See Exhibit E)**

The subject of the 9/14/15 RMAC meeting was also broached again during our 8/3/16 meeting with you, CAO Don Ashton, and Planning Services Director Roger Trout. A major concern was the absence of Roger Trout's "3 Strikes" policy concerning violations of Special Use Permits (SUPs) and the county's reticence to respond lawfully to Public Record Act Requests (CPRAs). No response has ever been forthcoming from you concerning any of these issues.

2) Previously mentioned was the Special RMAC meeting requested by RMAC Chairman, Nate Rangel, to be held May 26, 2016 at 6:00 PM in the Marshall Gold Discovery Park Museum regarding updates to the River Management Plan. By 6:30 Nate Rangel had not shown up, there still was no quorum, and it was apparent no meeting would take place, so I left the premises. Although the meeting wasn't officially cancelled, the meeting commenced immediately after I was persuaded to leave. The agenda for that meeting still appears, but the

minutes and the audio of the fraudulent 5/26/16 meeting have since disappeared from the government website

Just prior to the May 26, 2016 Special RMAC meeting I had submitted a CA Public Record Act request for the following information which was due 5/31/16:

> Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I asked to obtain the following:
> - Copies of all RMAC representative correspondence pertaining to the River Management Plan Update from January 1, 2016 through May 15, 2016.
> - Copies of all Parks and Recreation correspondence between Vickie Sanders and consultant Steve Peterson from January 1, 2016 through May 15, 2016.
> - Documentation proving the necessary 4/5 BOS vote substantiating the transfer of $25,000 from the River Trust Fund for the River Management Plan Update.

You, and the entire BOS, were publicly apprised that the CPRA response was received two days late and was incomplete. Furthermore, the entirety of the requested correspondence between the RMAC representatives was never received by me, and what was actually received from Parks & Recreation Manager Vickie Sanders contained primarily blank pages. Contrary to our audio recorded conversations, Vickie's response to the CPRA *denied* her possession of *any* correspondence with consultant Steve Peterson whom she personally authorized and hired to update the RMP. Significantly, she also failed to produce the signed and dated contract with Mr. Peterson. Not surprisingly, the BOS unanimously voted, March 22, 2016, to authorize an expenditure of $25,000 to pay Mr. Peterson out of the River Trust Fund (RTF), which trust fund Noah Rucker Triplett stated in an email was "flat broke".

Then, during the March 22, 2016 BOS meeting, I reminded you, and the other Supervisors, of their fiduciary responsibility to the citizens of El Dorado County, and the fact that Steve Peterson had been meeting behind closed doors with county representatives, BLM and CA State Parks long before the item had been put on the BOS agenda or the contract officially entered into with the consultant. Ms. Sanders and Mr. Peterson both confirmed during one of our audio recorded meetings that the county's plan was to take control away from RMAC and turn it over to CA State Parks and BLM who work in conjunction with American River Conservancy and other unaccountable non-government organizations (NGOs.)

We discussed during our 8/3/16 meeting that evidence obtained via CA Public Record Act requests reveals collusion with county staff to deprive the public of their right to public information, refusal to engage in dialog, or participate in the deliberation of public policy. Consequently, the decisions

made by you and the other Supervisors that are based on collusion and deliberately falsified information will ultimately adversely affect all EDC tax payers through unnecessarily expensive litigation, thus, undermining the public trust in local government. *See USC Title 18, § 241 Conspiracy Against Rights.* For example:

In an email dated April 28, 2014 @ 3:21 PM, Noah Triplett informed all RMAC representatives:

"Vickie informed the committee that the County is looking at starting a more comprehensive update to the RMP beyond what was identified in the 5 year summary reports next year (July 2014). This update would include the River Rescue proposal and Institutional Proposal and anything else. The goal being to not piecemeal updates but to try and do it all at once. ***This is also going to cost money since the County wants to use the consultant who did the 2001 RMP and as you know the RTF is broke.***

The floodplain litter ord. was tabled indefinitely.

The alternate RMAC representative proposal was also continued. Maybe Stephen and Keith could get together and come up with a proposal since it sounds like there may be differences?

Please do not respond to all as that could be considered a violation of the Brown act."

In yet another email sent **October 5, 2015 @ 1:58 PM to CA State Park RMAC representatives, Noah Triplett wrote:**

"We received a public records request from Melody Lane which requests copies of correspondence between RMAC representatives and me.

I am seeking an opinion from County Counsel on whether I can I include the emails between you to because there is a confidentiality statement with your emails so she may have to request them from the State."

3) It has also been brought to your attention during BOS meetings, and on numerous other occasions, that county staff is habitually falsifying reports and conducting what California Sunshine Laws and the Brown Act describe as "serial meetings", particularly as it affects the River Management Advisory Committee, Parks & Recreation Commission, and the Planning Commission:

The issue of serial meetings stands at the vortex of two significant public policies: first, the constitutional right of citizens to address grievances and communicate with their elected representatives; and second, the Act's policy favoring public deliberation by multi-member boards, commissions and councils. ***The purpose of the serial meeting prohibition is not to prevent citizens from communicating with their elected representatives, but rather to prevent public bodies from circumventing the requirement for open and public***

***deliberation of issues**. The Act expressly prohibits serial meetings that are conducted through direct communications, personal intermediaries or technological devices for the purpose of developing a concurrence as to action to be taken. (§ 54952.2(b); Stockton Newspapers, Inc. v. Redevelopment Agency (1985) 171 Cal.App.3d 95, 103.)*

***Serial meetings are explicitly prohibited.** A serial meeting is a series of communications, each involving less than a quorum, but which taken as a whole involves a majority. Serial meetings may occur in various ways. Examples include members of the body communicating with each other and a staff member communicating with members of the body, to orchestrate a consensus. Unlawful serial meetings may occur through oral, written or electronic communications.*

By your own actions and the actions of other public officers, it is clear that you have violated all of these requirements in letter and spirit, thus, you have violated the law, the rights of the people and have perpetrated ongoing fraud as your usual custom, practice and policy of you and that of the other public officers.

4) Primary concerns that have been publicly addressed but ignored by you, and the BOS, regard to the topics of public safety and retaliation, particularly as it pertains to the River Management Plan, and the lack of SUP code and law enforcement. As you have been made aware, Public Record Act requests for information pertinent to the River Management Plan have been ignored, are late, or are insufficiently responded to as required by law. Just one example, as cited above, is Roger Trout's fraudulent "3-Strikes" policy which has been the topic of meetings with you, the Planning Commission and other county staff. You've been apprised that Commissioners Gary Miller and James Williams both stated in May 2017 that Roger's "3-Strikes" policy **does not exist**. *A policy that does not exist cannot be lawfully enforced.*

Depriving the public of honest services is a federal crime. My claims, statements and averments also pertain to your actions taken regarding your failure to provide honest public services, pursuant to your oaths. All public officers within whatever branch and whatever level of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain from a discharge of their trusts. That is, a public officer occupies a fiduciary relationship to the political entity on whose behalf he or she serves and owes a fiduciary duty to the public. The fiduciary responsibilities of a public officer cannot be less than those of a private individual. You have failed your fiduciary responsibilities and duty.

Furthermore, any enterprise undertaken by the public official who tends to weaken public confidence and undermine the sense of security for individual rights is against public policy. Fraud, in its elementary common-law sense of **deceit**, is the simplest and clearest definition of that word [483 U.S. 372] in the statute. *See United States v. Dial, 757 R2d 163, 168 (7th Cir 1985) includes the deliberate concealment of*

material information in a setting of fiduciary obligation. See also USC Title 18, § 2071 – Concealment, removal, or mutilation generally.

On one occasion, October 4, 2016, your attendance was required at a meeting, but you and Sheriff D'Agostini both failed to show up. The topics included inconsistences in responding to CA Public Record Act Requests as required by law, ethics issues, Brown Act violations and lack of Code/Law Enforcement in the Coloma-Lotus region of the South Fork American River.

Another example entailed a recent meeting request. Since you and your Administrator, Brenda Bailey, have been reluctant to respond to correspondence or meeting requests, I asked Marshall Gold Discovery Park Superintendent, Barry Smith, to coordinate a meeting to include you and DOT Director, Bard Lower. The meeting request made in my email dated March 19, 2017 specifically stated:

> *"You are required to be responsive to constituent grievances and provide a method of resolution pursuant to your Constitutional Oaths of Office. The purpose of summoning you to this one-hour meeting is to transparently address inter-related issues and a viable plan of action to achieve resolution. Your personal participation is mandatory, not optional. That means no substitutes or additional personnel are permitted—**not the CAO or Counsel**–as has been the past practice."*

The day of the meeting, May 17, 2017, Mr. Lower failed to show up, but despite the conditions set forth in the initial meeting request, you were accompanied by two representatives from the CAO's office. Consequently we found it necessary to terminate the meeting before it began. You were provided a copy of the prepared agenda which included the topics of *Public Safety and Retaliation.* **(See Exhibit F)**

The First Amendment guarantees the Right of free speech and the Right to petition government for **redress of grievances**, which, the oath taker, pursuant to his oath, is mandated to uphold. If he fails this requirement, then, he has violated two provisions of the First Amendment, the Public Trust and perjured his oath. By not responding and/or not rebutting, the oath taker denies the Citizen remedy, thus, denies the Citizen constitutional due process of law, as stated within the Bill of Rights. By your own actions, pursuant to your oath, you have violated these First Amendment guarantees. An American Citizen, such as I, can expect, and has the Right and duty to demand, that his government officers uphold their oaths to the Constitution(s) and abide by all constitutionally imposed mandates of their oaths. This is an un-enumerated Right guaranteed in the Ninth Amendment, which I hereby claim and exercise.

