

#23

I am addressing Item #23 pertaining to the **\$3 million DOT budget transfer** under the **Senate Bill 1 Road Repair and Accountability Act**, and the related Items #41, 43, and 44 pertaining to the Mt. Murphy Bridge.

SB 1 stipulates a number of measures intended to hold **transportation agencies** more accountable on the expenditure of SB 1 funds. The Legislature created programs that provide **\$500 million annually for bridges and culverts, and biking and walking trails**. SB 1 requires these programs be managed in a **transparent and accountable** manner.

EDC cannot responsibly move forward with the Mt. Murphy Bridge-to-nowhere without addressing the poor condition of Mt. Murphy Road that DOT has never properly maintained. Per Rafael Martinez, the double chip seal that was improperly applied last August was supposed to last 5-10 years, but only one month later potholes developed. You should see it now since it rained--**a total waste of taxpayer dollars**.

Just this year I have submitted three PRAs pertaining to the Mt. Murphy Bridge. However, Comrade Parlin and Rafael Martinez remain unresponsive. Apparently, they are taking advice from Counsel to violate PRA laws, the Brown Act, and their oaths of office.

Not long ago I received an email from James Clinchard asking me to call the DA to discuss another PRA, but he also refused to return my phone calls. Then last week I received an outrageously arrogant email from him, ***"We have responded to your PRA and no further response is forthcoming. Feel free to exercise your "right to prosecute for violation of PRA laws."***

EDC has been in the business of unconstitutional, fraudulent, and corrupt practices for many years now. You've circumvented citizen rights with sham BOS tribunals where government employees serve as judge, jury, and executioner. For example, Wanda Nagel and the Newtown Bridge. Another was the EDC retaliation against Dr. Bly-Chester for whistleblowing. None of this costly lawfare would be necessary if the BOS just did the right thing in the first place.

When will the BOS demonstrate Good Governance and authentic leadership, or will you just continue to "go along to get along" with Mr. Livingston on these matters of DOT transparency and accountability? That was not a rhetorical question. Section 54953 of the Brown Act requires your public response.

Kim Dawson

From: melody.lane@reagan.com
Sent: Tuesday, February 25, 2025 11:56 AM
To: Kim Dawson; BOS-Clerk of the Board; Lori Parlin; Rafael Martinez
Cc: David A Livingston; Tiffany Schmid; contact@edcgrandjury.com; James A. Clinchard; Vern R. Pierson; Noel Stack; Krysten Kellum
Subject: 2/25/25 BOS Agenda Consent Public Comments re: Items #23, 41, 43, and 44
Attachments: Brown Act Rights of the Public.docx; 1-24-25 DOT Staff CLAC Communications Mt Murphy Bridge P007602-012425.doc; 2-13-25 Mt Murphy Bridge Grant Funds P007644-021425.doc; 2-18-25 CLAC MaL vacancy corresp R BradshawP007649-021825.doc

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Chairman Turnboo, Rafael Martinez, et al,

Please ensure the entirety of my below public comments, including the attachments, are entered into each of the Consent Items #23, 41, 43, and 44. The PRAs all entail correspondence and DOT expenditures relevant to the Mt. Murphy Bridge.

George, as Chairman you are the spokesperson for the BOS. However, since assuming your responsibilities as Chairman you have consistently demonstrated disrespect of the law, read from prepared notes, ignored public inquiries and PRAs, or you've deferred to Counsel David Livingston.

This morning prior to Consent Public Comments you read the usual statement requesting that the public "be respectful." Whether out of ignorance or deliberate design, your own disrespect and disregard for the law makes it painfully obvious that constituents know more about their rights than you do. As such, it is the civic duty of every citizen to hold their public servants' feet to the fire.

Please note that **Item #23 required a 4/5 vote**, yet it was approved under Consent without a vote or discussion which was a violation of the Brown Act § 54954.2(a). In that regard, **to ensure transparency and accountability**, the BOS is required to "Cure and Correct" the minutes and reschedule this DOT item be agendized on the BOS calendar in the near future:

23. [25-0183](#)

Department of Transportation recommending the Board approve and authorize the Chair to sign a Budget Transfer increasing appropriations: \$3,000,000 for the transfer of funds from the Senate Bill 1 special revenue fund to the Maintenance and Operations Division to cover road maintenance projects funded by Senate Bill 1: Road Repair and Accountability Act of 2017 to cover the increased costs of the Board approved FY2024-25 SB1 projects. (Projects listed below). (4/5 vote required)

FUNDING: Road Maintenance and Rehabilitation Act of 2017. (SB1) (100%)

#

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#

Melody Lane

Founder – Compass2Truth

Brown Act Preamble: “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.”

