

Come learn how changes to the General Plan and Zoning Ordinance affect traffic, zoning, open space, and more.

Date: Wednesday, April 29, 2015

Time: 6:30 PM to 8:00 PM

2502 Country Club Drive, Cameron Park

Cameron Park CSD building

The County Board of Supervisors is considering amendments to the general plan that could significantly affect how properties, neighborhoods, regional boundaries, and open spaces are designated in our county. Don't be fooled, these amendments will negatively impact zoning, traffic, noise, water – all of which shape the quality of life you now enjoy. The current rural nature of the towns of Diamond Springs, Camino, Pollock Pines, Cedar Grove, El Dorado Hills, Shingle Springs, Cameron Park, El Dorado, and others are being threatened.

Sponsored by:
Citizens for Responsible Development in El Dorado
Hills www.citizens4sensibledevelopment.org
and
Save Our County
www.saveourcounty.net



4-28-15 Board of Supervisors comment
Consent item #23

I made a comment a couple weeks ago when the Marble Valley and Lime Rock consultant agreements were on the Consent Calendar, so I thought it was only fair to make a similar comment about the Tilden Park agreement that is on the Consent Calendar today. This particular developer is out of state in North Carolina. His project is outside of the General Plan and requires a General Plan Amendment. I ask that you remind him that spending thousands of dollars on the environmental process is a risk and that it in no way guarantees nor influences approval the project.

Open Forum - Now that we've seen several projects are moving forward,
~~On a different subject,~~ I would like to know what is taking so long to bring back the Public Project Notification policy. It was just about completed last year and was a fairly straightforward policy. With all of these projects out there in the county, we need that expanded notification policy now. Will you please follow up on it and make it happen.

Wednesday November 12, 2014 @ 10:00 AM

Robyn Drivon/Paula Franz

- 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

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04/24/15

Melody Lane
P.O Box 598
Caloma, CA. 95613
Via email: melody.lane@reagan.com

Ms. Lane:

Please be advised that the Office of the County Counsel is aware that the Recorder-Clerks Office has repeatedly informed you that the records in response to your March 31, 2015, Public Records Act (PRA) request (for the "Roster of Public Agencies") are available for inspection at no charge, or copies of these records may be obtained when the County receives payment of costs for copying at the statutorily approved rate of \$.50 (fifty cents) per page. See Gov. Code section 26831 authorizing recorders to charge for publicly recorded documents. As you have been told, there are approximately 400 pages of records for you to inspect, or to have copies made.

compliance accountability

The Recorder-Clerk routinely confers with County Counsel on legal issues, including those involving requests for Public Records. Contrary to your assertions, that County staff is "incompetent" or that the "County has something to hide", the Recorder-Clerk has fully complied with all requirements of the PRA when you were timely provided the opportunity to inspect and receive copies of all documents that you requested. Your disparaging comments maligning the County and staff do not change the fact that you and the County can also respectfully disagree about the requirements of the law under the PRA.

It is the County's position that the responses you have received from the Recorder-Clerk's office are in full compliance with both the letter and the spirit of the law. The records you seek have been made available for inspection and copying in a timely manner. There are no legal requirements to create or provide you with electronic records when they do not exist. The PRA requires agencies to provide the documents in the format in which they are kept. While we understand that you would like a PDF file at no charge, there is no legal requirement to do so. Please see Gov. Code sections 6253.9 (1) and (c) that state in part,

"The agency shall make the information available in any electronic format in which it holds the information." and "Nothing in this section shall be construed to

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require the public agency to reconstruct a record in an electronic format if the agency no longer has the record available in an electronic format." (emphasis added)

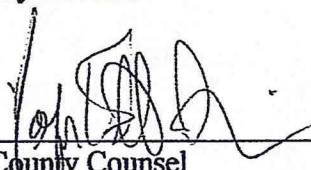
Here, the documents have never been maintained as electronic documents. The County is not obligated to create new documents or formats for you. To do so would be unduly burdensome.

You state that I and Senior Deputy County Counsel Paula Frantz told you that records are available to you in an electronic format and that copies of records will be provided to you without charge. This is a misstatement. If the documents were kept in an electronic format, you would ordinarily be entitled to the documents electronically (this is subject to some exceptions, see Gov. Code section 6253.9) and would, therefore, not be required to pay copying costs (although you might be subject to other costs of providing the documents). Similarly, your statement of what you were told my Mr. Mitrisin, Clerk of the Board of Supervisors, appears to be a misunderstanding of what you were told. While Mr. Mitrisin has previously made PDFs of some electronic documents maintained at the Clerk of the Board, he has not agreed to take documents that are maintained solely as paper records in other departments and convert them to electronic format, in PDF or any other format, for you. Again, nothing in the PRA or elsewhere in the law mandates that the county create new documents for you in formats other than those ordinarily maintained.

To conclude, the records you requested are immediately available for inspection at no charge during regular business hours at the Clerk Recorders Office located at 360 Fair Lane. Alternatively, we would be happy to provide paper copies upon payment of applicable statutory costs for copying.

Sincerely,

ROBYN TRUITT DRIVON
County Counsel

By: 
County Counsel

C: William Schultz
Jane Kohlstedt
Chief Administrative Officer
Chairman Board Of Supervisors

181234
insert costs
of duplication

Melody Lane

From: Jane Kohlstedt <jane.kohlstedt@edcgov.us>
Sent: Tuesday, April 14, 2015 4:38 PM
To: Melody Lane
Subject: Public Records Request

Hello Melody,

You have "free access" to the Roster of Public Agencies by coming to our office to view the filings; this may be done any business day from 8:00 a.m. to 5:00 p.m. If you wish you may take photographs of the filings.

If you want us to make copies the published statutory fee (Gov.Code 26831) is \$0.50 per filing. This is the customary fee for Clerk copies.

These records are kept in paper format and should you want us to convert them to electronic format it will be necessary for you to pay for that conversion. We have not requested any fee for search or review.

Confirmation from counsel agrees the answers given in our previous email and, reiterated in this email are in compliance with the Public Records Act.

Jane Kohlstedt
Assistant Recorder/Clerk
El Dorado County
530-621-5490

"You are never too old to set another goal or to dream a new dream." C.S. Lewis
(author)

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Thank you.

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Melody Lane

From: Jane Kohlstedt <jane.kohlstedt@edcgov.us>
Sent: Wednesday, April 15, 2015 3:39 PM
To: Melody Lane
Subject: PRA Request

"Please be advised again that the County does not have electronic PDF files for the records that you have requested and the Recorder-Clerk has no plans to generate electronic files. As you know, the records are immediately available for inspection without charge and available to be copied upon receipt of your payment of costs for copying."

Jane Kohlstedt
Assistant Recorder/Clerk
El Dorado County

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