Furthermore, there is no legitimate argument to support the claim that oath takers, such as you, are not required to respond to letters or meeting requests, which, in this case, act as petitions for redress of grievances, stating complaints, charges and claims made against them by their constituents or by Citizens injured by their actions. When public officers harm the Citizens by their errant actions, as you have done, and then refuse to respond to or rebut petitions from Citizens, as you have also done, then,

those public officers, as are you, are domestic enemies, acting in sedition and insurrection to the declared Law of the land and ***must be opposed, exposed and lawfully removed from office.***

As stated previously, actions by a public officer either uphold the Constitutions and rights secured therein, or oppose them. By your stepping outside of your delegated authority you lost any "perceived immunity" of your office and you can be sued for your wrongdoing against me, personally, privately, individually and in your professional capacity, as can all those in your jurisdiction, including your supervisors and anyone having oversight responsibility for you, including any judges or prosecuting attorneys and public officers for that jurisdiction, if, once they are notified of your wrongdoing, they fail to take lawful actions to correct it, pursuant to their oaths and their duties, thereto:

> *"Personal involvement in deprivation of constitutional rights is prerequisite to award of damages, but defendant may be personally involved in constitutional deprivation by direct participation, failure to remedy wrongs after learning about it, creation of a policy or custom under which unconstitutional practices occur or gross negligence in managing subordinates who cause violation." (Gallegos v. Haggerty, N.D. of New York, 689 F. Supp. 93 (1988).*

If those superiors referenced above fail to act and correct the matter, then, they condone, aid and abet your criminal actions, and further, collude and conspire to deprive me and other Citizens of their Rights guaranteed in the Constitutions, as a custom, practice and usual business operation of their office and the jurisdiction for which they work. This constitutes treason by the entire jurisdiction against me, and based upon the actions taken and what exists on the public record, it is impossible for any public officer to defend himself against treason committed. *See: 18 USC § 241 - Conspiracy against rights and 18 USC § 242 – Deprivation of Rights Under Color of Law. See also: U.S. v. Guest, Ga. 1966, 86 S.Ct. 1170, 383 U.S. 745, 16 L.Ed 239.*

Supervisor Ranalli, your choice is very simple. You can either uphold your oath and the rights and best interests of the people, or violate your oath and your duties to the people. As stated previously, anytime you perjure your oath, defy the authority of the Constitutions and step outside of the lawful scope of your duties and authority, you are personally liable. In fact, the national Constitution provides remedy for the people when public officers, such as you, perjure their oaths, which remedy, in part, can be found at the referenced Sections 3 and 4 of the 14th Amendment.

Pursuant to the constitutional mandates imposed upon them, by and through their oaths, there is no discretion on the part of public officers to oppose the Constitutions and their oaths thereto, nor to be selective about which, if any, mandates and protections in the Constitutions they support. The mandates and protections set forth in the Constitutions are all-encompassing, all-inclusive and fully binding upon public officers, without exception, as they are upon you.

If you disagree with anything in this letter, then rebut that with which you disagree, in writing, with particularity, to me, within thirty (30) days of the date of this letter, and support your disagreement with valid evidence, fact and law.

Your failure to respond, as stipulated, is your agreement with and admission to the fact that everything in this letter is true, correct, legal, lawful, and is your irrevocable agreement attesting to this, fully binding upon you, in any court in America, without your protest or objection or that of those who represent you.

Sincerely,

Melody Lane

Attachments:
Exhibit A – 10/4/16 Meeting Agenda
Exhibit B – 5/9/17 CAO Dissolve RMAC Memo
Exhibit C – 8/3/16 Ashton/Ranalli/Trout Meeting Agenda
Exhibit D – 4/1/16 MGDP Meeting Agenda
Exhibit E – 11/12/14 & 8/3/15 Meeting Agendas
Exhibit F – 5/17/17 Meeting Agenda

Cc: Supervisor Brian Veerkamp
Supervisor Sue Novasel
Supervisor Shiva Frentzen
Supervisor John Hidahl
D.A. Vern Pierson

Tuesday October 4, 2016 @ 2:30 PM

Don Ashton, Mike Ranalli, Paula Franz

ABSENT

I. CPRAs - FOIA
   A. Guide to CPRAs
   B. Government PRA Tracking system – COB Discrepancies
   C. Legal vs. Lawful

II. Ethics & HR policies
   A. Brown Act Violations
   B. Transparency & Accountability
      1. BOS
      2. EDSO
      3. CAO

III. Obstacles - Bureaucratic Shenanigans
   A. Communication breakdown
   B. Fees - Resolution 113-95 v. AB1234
   C. Code/Law Enforcement policy inconsistencies

IV. Follow up - Target date

EXHIBIT A

5/16/17 BOS IV 6

County of El Dorado

Chief Administrative Office

Parks Division

330 Fair Lane
Placerville, CA 95667-4197

Don Ashton, MPA
Chief Administrative Officer

Phone (530) 621-5360
Fax (530) 642-0301

DATE: May 9, 2017

TO: Board of Supervisors

FROM: Laura Schwartz, Deputy Chief Administrative Officer

RE: River Management Advisory Committee

Background

In 2001, the Board adopted Resolution number 065-2002 establishing the River Management Advisory Committee (RMAC). The committee consists of seven members appointed by majority vote of the Board of Supervisors. The RMAC was formed to provide a forum for the discussion of river use issues, ideas or conflicts among persons or groups with an interest in the South Fork of the American River. The committee is advisory to the Board of Supervisors.

El Dorado County Chief Administrative Office, Parks Division entered into a contract with Environmental Stewardship and Planning on July 28, 2014. The purpose of this contract was to prepare a redlined revision of the River Management Plan (RMP). This plan has not been updated since 2001 and since that time the County has fifteen years of data to support the recommendations made in the redlined version. One of the recommendations from the consultant was specifically related to the River Management Advisory Committee (RMAC). The recommendation was as follows:

5. Dissolve the RMAC.

The most significant change that we propose is to dissolve the RMAC. This committee has done some very good and dedicated work since its inception in 1984, but has evolved into more of a community-focused, rather than River-focused organization. Because of the lack of substantive issues that require deliberation and the wide-ranging interests of the RMAC, we recommend that this committee be dissolved and that the County encourage interested participants to form an ad-hoc committee. This committee could be supported by the County in same manner as the Rubicon Oversight Committee that has successfully conducted ad-hoc meetings for over 10 years.

EXHIBIT B

The draft Redlined Version of the RMP was posted to the County website on February 10, 2016 for public comments. On February 18, 2016 a public meeting was held at the Coloma Grange with the consultant present to answer any questions. The recommendation for the dissolution of RMAC had the most comments from the public as they were not in support of this recommendation.

Staff concurs with the recommendation of the consultant. RMAC was formed by Resolution of the Board and not by the RMP; therefore all references to RMAC have been removed from the plan. The reporting structure and recommendations are addressed in the revised plan.

Timeline

The timeline for the Redlined Version of the RMP has changed many times. The public comment period was extended from March 18, 2016 to April 15, 2016. RMAC then requested that they have a separate deadline as they wanted to review the public comments before they made their comments. RMAC's comment period was extended to May 26, 2016. It was requested that the deadline be extended again. It was extended to June 14, 2016, giving RMAC an opportunity to discuss at their June 13, 2016 meeting.

Comments were received during the busy river season and staff did not review the comments until the river season was complete. Staff compiled the draft plan and sent the Administrative Draft to County departments for comment on January 13, 2017. Staff received comments from Roger Trout of the Community Development Agency and Jim Byers of the Sheriff's Department. Staff met with County Counsel on April 18, 2017. Their comments were addressed and incorporated into the draft.

This is the proposed schedule to complete this project.

Planning Commission Workshop	June 24, 2017 *6/22/17
Planning Commission Project Description & Initial Study Approval	July 2017
Board of Supervisors-Project Description & Initial Study Approval	July 2017
CEQA Document Prepared	August 2017
30 Public Comment Period for CEQA Document	September 2017
Prepare Final Document	October 2017
Planning Commission Approval	November 2017
Board of Supervisors Approval	November 2017

Issue and Recommendation

Until the new River Management Plan is approved and adopted, RMAC is still an advisory committee to the Board of Supervisors and the Planning Commission. Over the past several months, the majority of RMAC members have stepped down from the Committee resulting in not enough members to reach to quorum. Several meetings have been cancelled at the request of

RMAC due to a lack of a quorum or no issues to discuss. Per the resolution, the County posted notices of vacancies and received applications to fill the vacancies.

The Chief Administrative Office recommends that the Board consider filling the vacancies, noting that RMAC may be dissolved by the end of the year.