From: melody.lane@reagan.com <melody.lane@reagan.com>

Sent: Monday, February 24, 2025 3:16 PM

To: 'El Dorado County Public Records Center' <eldoradocountyca@mycusthelp.net>; 'Kim Dawson' <kim.dawson@edcgov.us>; rafael.martinez@edcgov.us; 'Lori Parlin' <lori.parlin@edcgov.us>; 'George Turnboo' <George.Turnboo@edcgov.us>; 'David A Livingston' <david.livingston@edcgov.us>; Tiffany Schmid <Tiffany.Schmid@edcgov.us>

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

Subject: RE: Public Records Request :: P007662-022425

Mr. Martinez, Ms. Parlin, et al,

This was not a new PRA. It was yet another clarification and reiteration of Public Records Request : **P007602-012425** below which you failed to properly respond to:

DOT and other staff still failed to respond to repeated requests for the following information:

“DOT obviously was responsible for the bridge repairs and postings of the bridge closure on the government website. Either the guy’s insurance is going to pay for the damages, or taxpayers are going to pay for the DOT bridge repairs. **Which is it? The public has a right to access all DOT and other staff correspondence related to the 1/12/25 bridge accident and repairs.”**

This PRA request for information also includes the total cost of repairs to the Mt. Murphy Bridge due to the 1/12/25 incident.

To reiterate, **the agency must provide assistance** by helping to identify records and information relevant to the request and suggesting ways to overcome any practical basis for denying access. (§ 6253.1)

The agency always bears the burden of justifying nondisclosure, and "any reasonably segregable portion... shall be provided...after deletion of the portions which are exempt." (§ 6253(a))

An agency has 10 days to decide if copies will be provided. In "unusual" cases (request is "voluminous," seeks records held off-site, OR requires consultation with other agencies), the agency may upon written notice

to the requestors give itself an additional 14 days to respond. (§6253(c)) **These time periods may not be used solely to delay access to the records. (§ 6253(d))**

If you have any questions concerning the PRA information being requested, please contact me immediately.

Melody Lane

Founder – Compass2Truth

"It does not take a majority to prevail... but rather an irate, tireless minority, keen on setting brushfires of freedom in the minds of men." ~ Samuel Adams ~

From: El Dorado County Public Records Center <eldoradocountyca@mycusthelp.net>

Sent: Monday, February 24, 2025 7:57 AM

To: melody.lane@reagan.com

Subject: Public Records Request :: P007662-022425



Dear Melody Lane:

The County of El Dorado is dedicated and responsive to our community. Your request has been received and is being processed. Your request was given the reference number P007662-022425 for tracking purposes.

Records Requested: "DOT obviously was responsible for the bridge repairs and postings of the bridge closure on the government website. Either the guy's insurance is going to pay for the damages, or taxpayers are going to pay for the DOT bridge repairs. Which is it? The public has a right to access all DOT and other staff correspondence related to the 1/12/25 bridge accident and repairs." This PRA request for information also includes the total cost of repairs to the Mt. Murphy Bridge due to the 1/12/25 incident. To reiterate, the agency must provide assistance by helping to identify records and information relevant to the request and suggesting ways to overcome any practical basis for denying access. (§ 6253.1) If you have any questions concerning the PRA information being requested, please contact me immediately.
Melody Lane Founder – Compass2Truth

Your request will be forwarded to the relevant department(s) to locate the information you seek and to determine the volume and any costs associated with satisfying your request. You will be contacted about the availability and/or provided with copies of the records in question.

You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed.

Thank You,

County of El Dorado

To monitor the progress or update this request please log into the [El Dorado County Public Records Center](#).

CALIFORNIA BROWN ACT

PREAMBLE:

"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."

CHAPTER V.

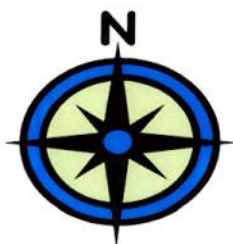
RIGHTS OF THE PUBLIC

§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.

54954.2 E (3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3.

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).)



Compass2Truth

Citizens for Constitutional Liberty

P.O. Box 598
Coloma, CA 95613

January 24, 2025

To: District #4 Supervisor Lori Parlin
BOS Chairman George Turnboo
DOT Director Rafael Martinez
Clerk of the Board Kim Dawson
CAO Tiffany Schmid
Chief Counsel David Livingston

CA PUBLIC RECORDS ACT REQUEST #P007602-012425

2/24/25 #P007662-022425

Several local residents waited patiently on Zoom but we were denied the exercise of our First Amendment rights to address questions regarding the 1/14/25 BOS Agenda Item #11 pertaining to the Mt. Murphy Bridge. This agenda item was publicly posted to the County Calendar on 1/8/25:

10:00 A.M. - TIME ALLOCATION (Items will not be heard prior to the time stated)

11. 24-1398

Clerk of the Board recommending the Board receive and file an annual report from the Coloma Lotus Advisory Committee, and provide direction to the Committee or staff if necessary.