Agenda
8-3-16 @ 4 PM
Don Ashton – Mike Ranalli – Roger Trout

I. RIVER MANAGEMENT PLAN
- A. RMAC Representation
  - 1) EDSO
  - 2) MGDP
  - 3) Resident
- B. Brown Act Violations
  - a. 9/14/15 meeting (attendees)
  - b. MGDP Rep. Bill Deitchman – absent/approved minutes
  - c. 5/26/16 MGDP Special Meeting
  - d. 7/11/16 Lotus Fire House > 8/8/16
- C. RMP Update
  - 1) EDSO Revisions
  - 2) BLM/CA State Parks
  - 3) Ranalli strategy

II. CODE/LAW ENFORCEMENT
- A. EDSO Jurisdiction
- B. SUPs
  - 1) Code Enforcement coordination w/EDSO (John Desario replaced Jim Wassner)
  - 2) Documentation
  - 3) Complaint process > responsibility?
  - 4) Consequences/Revocations
  - 5) Retaliation

III. CPRAs
- A. Oaths of Office
- B. CAO/County Counsel
- C. Violations – Late/non-compliant responses

IV. FOLLOW UP
- A. Remedy & Expectations
  - 1) CAO
  - 2) Mike Ranalli
  - 3) Roger Trout
  - 4) EDSO
- B. Next meeting target date:

EXHIBIT C

4/1/16 MGDP Agenda
Barry Smith

I. EDSO & CSP
   A. Public Safety meeting w/Mike Ranalli, Roger Trout, CSP, Sheriff D'Agostini
   B. Notice & Demand
   C. Mt. Murphy Road
      1) DOT
      2) Fencing repairs
      3) No Parking signs
      4) Hang gliders
      5) Trespassers

II. Coloma Lotus Fire Safe Council
   A. Tim Kulton & Deborah Kruze
   B. Bill Deitchman – Project Manager
   C. CPRA – County Counsel
   D. Coloma Resort
      1) Annual fireworks
      2) Code/law enforcement
      3) Mt. Murphy Bridge egress

III. RMAC
   A. No EDSO representative
   B. Bill Deitchman – approval of 9/14/15 minutes
      1) No response

IV. Citizen Complaints
   A. Jeremy McReynolds
   B. Suzie Matin
   C. Bill Deitchman (?)

V. CL News
   A. CF15-5698 & CF15-5793
   B. Censoring Committee

EXHIBIT D

Wednesday November 12, 2014 @ 10:00 AM

Robyn Drivon/Paula Franz / Pamela Knorr

I. CPRAs - FOIA
   A. CAO - Ross Branch
   B. Process - Coordination, logging, tracking
   C. Spreadsheet Discrepancies
   D. EDSO

II. Brown Act – Bagley Keene Act Violations
   A. BOS Agendas
   B. Censoring/minimizing info.
   C. Technical Difficulties

III. Obstacles - Bureaucratic Shenanigans
   A. Communication breakdown
   B. Resolution 113-95 v. AB1234
   C. Fees - Paper v. electronic copies or CD
   D. Code/Law Enforcement inconsistencies
   E. Diverted responses/lack of response

IV. Solutions – Follow up
   A. 10/21 CPRA presentation – publish CPRAs to government website?
   B. Transparency/Accountability
   C. Right-to-know v. media blackout

EXHIBIT E-1

8/3/15 RMAC Meeting

Parks & Recreation – Vickie Sanders

I. Personnel Issues

   A. Noah Rucker

   B. RMAC minutes/Brown Act violations/Audio recordings

   C. Conspiracy/harassment/discrimination

   D. Remedial action

II. Next RMAC Meeting

   A. Rescheduled Date?

   B. May 2010 Brown Act – Ciccozzi/Briggs/Mtn. Demo

   C. Wording of agenda > Bullying

   D. EDSO

EXHIBIT E-2

Tuesday October 4, 2016 @ 2:30 PM
Don Ashton, Mike Ranalli, Paula Franz

I. CPRAs - FOIA
   A. Guide to CPRAs
   B. Government PRA Tracking system – COB Discrepancies
   C. Legal vs. Lawful

II. Ethics & HR policies
   A. Brown Act Violations
   B. Transparency & Accountability
      1. BOS
      2. EDSO
      3. CAO

III. Obstacles - Bureaucratic Shenanigans
   A. Communication breakdown
   B. Fees - Resolution 113-95 v. AB1234
   C. Code/Law Enforcement policy inconsistencies

IV. Follow up - Target date

AFFIDAVIT/DECLARATION OF TRUTH

To: District #2 Supervisor Shiva Frentzen
EDC Board of Supervisors
330 Fair Lane
Placerville, CA 95667

I, **Melody Lane,** the undersigned, hereinafter: Affiant/Declarant, make this Affidavit/Declaration of Truth of my own free will, and I hereby affirm, declare and solemnly swear, under oath, before a certified California Notary Public, that I am of legal age and of sound mind and hereby attest that all the information contained in this Affidavit/Declaration is true, correct and admissible as evidence.

This Affidavit/Declaration of Truth is lawful notification to you, and is hereby made and sent to you pursuant to the Federal Constitution, specifically, the Bill of Rights, in particular, Amendments I, IV, V, VI, VII, IX and X, and The Declaration of Rights of the California Constitution, in particular, Article 1, Sections 1, 2, 3, 9, 10, 11, 21, 23, and Article 3 Section 1, and requires your written rebuttal to me, specific to each and every point of the subject matter stated herein, within 30 days, via your own sworn and notarized affidavit, using true fact(s), valid law and evidence to support your rebuttal.

You are hereby noticed that your failure to respond, as stipulated, and rebut, with particularity and specificity, anything with which you disagree in this Affidavit/Declaration, is your lawful, legal and binding tacit agreement with and admission to the fact that everything in this Affidavit/Declaration is true, correct, legal, lawful, and fully binding upon you in any court in America, without your protest or objection or that of those who represent you. See: *Connally v. General Construction Co.*, 269 U.S. 385, 391. Notification of legal responsibility is "the first essential of due process of law." Also, see: *U.S. v. Tweel*, 550 F. 2d. 297. *"Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading."*

Affiant/Declarant hereby affirms that the following actions and events took place:

On May 8, 2017, I sent you, Shiva Frentzen, El Dorado County District #2 Supervisor, via USPS certified mail, a letter which you received on May 9, 2017, and which I entered into the public record during the May 9, 2017 Board of Supervisors meeting. That letter, attached hereto and marked **Exhibit A**, was sent to inform you of these events and statements made by you, and also as an inquiry to ascertain whether you, Shiva Frentzen, as District #2 Supervisor and BOS Chairman, support and uphold them or would rebut them.

Pursuant to the lawful notification contained in that letter, as I originally stated therein, and as cited and included by reference herein, you were required to respond to and rebut anything contained in the attached May 8th letter with which you disagreed, within thirty (30) days of receipt thereof. Your letter dated June 1st failed to respond with specificity and thereby failed to rebut anything stated therein with truth, fact, valid evidence and law. Therefore, pursuant to the referenced lawful notification, you tacitly admit to all of the statements, charges and claims contained therein, fully binding upon you in any court, without your protest, objection or that of those who represent you.

Some of the things to which you admit include, but are not limited to, the following:

1) On March 29, 2017, I addressed a letter to you, Shiva Frentzen, Supervisor Michael Ranalli and the Planning Commissioners. The correspondence concerned specific violations of the Brown Act, due process, and District #2 Planning Commissioner Gary Miller's Principal Agent Oath of Office. As principal, you have delegated authority to your appointed agent, Commissioner Gary Miller, to act on your behalf. When you or any public officer has knowledge of wrong doing, yet fails to take corrective action, then, that public officer aids, abets and condones the unlawful action of the agent, thereby maintaining the status quo, and thus you become complicit and liable. Mr. Miller has repeatedly committed violations of the Brown Act and his Principal Agent Oath of Office. One such example was quoted verbatim and entered into the public record during the April 11th Open Forum portion of the Board of Supervisors meeting.

2) On April 11th I addressed the aforementioned Planning Commission grievances to you and Supervisor Ranalli which mandates appropriate dialog, scheduling the topic for a future meeting, and remedial action as required under the Brown Act, Section 54954.2(a & c). However, as spokesperson for the Board, you denied me due process when my repeated requests to appeal and reverse the aforementioned 3/23/17 Planning Commission decisions were ignored.

3) Instead of responding appropriately to my request, you deferred to Chief Counsel, Mike Ciccozzi. Counsel has no authority to respond on behalf of the BOS, nor is it appropriate for Counsel to render his opinion and/or interpretation of the law as mouthpiece for the BOS such as transpired on April 11th. At the behest of Mike Ciccozzi, you shut off the microphone, in denial of my Constitutional rights, due process of law and the Brown Act, all of which you are required to uphold, pursuant to your oath, after I refused to yield my sovereignty until I received your direct response to **appeal and reverse** the aforementioned 3/23/17 Planning Commission decisions. This conduct by you and the other BOS members is evasive, an egregious violation of the Brown Act, due process of law, the Constitutions to which you swore your oaths, and perjury of those oaths.

4) §54954.3(c) of the Brown Act states in part, *"The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. Care must be given to avoid violating the speech*

rights of speakers by suppressing opinions relevant to the business of the body. As such, members of the public have broad constitutional rights to comment on any subject relating to the business of the governmental body. These decisions found that prohibiting critical comments was a form of ***viewpoint discrimination*** *and that* ***such a prohibition promoted discussion artificially geared toward praising (and maintaining) the status quo, thereby foreclosing meaningful public dialog."***

When I refused to yield my sovereignty and pressed for your response to schedule the issues on the BOS calendar for public discussion, you replied, *"What you're asking me to do is to remove my appointee from the Planning Commission which I'm not going to do...or to discipline him...You asked me a question and you did not like my answer, so I would politely ask you to please let the rest of the meeting flow...If you do not agree to let the meeting flow, I will call for a five minute break...Can you kill the microphone please?"*

In violation of the Brown Act and your Oaths of Office, you deprived me, and other members of the public, the right to due process, to testify and address public officers for the purpose of redressing grievances, specifically regarding issues of El Dorado County corruption.

6) The Board of Supervisors has been regularly apprised that they are routinely receiving falsified information from the River Management Advisory Committee, Parks & Recreation, the CAO, and the Planning Commission. Despite frequent public testimony of fraudulent information submitted by the aforementioned public agencies to the BOS, you have failed to take corrective action and voted unanimously to approve their recommendations. Any enterprise, undertaken by any public official, such as you and other Board of Supervisor members, which tends to weaken public confidence and undermines the sense of security for individual rights, is against public policy. Fraud, in its elementary common-law sense of **deceit**, is the simplest and clearest definition of that word. See U.S. v. Tweel, cited above. My claims, statements and averments also pertain to your actions taken regarding your failure to provide honest public services, pursuant to your oaths.

7) The First Amendment guarantees the Right of free speech and the Right to petition government for **redress of grievances**, which, you, the oath taker, pursuant to your oath, are mandated to uphold. You failed this requirement, thus, you violated two provisions of the First Amendment, the Public Trust, and perjured your oath. Further, by not responding and/or not rebutting in your June 1st letter with specificity all the claims contained in my May 8th letter, you deny me, the Citizen, remedy; thus, deny constitutional due process of law, as stated within the Bill of Rights.

Lawful notification has been provided to you stating that if you do not truthfully and factually rebut the statements, charges and averments made in this Affidavit/Declaration, then, you agree with and admit to them.

Pursuant to that lawful notification, if you disagree with anything stated under oath in this Affidavit/Declaration of Truth, then rebut that with which you disagree, with particularity, within thirty (30) days of receipt thereof, by means of your own written, sworn, notarized affidavit of truth, based on specific, relevant fact and valid law to support your disagreement, attesting to your rebuttal and supportive positions, as valid and lawful, under the pains and penalties of perjury under the laws of the United States of America and this state of California. An un-rebutted affidavit stands as truth before any court.

Your failure to respond, as stipulated, is your agreement with and irrevocable admission to the fact that everything in this Affidavit/Declaration of Truth is true, correct, legal, lawful, fully binding upon you, Shiva Frentzen, District #2 Supervisor, in any court of law in America, without your protest, objection or that of those who represent you.

Further Affiant sayeth naught.

All Rights Reserved,

By: _____ Date: 6/12/17
Melody Lane

Melody Lane
Compass2Truth
C/o P.O. Box 598
Coloma, California [95613]

(See attached California Notarization)

Attachments:
Exhibit A – May 8, 2017 letter to Shiva Frentzen

CC: Dist. #1 Supervisor John Hidahl
Dist. # 3 Supervisor Brian Veerkamp
Dist. #4 Supervisor Michael Ranalli
Dist. # 5 Supervisor Sue Novasel
EDC District Attorney Vern Pierson
Media and other interested parties

CALIFORNIA JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }

COUNTY OF El Dorado }

Subscribed and sworn to (or affirmed) before me on this 12 *Date* day of June *Month*, 2017 *Year*

by G. Melody Jane

Name of Signers

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature: B. Totaro
Signature of Notary Public

B. TOTARO
Comm. # 2123330
Notary Public California
El Dorado County
My Comm. Expires Aug. 14, 2019

Seal
Place Notary Seal Above

---------- **OPTIONAL** ----------

Though this section is optional, completing this information can deter alteration of the document or fraudulent attachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Affidavit Declaration of Truth

Document Date: 6/12/17

Number of Pages: 4

Signer(s) Other Than Named Above:

Melody Lane
Compass2Truth
P.O. Box 598
Coloma, CA 95613

May 8, 2017

Supervisor Shiva Frentzen, Dist. #2
El Dorado County Board of Supervisors
330 Fair Lane
Placerville, CA 95667

Supervisor Shiva Frentzen,

This letter is lawful notification to you, and is hereby made and sent to you pursuant to the national Constitution, specifically, the Bill of Rights, in particular, Amendments I, IV, V, VI, VII, IX and X, and the California Constitution, in particular, Article 1, Sections 1, 2, 3, 9, 10, 11, 21, 23, and Article 3 Section 1. This letter requires your written rebuttal to me, specific to each claim, statement and averment made herein, within 30 days of the date of this letter, using fact, valid law and evidence to support your rebuttal.

You are hereby noticed that your failure to respond within 30 days as stipulated, and rebut with particularity everything in this letter with which you disagree is your lawful, legal and binding agreement with and admission to the fact that everything in this letter is true, correct, legal, lawful and binding upon you, in any court, anywhere in America, without your protest or objection or that of those who represent you. Your silence is your acquiescence. See: *Connally v. General Construction Co.*, 269 U.S. 385, 391. Notification of legal responsibility is "the first essential of due process of law." Also, see: *U.S. v. Tweel*, 550 F. 2d. 297. *"Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading."*

What I say in this letter is based in the supreme, superseding authority of the Constitution for the United States of America, circa 1787, as amended in 1791, with the Bill of Rights, and the California Constitution, to which all public officers have sworn or affirmed oaths, under which they are bound by Law. It is impossible for an oath taker to lawfully defy and oppose the authority of the documents to which he or she swore or affirmed his or her oath. My claims, statements and averments also pertain to your actions taken regarding violations of the California Ralph M. Brown Act and deprivation of my rights pursuant to your oaths. When I use the term "public officer(s)", this term includes you.

The Supreme Law and superseding authority in this nation is the national Constitution, as declared in Article VI of that document. In Article IV, Section 4 of that Constitution, every state is guaranteed a republican form of government. Any "laws", rules, regulations, codes and policies which conflict with, contradict, oppose and violate the national and state Constitutions are null and void, *ab initio*. It is a fact that your oath requires you to support the national and state Constitutions and the rights of the people secured therein.

All public officers are required to abide by their oaths in the performance of their official duties. No public officer, including you, has the constitutional authority to oppose, deny, defy, violate and disparage the very documents to which he or she swore or affirmed his or her oath. All actions by public officers conducted in the performance of their official duties either support the national and state Constitutions, or deny them.

In order for America to survive as a Constitutional Republic, it is imperative that all aspects of government, including you, all other members of the Board of Supervisors and El Dorado County public officers, abide by all Constitutional requirements while conducting your official duties. When you and other public officers violate the Constitutions, at will, as an apparent custom, practice and policy of office, you and they subvert the authority, mandates and protections of the Constitutions, thereby act as domestic enemies to these Republics and their people. When large numbers of public officers so act, this reduces America, California and the County of El Dorado to the status of frauds operating for the benefit of governments and their corporate allies, and not for the people they theoretically serve.

Unfortunately, officials at all levels of government, including you, have unlawfully insulated themselves from their constituents through the unconstitutional use of security barriers, regulations restricting what is said at public meetings, and other tactics that run afoul of the First Amendment's safeguards for free speech, public assembly and the right to petition the government for redress of grievances, as well as all aspects of due process of law. Constitutionally secured rights are intended to empower citizens to push back against those who would stifle the ardor of citizens, arbitrarily silence critics and impede efforts to ensure transparency in government.

You swore an oath to uphold and support the Constitution of the United States of America, and pursuant to your oath, you are required to abide by that oath in the performance of your official duties. You have no Constitutional or other valid authority to defy the Constitution, to which you owe your LIMITED authority, delegated to you by and through the People, and to which you swore your oath.

On March 18, 2017, correspondence and accompanying evidence was submitted to the Planning Commissioners, Development Services Director, Roger Trout, and the Board of Supervisors regarding the upcoming March 23rd Planning Commission hearing relevant to the revocation of the Villa Florentina Special Use Permit and multiple violations of the River Management Plan.

After the March 23rd and the April 13th Commission hearings it became evident while in the course of conversations with Commissioners James Williams and Gary Miller, that none of those materials had been read by the Planning Commissioners prior to rubber-stamping their unanimous decisions made during the hearings. **(See Exhibit A)**

Then, on March 29, 2017, I addressed a letter to you, Supervisor Michael Ranalli and the Planning Commissioners. The correspondence concerned specific violations of the Brown Act, due process and District #2 Planning Commissioner Gary Miller's Principal Agent Oath of Office. As principal, you have delegated authority to your appointed agent, Commissioner Gary Miller, to act on your behalf. When you or any public officer has knowledge of wrong doing, yet fails to take corrective action, then, that public officer aids, abets and condones the unlawful action of the agent, thereby maintaining the status quo, and thus you become complicit and liable. In some cases, it's the agent who can be held responsible for misconduct, illegal activity, or violations of business standards.

Mr. Miller has repeatedly committed violations of the Brown Act and his Principal Agent Oath of Office. One such example was read into the public record after I questioned Commissioner Miller's voting rationale and his unprofessional conduct during the March 23rd hearing, as quoted here below, verbatim:

> *"I don't really need to explain to you what I did...I don't need to justify myself to you. You get what I give you!...I suggest you make a complaint to the BOS & have me removed. That would break my heart!...There isn't a 3 strikes policy! I know there's no such policy!...There is nothing in the Brown Act that says you can talk 3 or 5 minutes. One of the unique things about being a Chairman is you don't get to tell me what I can do!...Sounds like you are threatening to take me to court...County Council was right there. I assure you, that if I was in violation of the Brown Act he would have said something."*

As elected officials, you are responsible to deal directly and transparently with the constituents whom you profess to serve. During the April 11th Open Forum, I addressed the aforementioned Planning Commission grievances to you and Supervisor Ranalli which mandates appropriate dialog, scheduling the topic for a future meeting and remedial action as required under the Brown Act, Section 54954.2(a), which states in part:

> Where a member of the public raises an issue which has not yet come before the legislative body, the item may be briefly discussed but no action may be taken at that meeting. The purpose of the discussion is to **permit a member of the public to raise an issue or problem with the legislative body** or to permit the legislative body to provide information to the public, provide direction to its staff, or **schedule the matter for a future meeting**. (§ 54954.2(a).)

The Board of Supervisors has been regularly apprised that they are routinely receiving false information from the River Management Advisory Committee, Parks & Recreation, the CAO, and the Planning Commission. Any enterprise, undertaken by a public official, such as you and other Board of Supervisor members, which tends to weaken public confidence and undermines the sense of security for individual rights, is against public policy. Fraud, in its elementary common-law sense of deceit, is the simplest and clearest definition of that word.