FUNDING: N/A

However, staff did not request this item be "continued off calendar" until late Friday, 1/10/25. Once the item has been posted to the Calendar, the public maintains their "broad constitutional rights" to address the agenda item during the allocated time. Therefore, pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I ask to obtain **via email**:

1. **All staff correspondence**, including but not limited to that of the Department of Transportation, Parks and Recreation, Supervisor Parlin, Supervisor Turnboo, and appointees to the Coloma Lotus Advisory Committee, pertaining specifically to **Agenda Item #11 of the January 14, 2025** Board of Supervisors meeting, and specifically identifying the rationale and the **person(s) responsible** for requesting that this agenda item be "continued off calendar" If no such documents exist, then please so state **immediately**.

To avoid unnecessary delays or costs of duplication, electronic copies are acceptable and may be emailed directly to melody.lane@reagan.com in **pdf format**. Access is always free. Fees for "inspection" or "processing" are prohibited. (§ 6253)

The agency must justify the withholding of any record by demonstrating that the record is exempt or that the public interest in confidentiality outweighs the public interest in disclosure. (§6255) **If you determine that**

some but not all of the information is exempt from disclosure and that you intend to withhold it, I ask that you provide a signed notification citing the specific legal authorities on whom you rely.

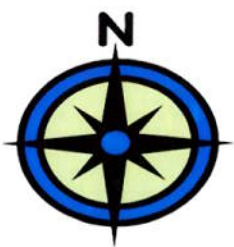
It is further requested that your determination be made within **10 days, or sooner**, as stipulated within the California Public Records Act, Government Code 6253(c). ***Note these time periods may not be used solely to delay access to the records. (§ 6253(d))**

Please do not hesitate to contact me immediately if you have any questions.

Sincerely,

Melody Lane

Founder – Compass2Truth



Compass2Truth

Citizens for Constitutional Liberty

P.O. Box 598
Coloma, CA 95613

February 13, 2025

To: District #4 Supervisor Lori Parlin
BOS Chairman George Turnboo
DOT Director Rafael Martinez
Clerk of the Board Kim Dawson
CAO Tiffany Schmid
Chief Counsel David Livingston

CA PUBLIC RECORDS ACT REQUEST #P007644-021425 2/24/25 = #P007662-022425

Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I ask to obtain **via email**:

1. Documents identifying all government grants associated with the Mt. Murphy Bridge Replacement CIP since the date of its inception. Each grant must indicate the total amount of the grant funds, as well as the time frame that the funds are to be utilized on the CIP before they expire.
2. Documents identifying all government grant funds that have been spent thus far on the Mt. Murphy Bridge Replacement CIP for each of the aforementioned grants.
3. Staff correspondence and documents identifying the person responsible for the January 2025 accident that closed down the Mt. Murphy Bridge for two weeks, and the agency responsible for the repairs to the bridge.

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It is further requested that your determination be made within **10 days, or sooner**, as stipulated within the California Public Records Act, Government Code 6253(c). ***Note these time periods may not be used solely to delay access to the records. (§ 6253(d))**

Please do not hesitate to contact me immediately if you have any questions.

Sincerely,

Melody Lane

Founder – Compass2Truth



Compass2Truth

Citizens for Constitutional Liberty

P.O. Box 598
Coloma, CA 95613

February 18, 2025

To: District #4 Supervisor Lori Parlin
BOS Chairman George Turnboo
DOT Director Rafael Martinez
Clerk of the Board Kim Dawson
CAO Tiffany Schmid
Chief Counsel David Livingston

CA PUBLIC RECORDS ACT REQUEST P007649-021825

Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I ask to obtain **via email** the following documentation:

- 1.) Resignation letter of Coloma Lotus Advisory Committee (CLAC) Member at Large identifying the individual who created the CLAC vacancy posted 2/5/25 to the EDC government website:

 [Coloma Lotus Advisory Committee \(PDF 10KB\)](#) - Posted 2-5-2025

- 2.) All signed and dated applications received by EDC staff to fill the CLAC Member at Large vacancy posted 2/5/25 to the government website which, by law, must remain posted for a **minimum of 10 days**.
- 3.) All **staff and BOS correspondence** with CLAC members relevant to the resignation and reinstatement of Robert Bradshaw as CLAC Member at Large:

Board of Supervisors

Minutes - Draft

February 11, 2025

7. [25-0298](#) Supervisor Parlin recommending the Board make the following appointment to the Coloma Lotus Advisory Committee: Reappoint Robert Bradshaw, Member at Large, Term Expiration 2/11/2029.

FUNDING: N/A

This matter was Approved on the Consent Calendar.

To avoid unnecessary delays or costs of duplication, electronic copies are acceptable and may be emailed directly to melody.lane@reagan.com in **pdf format**. Access is always free. Fees for "inspection" or "processing" are prohibited. (§ 6253)

The agency must justify the withholding of any record by demonstrating that the record is exempt or that the public interest in confidentiality outweighs the public interest in disclosure. (§6255) **If you determine that some but not all of the information is exempt from disclosure and that you intend to withhold it, I ask that you provide a signed notification citing the specific legal authorities on whom you rely.**

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