Additionally, Public Record Act requests for information pertinent to the River Management Plan have been ignored, are late, or are insufficiently responded to as required by law. Just one example is Roger Trout's fraudulent 3-Strikes policy which Commissioner Gary Miller referred to and has been the topic of meetings with county staff. **(See Exhibit B)**

Collusion between departments appears to be a major factor in depriving citizens of their right to access public information and due process. Following is Clerk to the Board, Jim Mitrisin's, 3/24/17 reply to a CPRA requesting said 3-Strikes policy, *"There are no records responsive to your request. I phoned the Planning Department to learn more and was informed the reference to "1,2,3" was made by an applicant and restated by Mr. Trout regarding steps taken to address a use permit issue. You may want to contact Mr. Trout for additional information."*

Prior to the March 23rd Planning Commission hearing, sufficient evidence was submitted for the Item #5 Villa Florentina SUP revocation along with a request made to pull from Consent Item #2, RMP Update. Apparently those materials were never read by any of the commissioners, nor were they properly posted to the government website prior to the hearing. I conversed at length with District #4 Commissioner James Williams about the anomalies, and he concurred with my assessment of the situation by encouraging me to request in writing that the decisions be repealed and reversed for lack of due process. **(See Exhibit C)**

However, as spokesperson for the Board on April 11th, you denied me due process when my repeated requests were ignored to **appeal and reverse** the aforementioned 3/23/17 Planning Commission decisions. Instead of responding appropriately to my request, you deferred to Chief Counsel, Mike Ciccozzi. Counsel has no authority to respond on behalf of the BOS or any other EDC employee, nor is it appropriate for Counsel to give his *opinion* and/or interpretation of the law such as transpired on April 11th. As John Adams, our nation's second president once said, "Facts are stubborn things." I want ONLY valid, relevant facts, and not opinions rendered by mouthpiece for the BOS. This conduct by you and the other BOS members is evasive, an egregious violation of due process of law, the Constitutions to which you swore your oaths, and perjury of those oaths. At the behest of Mike Ciccozzi, you shut off the microphone after I refused to yield my sovereignty until you specifically responded appropriately to specific grievances concerning Planning Commission malfeasance.

As such, Mike Ciccozzi's interference has been habitually without authority, and is in violation of the Brown Act and the Bagley-Keene Act. Thus, he too denied my

constitutionally secured rights and due process. See *Miller v. United States*, 230 F.2d 486 (5th Cir. 1956); "The claim and exercise of a constitutional right cannot be converted into a crime."

When I refused to yield my sovereignty and pressed for a response to schedule the issues on the BOS calendar for public discussion, you violated your Oath of Office by your reply, *"What you're asking me to do is to remove my appointee from the Planning Commission which I'm not going to do...or to discipline him...You asked me a question and you did not like my answer, so I would politely ask you to please let the rest of the meeting flow...If you do not agree to let the meeting flow, I will call for a five minute break...Can you kill the microphone please?"*

In violation of the Brown Act and your Oath of Office, you deprived me, and other members of the public, the right to due process, to testify and address public officers for the purpose of redressing grievances, specifically regarding issues of El Dorado County corruption, to wit:

The Preamble of the Ralph M. Brown Act states:

"The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. **The people do not yield their sovereignty to the bodies that serve them. The people insist on remaining informed to retain control over the legislative bodies they have created."**

It further states:

§54954.3 Public's right to testify at meetings. (c) The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law. **Care must be given to avoid violating the speech rights of speakers by suppressing opinions relevant to the business of the body.**

As such, members of the public have broad constitutional rights to comment on any subject relating to the business of the governmental body. Any attempt to restrict the content of such speech must be narrowly tailored to effectuate a compelling state interest. Specifically, the courts found that policies that prohibited members of the public from criticizing school district employees were unconstitutional. *(Leventhal v. Vista Unified School Dist. (1997) 973 F. Supp. 951; Baca v. Moreno Valley Unified School Dist. (1996) 936 F. Supp. 719.)* **These decisions found that prohibiting critical comments was a form of viewpoint discrimination and that such a prohibition promoted discussion artificially geared toward praising (and maintaining) the status quo, thereby foreclosing meaningful public dialog.**

It has been brought to your attention on numerous occasions that county staff is habitually submitting erroneous data and/or false information regarding interrelated issues to the Board of Supervisors. You are reminded of your fiduciary duty to the public. Consequently, decisions made by the Supervisors that are based on deliberately falsified information submitted by staff will ultimately adversely affect all EDC tax payers, thus undermining the public trust in local government.

It is apparent the public's input has been reduced to irrelevancy by how the Board and Planning Commission vote unanimously, and/or rubber-stamp Consent items, thereby demonstrating that public meetings are little more than dog and pony shows with predetermined outcomes designed to falsely give the public an impression of government transparency and accountability. Furthermore, informal hallway conversations, such as took place February 14th and February 28th during BOS meeting breaks, are unacceptable substitutes for Citizen requests for transparency, due process and honest services.

Shiva, you were not elected by El Dorado County constituents to maintain the status quo. In addition to the Political Reform Act, Sunshine laws and Government Ethics laws, federal anticorruption law broadly guarantees the public "honest services" from public officials. *Your depriving the public of honest services is a federal crime.* My claims, statements and averments also pertain to your actions taken regarding your failure to provide honest public services, pursuant to your oaths.

The First Amendment guarantees the Right of free speech and the Right to petition government for **redress of grievances**, which, you, the oath taker, pursuant to your oath, are mandated to uphold. If you fail this requirement, then, you have violated two provisions of the First Amendment, the Public Trust and perjured your oath. Further, by not responding and/or not rebutting, you deny me, the Citizen, remedy; thus, deny constitutional due process of law, as stated within the Bill of Rights. An American Citizen can expect, and has the Right and duty to demand, that his or her government officers uphold their oaths to the Constitution(s) and abide by all constitutionally imposed mandates of their oaths. This is an un-enumerated Right guaranteed in the Ninth Amendment which I claim and exercise.

There is no legitimate argument to support the claim that oath takers, such as you, are not required to respond to letters, which, in this case, act as petitions for redress of grievances, stating complaints, charges and claims made against them by their constituents or by Citizens injured by their actions. When public officers, such as you, harm the Citizens by their errant actions, and then refuse to respond to or rebut petitions from Citizens, then those public officers are domestic enemies, acting in sedition and insurrection to the declared Law of the land and must be opposed, exposed and lawfully removed from office.

You perjured your oath by violating my constitutionally guaranteed Rights, in particular those secured in the Bill of Rights, including but not limited to my 1st

Amendment Rights. By your unlawful actions, you acted in sedition and insurrection against the Constitutions, both federal and state, and in treason against the People, in the instant case, me.

Anytime you and other public officers, pursuant to their oaths, violate Rights guaranteed to Citizens in the Constitutions, they act outside their limited delegated authority, thus, perjure their oaths, and by their own actions, invoke the self-executing Sections 3 and 4 of the 14th Amendment; thereby vacate their offices and forfeit all benefits thereof, including salaries and pensions, as you did on April 11, 2017 and several other occasions which are now a matter of public record.

As stated previously, actions by you and other public officers either uphold the Constitutions and rights secured therein, or oppose them. By your stepping outside of your delegated authority you lost any "perceived immunity" of your office and you can be sued for your wrongdoing against me, personally, privately, individually and in your professional capacity, as can all those in your jurisdiction, including any judges or prosecuting attorneys and public officers for that jurisdiction, if, once they are notified of your wrongdoing, they fail to take lawful actions to correct it, pursuant to their oaths and their duties, thereto.

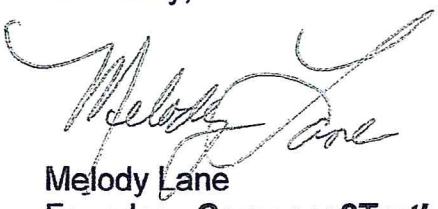
If they fail to act and correct the matter, then, they condone, aid and abet your criminal actions, and further, collude and conspire to deprive me and other Citizens of their Rights guaranteed in the Constitutions, as an apparent custom, practice and usual business operation of their office and the jurisdiction for which they work. This constitutes treason by the entire jurisdiction against the people, in the instant case, me, and based upon the actions taken and what exists on the public record, it is impossible for you and any public officer to defend himself against treason committed. *See: 18 USC § 241 - Conspiracy against rights. See also: U.S. v. Guest, Ga. 1966, 86 S.Ct. 1170, 383 U.S. 745, 16 L.Ed 239.*

Pursuant to the constitutional mandates imposed upon them, by and through their oaths, there is no discretion for you to oppose the Constitutions and your oaths thereto, nor to be selective about which, if any, mandates and protections in the Constitutions you support. The mandates and protections set forth in the Constitutions are all encompassing, all-inclusive and fully binding upon you and all public officers, without exception.

If you disagree with anything in this letter, then, rebut that with which you disagree, in writing, with particularity, to me, within 30 days of the date of this letter, and support your disagreement with evidence, true fact and valid law.

Your failure to respond, as stipulated, is your agreement with and admission to the fact that everything in this letter is true, correct, legal, lawful, and is your irrevocable agreement attesting to this, fully binding upon you, in any court in America, without your protest or objection or that of those who represent you.

Sincerely,



Melody Lane
Founder - ***Compass2Truth***

Attachments:
Exhibit A – March 18, 2017 Villa Florentina SUP & RMP violations
Exhibit B - 10/4/16 CPRA Ethics Agenda
Exhibit C - March 29, 2017 Planning Comm. Hearing letter to Sups. Frentzen & Ranalli

CC: District #1 Supervisor John Hidahl
District #3 Supervisor Brian Veerkamp
District #4 Supervisor Ranalli
District #5 Supervisor Sue Novasel

Compass2Truth
Citizens for Constitutional Liberty

P.O. Box 598
Coloma, CA 95613

March 18. 2017

El Dorado County Planning Commission
C/o Development & Planning Services
2850 Fairlane
Placerville, CA 95667

RE: Villa Florentina Bed & Breakfast SUP #S10-0009 Violations & Revocation

Dear Commissioners,

I have been a resident of Coloma for nearly 20 years living close to the intersection of Carvers and Mt. Murphy Roads located within the Quiet Zone of the S. Fork American River. Not only can we hear excessively loud events emanating from Villa Florentina, residents are frequently bombarded simultaneously by multiple amplified events at the Coloma Resort and other surrounding campgrounds. **(See Exhibit A)**

Egress in the event of an emergency is also cause for concern frequently expressed by neighbors on the north side of the Mt. Murphy Road Bridge. This becomes a public safety issue when large events create traffic jams.

The Quiet Zone as described in the River Management Plan (RMP) begins at Indian Creek above Coloma, and ends at Greenwood Creek below Rivers Bend. RMP noise restrictions apply to the river rafters as well as to campgrounds, business establishments, and private property owners. The majority of residents moved to Coloma for the peace and quiet of the rural lifestyle. The purpose of the Quiet Zone is to respect the rights and reasonable expectations of adjoining landowners.

The specifics of SUPs and requirements are delineated in Sections 4 through 8 of the RMP. Section 8.2 of the RMP states only the County Sheriff's Department has the authority to fine and enforce County Code violations involving private campgrounds and private land owners. Should a resident desire to obtain a Temporary Use Permit (TUP) for a special amplified music event, they would be required to pay a fee to obtain a permit through the Sheriff's Department. To date, Public Record Act requests for information reveal there have only been about a dozen TUPs issued by EDSO over the course of more than 15 years, most of them held at Henningson-Lotus Park. None have ever been issued for Villa Florentina.

Significantly excessively noisy events, such as those emanating from Villa Florentina, have negative impacts not only upon the quality of life of residents living within this stretch of the river, but also upon the value of neighboring homes. The historic failure of the county to apply consequences for SUP violations as per the RMP exacerbates the problem of unacceptable levels of noise. The campgrounds, businesses, and event

Exhibit A

coordinators expect Code and Law Enforcement to turn a blind eye and deaf ear to resident's complaints; hence business continues as usual in EDC.

Noise violations within the Quiet Zone have been a bone of contention in our community long before I even moved here. Once it was realized what a problem SUP violations actually were, I joined others in circulating petitions for SUP revocations and volunteered as secretary for the Community Clamor Committee (CCC). The purpose of the CCC was to mitigate the frequent SUP violations, lack of appropriate monitoring within the Quiet Zone, and to develop a plan of action to bring the offending parties into compliance. Because these meetings could get very contentious, I invited law enforcement to actively participate as per the RMP. Note it is not necessary to have a decibel meter or hire a professional to determine the level of noise. (See Exhibit B)

The minutes of the CCC meetings were integrated into the RMP, but in essence the county failed to recognize and/or take any remedial action. Consequently bully tactics were applied against anyone who dared complain about disturbances of the peace. Ultimately the Sheriff's Department and Code Enforcement failed miserably to abide by the requirements of the RMP. Again, business continued as usual.

Every resident has a right to live in peace and safety. Therefore in 2010 we began meeting with Sheriff D'Agostini as well as County and CA State Parks personnel to further develop a plan of action to mitigate the RMP noise problems and associated concerns that have plagued our community for decades.

It is significant that Adam Anderson, owner of Villa Florentina, is the Business Representative for the River Management Advisory Committee (RMAC). I was accompanied by four individuals to the September 14, 2015 RMAC meeting. Supervisor Ranalli was also present. The purpose of the agenda item I'd specifically requested was to address RMP violations and recommend revocation of the SUPs to the Planning Commission. In addition to multiple audio recordings, my four witnesses can attest Adam Anderson falsely accused me of using profanity while I was quietly seated in the audience. Adam has failed to demonstrate integrity, and in fact, has a conflict of interest as delegate to RMAC. (Please refer to Consent Item #2 for the RMP to be pulled & removed.)

Using RMAC as a bully pulpit, it became evident RMAC delegates had colluded with county personnel to set up and publicly discredit me and the organization, ***Compass2Truth***. Consequently that incident became the subject of meetings with County Counsel, Supervisor Ranalli and other EDC staff. (See Exhibit C)

Please ensure that the Planning Commission REVOKE the SUP for Villa Florentina Bed & Breakfast.

Sincerely,

Melody Lane
Founder ~ ***Compass2Truth***

Attachments:
Exhibit A – Trout letters to American River Resort & Coloma Resort
Exhibit B - EDSO Examples of Sound Levels
Exhibit C - 11/14/16 RMP Public Comments

CC: Roger Trout
Supervisors Districts #1, 2, 3, 4 & 5

Tuesday October 4, 2016 @ 2:30 PM
Don Ashton, Mike Ranalli, Paula Franz

I. CPRAs - FOIA
   A. Guide to CPRAs
   B. Government PRA Tracking system – COB Discrepancies
   C. Legal vs. Lawful

II. Ethics & HR policies
   A. Brown Act Violations
   B. Transparency & Accountability
      1. BOS
      2. EDSO
      3. CAO

III. Obstacles - Bureaucratic Shenanigans
   A. Communication breakdown
   B. Fees - Resolution 113-95 v. AB1234
   C. Code/Law Enforcement policy inconsistencies

IV. Follow up - Target date

Exhibit B

Compass2Truth

Citizens for Constitutional Liberty

P.O. Box 598
Coloma, CA 95613

March 29, 2017

TO: District #4 Supervisor Mike Ranalli
District #2 Supervisor Shiva Frentzen

CC: EDC Planning Commissioners
CAO Don Ashton
Supervisor Brian Veerkamp
Supervisor Sue Novasel
Supervisor John Hidahl

RE: 3/23/17 Planning Commission Hearing – RMP & Villa Florentina

Dear Supervisors Frentzen & Ranalli,

Please ensure the entirety of this correspondence is posted to Public Comments for Villa Florentina SUP scheduled for the August Planning Commission hearing. The following comments apply to the 3/23/17 Planning Commission Consent Item #2 – RMP Update & Implementation, and Item #5 – Villa Florentina SUP hearing:

Note I did not address Mike Ciccozzi during the 3/28/17 Open Forum. My purpose in specifically addressing Supervisor Ranalli and Chair Frentzen was to briefly dialog, as permitted under the Brown Act, and receive a public response as to scheduling the item on the BOS calendar for public dialog and remedial action by the BOS.

Refer to the Brown Act § 54954.2(a) and § 54954.3 (c) which state in part,

> "Care must be given to avoid violating the speech rights of speakers by suppressing opinions relevant to the business of the body…As such members of the public have broad constitutional rights to comment on any subject relating to the business of the governmental body…These decisions found that prohibiting critical comments was a form of viewpoint discrimination *and that such prohibition promoted discussion artificially geared toward praising and maintaining the status quo, **thereby foreclosing meaningful public dialog**…*The purpose of the discussion is ***to permit a member of the public to raise an issue or problem*** with the legislative body or to permit the legislative body to provide information to the public, provide direction to its staff, or ***schedule the matter for a future meeting.***"

Additionally, based upon the BOS knowledge of falsified data submitted by Parks & Recreation staff member Noah Rucker-Triplet and CSD Director Roger Trout, and the subsequent denial of the public's due process, I

also submit this request to **appeal and reverse** the 3/23/17 Planning Commission Consent Item #2 unanimous vote to:

1) Approve 2016 Annual Report to implementation of RMP; and
2) Recommend continued implementation of the River Management Plan as currently prescribed

Prior to the hearing sufficient evidence was submitted for the #5 Villa Florentina SUP and request to pull from Consent Item #2 RMP Update. Apparently those materials were not read by the commissioners or properly posted to the government website. My records indicate one of the emails I had submitted was NOT posted to #5 Villa Florentina SUP. Lucky I had those materials with me which I presented three times to Char Tim during the hearing before she finally accepted them into the public record. ***Also significantly omitted was Adam Anderson's power point presentation that falsely targeted my home as a "noise hot spot" on a map of the river.***

You, our elected officials, are responsible to deal directly and transparently with the constituents whom you profess to serve. *Counsel has no authority whatsoever to respond on behalf of the BOS or any other EDC employee, nor is it appropriate for Counsel to give his opinion and/or interpretation of the law.* Mike Ciccozzi's comment to post missing documents *after the public hearing* is a typical form of discrimination artificially geared toward praising and maintaining the status quo, thus ***denying the public their right to due process.*** As such Mike Ciccozzi's reply was unacceptable.

Adam Anderson is not an exception to the law or any of the RMP restrictions in the Quiet Zone of the S. Fork American River. Adam has an apparent conflict of interest with RMAC, and in the presence of Supervisor Ranalli, Adam has proven his lack of integrity. Mr. Anderson has abused the authority delegated to him by you, the entire Board of Supervisors.

Furthermore, The Mountain Democrat article was a blatant misrepresentation of the 3/23/17 Planning Commission hearing orchestrated by the Chamber Political Action Committee (CPAC). Commission Chairman Gary Miller turned the Villa Florentina hearing into a biased kangaroo courtroom. The Channel 13 public relations stunt, plus special considerations given to Adam during the 3/21 BOS Open Forum, perpetrated sympathy and certainly generated profitable revenues in support of his plight.
http://sacramento.cbslocal.com/tag/villa-florentina

Supervisor Frentzen, you especially need to be aware that District #2 Commissioner Gary Miller violated the Brown Act in addition to being discriminatory, disrespectful and arrogant during the 3/23/17 Commission hearing. I was the *only person whom he harassed,* demonstrating exactly the same unacceptable behavior as Ron Mikulaco while he was Chairman of the BOS. Gary's mocking attitude while we spoke Tuesday evening was bizarre, abrasive and unreasonable. This is just a sampling of some of his comments when I questioned his voting rationale and unprofessional conduct during the hearing:

> *"I don't really need to explain to you what I did...I don't need to justify myself to you. You get what I give you!...I suggest you make a complaint to the BOS & have me removed. That would break my heart!...There isn't a 3 strikes policy! I know there's no such policy!...There is nothing in the Brown Act that says you can talk 3 or 5 minutes. One of the unique things about being a Chairman is you don't get to tell me what I can do!...Sounds like you are threatening to take me to court...County Council was right there. I assure you, that if I was in violation of the Brown Act he would have said something."*

It is troubling that Commissioner Miller remarked about his fear of being sued. Similar comments were made by Kim Kulton during the February 15th CL Fire Safe Council. Some of the same community members at the CL FSC meeting addressed the 3/23/17 Planning Commission hearing as mentioned in the Mtn. Democrat

article concerning the Villa Florentina SUP. This is an issue that Supervisor Ranalli and Roger Trout have taken great pains to avoid addressing, particularly as it involves the RMP, SUP violations, Code & Law Enforcement, and related public safety issues in Coloma.

Comments made by Roger Trout during the Villa Florentina hearing raised several red flags, particularly his evident reluctance to respond to numerous requests for the written "3-strikes" Special Use Policy. How can a policy be enforced if it doesn't even exist?

Over the years we had met with Roger Trout, Sheriff D'Agostini, Supervisor Ranalli, Supervisor Briggs, Don Ashton and County Counsel on several occasions to discuss the 3 strikes policy and related code and law enforcement matters. However all meetings proved to be exercises in futility primarily because Roger Trout and Supervisor Ranalli remained unresponsive to constituent concerns about SUP enforcement affecting the entirety of El Dorado County.

Finally a District #4 constituent who couldn't be present for the hearing submitted a CPRA for the 3 strikes policy. It wasn't until 3/28/17 that I received the following response to the CPRA:

There are no records responsive to your request. I phoned the Planning Department to learn more and was informed the reference to "1, 2, 3" was made by an applicant and restated by Mr.Trout regarding steps taken to address a use permit issue. You may want to contact Mr. Trout for additional information.

Thank you,
Jim Mitrisin
Clerk of the Board

Special Use Permits are a major component of the RMP, particularly restrictions put upon business establishments within the Quiet Zone of the S. Fork American River.

During the hearing when District #4 Commissioner James Williams addressed concerns discussed prior to the hearing, Noah Rucker-Triplett made some disturbing comments and revealing admissions concerning the River Management Plan. Noah stated RMAC isn't required to respond to the public, nor had the RMAC held any meetings since the Annual November 2016 RMAC. That meeting was in reality less than 25 minutes in duration with only three members of the public present, me included. Additionally there was no Annual RMP Update submitted to the Planning Commission for the year 2015.

Commissioner Williams made the astute observation that the RMAC can't advise the BOS if they aren't meeting or the RMAC issues aren't publicly vetted. However Chairman Miller recommended approval of the RMP as submitted by staff. Subsequently the Commission unanimously approved the RMP despite the apparent discrepancies which had been brought to their attention. Apparently the facts didn't matter; business as usual. Thus the public was denied due process in violation of the Brown Act and legal mandates within the RMP.

The BOS has been made aware of the frequent RMP violations and safety aspects affecting the quality of life for river residents within District #4. Yet your failure to effectively address and remedy these issues is dereliction of duty making you complicit in their perpetuation.

Accordingly, you've been reminded on more than one occasion of AB1234 Mandatory Ethics Training for Public Officials, wherein it states in part:

- The law provides only minimum standards for ethical conduct. Just because a course of action is legal, doesn't make it ethical/what one ought to do.

- Because of the breadth of federal anticorruption law, avoid any temptation to walk closely to the line that divides legal from illegal conduct under state law. Even though a course of action may be lawful under the state law, it may not be lawful under federal law.
- Conduct the public's business in open and publicized meetings, except for the limited circumstances when the law allows closed sessions.
- Allow the public to participate in meeting, listening to the public's views before decisions are made.
- Cannot retaliate against those who whistle-blow.
- Must conduct public hearings in accordance with due process principles.
- The law is aimed at the perception, as well as the reality, that a public official's personal interests may influence a decision. Even the temptation to act in one's own interest could lead to disqualification, or worse.
- Cannot simultaneously hold certain public offices or engage in other outside activities that would subject them to conflicting loyalties.
- Violating the conflict of interest laws could lead to monetary fines and criminal penalties for public officials. *Don't take that risk.*

Included as an attachment is the Ron Mikulaco Declaration-Affidavit referenced above. It should serve as a wake-up call to all public officials to take their Constitutional Oaths seriously. Don't forget, you work for us.

In anticipation of your cooperation and in accordance with Constitutional principles I look forward to your prompt response.

Sincerely,

Melody Lane
Founder – ***Compass2Truth***

Attachments:
1. 3/27/17 Villa Florentina Mtn. Democrat article
2. Ron Mikulaco Declaration-Affidavit

Open Forum Request, 4/3/2018 Board Meeting f/ TERRY KAYES

Terry Kayes <kayes.gov@gmail.com> 8:06 AM (22 hours ago)
Message sent Monday, April 2nd, 8:06 AM deleted here.

>> See update below.<<

Terry Kayes <kayes.gov@gmail.com> 12:46 AM (5 hours ago)

to Michael, John, Shiva, Brian, Sue, Don, Michael, Jim, Kim

Greetings Supervisor Ranalli, et al.,

This is to confirm that because of meeting time constraints -

I will happily postpone my commentary on "Mindfulness in Government" from the Open Forum on Tuesday, April 3rd, to the Open Forum on Tuesday, April 10th.

-

One of my intentions in raising the practice of mindfulness is to possibly help people better deal with the tension and stress of government, not add to the problem.

Cheers!

Terry Kayes
Placerville, California
Home: 530-644-1496
Mobile: 530-651-3461

Open Forum BOS 4/3/2018

TOM McCLINTOCK
4TH DISTRICT, CALIFORNIA

2312 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-2511

2200A DOUGLAS BOULEVARD, SUITE 240
ROSEVILLE, CA 95661
(916) 786-5560

Congress of the United States
House of Representatives
Washington, DC 20515-0504

COMMITTEE ON
NATURAL RESOURCES
SUBCOMMITTEE ON FEDERAL LANDS
CHAIRMAN

SUBCOMMITTEE ON
WATER, POWER, AND OCEANS

COMMITTEE ON THE BUDGET

April 3, 2018

Supervisor Michael Ranalli
Chairman
El Dorado County Board of Supervisors
330 Fair Lane
Placerville, CA 95667

Dear Chairman Ranalli:

I write to support local citizen groups that are seeking a resolution declaring that El Dorado County will continue to comply with federal law regarding the sharing of information with federal law enforcement of illegal aliens known to local law enforcement agencies.

The state of California has adopted a series of nullification acts that aim to thwart enforcement of federal immigration law, which are now being challenged by the Department of Justice in Federal Court. These acts would place local communities in direct defiance of federal law and prevent them from protecting the safety of their citizens.

The Doctrine of Nullification, upon which the state action rests, is toxic to the rule of law and the fundamental principles of federalism. When it was used by South Carolina in 1832 to ignore a federal tariff, President Andrew Jackson declared it to be "incompatible with the existence of the Union, contradicted expressly by the letter of the Constitution, unauthorized by its spirit, inconsistent with every principle on which It was founded, and destructive of the great object for which it was formed."

El Dorado County has a long and distinguished history in supporting the preservation of the union and the principles of federalism upon which it rests, dating back to its earliest days. I urge the Board to consider the importance of taking a stand against the California nullification acts that threaten these principles anew.

Sincerely,

Tom McClintock

M. Beaver Open Forum BOS 4/3/2018

March 30, 2018

The White House
Office of the President
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Mary M.Beaver
PO Box 300
Coloma, CA 95613-0300

Dear (Mr.) President,

I would like to request a federal investigation of the Disability funded programs in El Dorado County California, such as IHSS, Elderly assisted living, Head Start, Stair Steps and Veterans disability, for illegal laundering of Federal funds. I would also like to request an investigation be done on the El Dorado County Education Department for the neglect, abuse and ostracism of children with special needs and disabilities.

My name is Mary Beaver and I am a single mother of an autistic child (who is also a) Medical needs Child. My son, Jonathan Mojena, has been receiving services to assist him in Public school. Within the last two years, the school had taken him off these programs, as they said they did not feel he needed these services anymore. At the time I was unaware of my rights to fight the schools decisions and was forced to sign the documents they handed me. My son Jonathan is now completely out of control and the school is refusing to (re-instate) the services I have requested and they are now keeping him segregated in a back room in the administration building!

I have personally sat in my sons school parking lot to observe if my son is running off campus, as he is a flight risk. I have seen him wandering the school by himself for extreme lengths of time unassisted or accompanied by a proper(ly) trained one to one aid. I have seen him twice bolt away from the district Principle.On one such occasion, had I not intervened, he would have run into a busy street next to the school. This resulted in a restraint (while he is) on school grounds to keep him from running into the parking lot or (that) busy street next to the school. I have begged the school through IEP to give my son back the services he needs to be successful, and

and other county agencies in an unspoken threat to get me to stop fighting for my autistic son and other children, adults and elderly people who require special services in my community. I know you are a busy man, but I am asking for your help to investigate these issues. This is a situation of taking advantage of the most innocent and needy in our society. If we don't protect and help them, who will?

Thank you in advance for your prompt attention to this matter.

Sincerely

Mary Margaret Beaver

T. Gherardi Open Forum BOS
4/3/2018

April 3, 2018

Statement to the El Dorado County Board of Supervisors:

I am here today, to ask you to stand with these county citizens who are here, to request the members of this board finally agree to place a Resolution on a future agenda, declaring that El Dorado County and this Board rejects the effort through the state law to violate the Constitution of the United States and instead will comply with the appropriate Federal Laws.

I also ask you to stand with our top law enforcement officer, Sheriff John D'Agostini and District Attorney, Vern Pierson, who represents the Justice system. As well, the California State Sheriff's Association, who publicly opposes Senate Bill 54.

I ask that you join the county supervisors of Tehama, Shasta, Siskiyou, Kern and Orange, along with the City Council members of Anderson, Lincoln, Colusa, Los Alamitos, who put our nation of laws and the safety of their citizens, before that of their political careers.

And most important, I ask that you honor the memory of one of El Dorado County's and law enforcements own, Danny Oliver, who was murdered by an illegal alien who had been deported twice to Mexico.

I have a draft of a proposed Resolution, modeled after that of Orange County and the City of Los Alamitos. I ask that you review and consider this Resolution, and lastly, Myself, and the citizens you serve, look forward to hearing from at least one of you, in the very near future.

Thank you.

Terry Gherardi

Terry Gherardi
Cameron Park
El Dorado County Republican Central Committee

RESOLUTION OF THE BOARD OF SUPERVISORS OF EL DORADO COUNTY, CALIFORNIA No.

WHEREAS, the members of the El Dorado County Board of Supervisors have taken an Oath to support and defend the Constitution of the United States and the Constitution of the State of California; and

WHEREAS, the State of California enacted Senate Bill 54, entitled the California Values Act; and

WHEREAS, the California Values Act is codified into Government Code Title 1, Division 7, Chapter 17.25 entitled "Cooperation with Immigration Authorities;" and

WHEREAS, the El Dorado County, a Charter County, Board of Supervisors finds that it is impossible to honor our oath to support and defend the Constitution of the United States and to be in compliance with California Government Code Title 1, Division 7, Chapter 17.25; and

WHEREAS, the California Values Act cripples our law enforcement and creates a real threat to public safety; and

WHEREAS, employers, including the County of El Dorado, operating within the jurisdiction of the County of El Dorado who accept Federal Contracts and must comply with Federal Law, including lawful recipients for access to premises; and

WHEREAS, the California Values Act may be in direct conflict with Federal Laws and the Constitution of the United States; now, therefore be it

RESOLVED, the El Dorado County Board of Supervisors does hereby reject the effort through state law to violate the Constitution of the United States and instead will comply with the appropriate Federal Laws and the Constitution of the United States and encourage all cities and agencies within the County of El Dorado to do the same and direct county Council to take legal action.

The foregoing was passed and adopted by the following vote of the El Dorado County Board of Supervisors, on_____, to wit

AYES: Supervisors:

_____
CHAIRMAN

STATE OF CALIFORNIA

COUNTY OF EL DORADO

I, James S, Mitrisin, Clerk of the Board of El Dorado County, California, hereby certify that a copy of this document has been delivered to the Chairman of the Board and that the above and foregoing Resolution was duly and adopted by the El Dorado County Board of Supervisors.

IN WITNESS WHEREOF, I have hereto set my hand and seal.

_____
JAMES S. MITRISIN
Clerk of the Board
El Dorado County, State of California

M. Thomas Open Forum BOS 4/3/2018

EDC Board Meeting 4-3-18 (**Attention Supervisor Veerkamp**)

My name is Mike Thomas from District 3.

This board has remained silent on the issue of Sanctuary Jurisdiction and I know some members have refused to place this issue on the agenda.

- Our Constitutional Republic depends on **following** the rule of law, and CA has not done this. The States cannot make up their own immigration laws.
- The CA Legislature and Gov. Brown are in violation of the US Constitution Art. 1 Sect. 8 Clause 4 which gives the Congress Jurisdiction over immigration.
- These same CA representatives are also in violation of the CA Constitution Article 3 Sect. 1 which states that CA is an inseparable part of the US and the US Constitution is the Supreme Law of the land, written in Art. 6 Clause 2!

This board needs to come out against these violations, or your inactions will be construed that you are condoning CA unconstitutional Sanctuary law.

- All of you have taken an oath of office to defend the CA & US Constitutions. You need to stand up for the rule of law, **or** you will be violating your oath of office!

I have 2 requests of my representative, Mr. Veerkamp:

1. A majority of citizens in EDC want a Resolution addressing Sanctuary on the agenda as an action item. We want to know which board members will **vote** to adopt a Resolution declaring that EDC will not establish a Sanctuary Jurisdiction, and will comply with Federal Immigration Law. Mr. Veerkamp, I am asking you to see that this is done.

2. Secondly: The DOJ filed a federal lawsuit against CA challenging SB 54 and two other pro illegal immigration laws. As of today, 18 other States and Orange county have filed to join the DOJ as plaintiffs in this lawsuit. To make it clear where EDC stands, we want our BOS to follow the lead of Orange County **and vote** to join this lawsuit as a plaintiff. Mr. Veerkamp, your constituents are expecting you and this board to take care of this important issue. I will leave you with these 2 requests.

My name is Frank Merritt and I am the First Vice Chair of the El Dorado County Republican Central Committee, and have been asked to read a statement from Assemblyman Kevin Kiley, who was unable to attend today's Board Meeting.

April 3, 2018

Members of the Board,

I led the fight against the Sanctuary State Bill in the Assembly Judiciary Committee, and voted against it on the Assembly floor. The legislation is dangerous public policy, upending what use to be a key area of bipartisan consensus: That immigration enforcement should focus first and foremost on dangerous offenders.

I support efforts by county leadership to comply with Federal Law and keep our communities safe.

Assemblyman Kevin Kiley, District 6

Hello everyone,

- I'm Frank Merritt, a retired Army Military Intelligence Officer and Vice Chair of the RCC

-**First** I think it should be clarified:

SB54 does NOT apply to all illegal immigrants (it only applies to illegal immigrants who have committed crimes/felonies)

- it is a community safety factor that applies to both citizens and illegal communities

Secondly,

* **Univ of CA Berkeley study** - 74% of Californians are against SB54
* Not exactly a bastian of conservativism
* Illustrates it's **not just a conservative issue** but the majority feel this way and I would guess even more in our county.

Thirdly,

- we understand you Supervisors like to work together as a team
- we understand you want to figure out how to best "handle the situation"
- that is politicking & group think- but not what you were elected to do.

I ask you:

- why do you think Sheriff D'Augustini is so loved and no one dares run against him??!!
  * he doesn't wait to see what other sheriffs do or stand for
  * he doesn't wait on Supervisor' collaboration to decide what he stands for
  * He doesn't politic an issue nor wait for a law suit to arise elsewhere before taking a stand
  * what he does DO is stand for what his voters elected him to do!

- Don't you think we want to love you also as our elected representatives?

  * we want you to lead by example and REPRESENT those in your districts who elected you
  *Then and only then can we love you and champion for you to keep you in office as our duly elected representatives....

~~What does the RCC want from you?:~~

(2) Now more than ever, we need elected officials to protect citizens, our law enforcement and most importantly the Rule of law

(3) * We want you to **declare a county resolution** AND **join in the lawsuit** to bring back safety & liberty to our county! DOJ (with an amicus brief)

cities → Escondido
→ San Juan Capistrano
San Diego County - joining the fight

(1) PEW RESEARCH CTR
3/14/2017 - 74% arrested by ICE had past criminal convictions
16% with pending charges/cases 11%

El Dorado County BOS Speech

4/3/18

Good morning. My name is Jack Parsons and I have lived in Rescue for over 30 years.

It has been two weeks since I came to the EDC BOS requesting that you place an item on the agenda to discuss and pass a resolution stating that El Dorado County will not be a part of the California Sanctuary State – to date I have not heard of any progress being made.

In my last address to you I presented three good, strong reasons why the EDC BOS should adopt a resolution. To review, those three reasons were and are:

1. A majority of the people whom elected you and whom you work for do not want to be part of the California Sanctuary State.
2. You have taken a solemn and sacred oath to both Constitutions of the United States of America and California. Article 1, Section 8 of the US Constitution states that only the US Congress can make laws pertaining to immigration. Article 3, Section 1 of the California Constitution states that California is inseparable from the United States while the United States' Constitution is the Supreme Law of the Land. United States Code Title 8, Section 1324 includes "concealing or harboring unauthorized aliens, encouraging or inducing unauthorized aliens to enter the United States, engaging in a conspiracy or aiding and abetting of the preceding acts..." is a felony.
3. Other counties and municipalities have issued resolutions, declarations, ordinances and now even joined the US Government Lawsuit against the State of California. This list continues to grow daily with the 3rd largest California county by population, Orange, joining the lawsuit as a plaintiff. You may have noticed that 12 other states have joined the federal lawsuit against California. It is time for the El Dorado County Board of Supervisors to step up to the plate.

Today I am adding a fourth reason for El Dorado County to join the fight against the California Sanctuary State - public safety. According to Pew Research in 2017

74% of immigrants arrested by ICE had past criminal convictions. A further 16% had pending criminal charges. These are crimes in addition to ~~the~~ THAT felony of being in the United States without documentation. Our Sheriff does not need to be hamstrung when working with ICE so his team can quickly and efficiently take criminals out of the El Dorado County area protecting us all.

If you care about your constituents, if you honor your oaths to the Constitutions of the USA and California, and if you care about the safety of your citizens then it is time for action.

Doing nothing is either complacent or, worse yet, complicit to the California oligarchy that is in open sedition, insurrection, and anarchy against both US and California laws.

It took great courage for our forefathers to risk their property, treasure and lives to bring us the greatest document ever written, the US Constitution. How much courage and risk does it take from you to do what is right for the people of this county? You know the answer in your heart. It is time to act.

Thank you.

EDC COB <edc.cob@edcgov.us>

California as a Sanctuary State

1 message

charlet burcin <charlet331@gmail.com> Mon, Apr 2, 2018 at 4:27 PM
To: bosthree@edcgov.us, The BOSONE <bosone@edcgov.us>, Supervisor Shiva Frentzen-2 <bostwo@edcgov.us>, SupervisorSue Novasei-5/SLT <bosfive@edcgov.us>, Michael RanalliDist4 <bosfour@edcgov.us>, edc.cob@edcgov.us

Dear Supervisors,

I support our state's position as a Sanctuary State for immigrants and do NOT support representative McClintock's opposition to our current law.

I believe that the local police forces are already fulfilling their jobs in enforcement for criminal illegal immigrants. We do not need the FEDS.

Let us not spread more fear among these immigrants who will then fill threatened to relay vital information about known illegal immigrants to our police.

Please do not give further encouragement to Mr. McClintock.

Thank you,

Charlet Burcin
EDH