

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.

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).)

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

**Sent:** Monday, November 14, 2016 9:10 PM

**To:** 'Lesley Gomes'; Mike Ranalli; ron.mikulaco@edcgov.us; sue.novasel@edcgov.us; brian.veerkamp@edcgov.us; shiva.frentzen@edcgov.us

**Cc:** 'Jim Mitrisin'; 'Donald Ashton'; bosfive@edcgov.us; bosfour@edcgov.us; bosone@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.us

**Subject:** RE: Public Records Request :: P001129-102516

Ms. Gomes,

It appears by your response that you did not understand my previous emails.

I had no internet access for over a week while Cal.net services were down. Since then I've been experiencing tremendous problems not only with my computer but also with the Government System. Therefore I've opted NOT to use the County's "pro-active, customized technology" Public Records Center for reasons discussed during our 10/4/16 meeting with Don Ashton and Paula Franz. The problem appears to be with the Government Bureaucrats rather than the IT Public Records Center.

Although I appreciate the PRA tracking numbers, it is *my choice* to receive the actual CPRA responses via my email address. To date I still have not received a copy of the County's response to P001129-102516. Please forward it immediately to: [melody.lane@reagan.com](mailto:melody.lane@reagan.com).

Several examples of error messages and delayed and/or insufficient responses to specific CPRAs have been provided to Jim Mitrisin, Paula Franz and Don Ashton but most still remain unaddressed, including numerous CPRAs submitted prior to the April 2016 implementation of the County's PRA Center. If Jim Mitrisin and Paula Franz have lost all those CPRA emails, then EDC has bigger problems than we thought.

As stated previously, your records are in error. Please refer to the attached meeting agendas and respond in writing if you need further clarification.

Thanks for your anticipated cooperation.

*Melody Lane*

**Founder – Compass2Truth**

As history teaches us, if the people have little or no knowledge of the basics of government and their rights, those who wield governmental power inevitably wield it excessively. After all, a citizenry can only hold its government accountable if it knows when the government oversteps its bounds.

**From:** Lesley Gomes [mailto:lesley.gomes@edcgov.us]

**Sent:** Monday, November 14, 2016 4:19 PM

**To:** Melody Lane

**Cc:** Jim Mitrisin; Donald Ashton

**Subject:** Re: Public Records Request :: P001129-102516

Dear Ms. Lane,

The County timely responded to your request on November 4, 2016. The response is available for you online at the County's Public Records Center, Reference Number P001129-102516. The County's use of this web portal is authorized by the California Government Code. It is a pro-active, customized technology that enhances access and serves the public interest by creating a centralized library of public records that remains open 24/7. This system has been successfully implemented in

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over 800 state and local governments nationwide and locally, we have not received any complaints other than yours. We encourage you to continue using it and we would be happy to connect you with helpline resources if you are experiencing difficulties.

Sincerely,  
Lesley Gomes  
Deputy County Counsel

**Lesley B. Gomes**  
Deputy County Counsel  
330 Fair Lane, Placerville, CA 95667  
Fax: (530) 621-2937  
Direct Phone: (530) 621-5711

On Mon, Nov 14, 2016 at 11:50 AM, Melody Lane <[melody.lane@reagan.com](mailto:melody.lane@reagan.com)> wrote:

I still have not received a copy of your reply to the attached CPRA directly to my email which was due 11/4/16...???

*Melody Lane*

**Founder – Compass2Truth**

As history teaches us, if the people have little or no knowledge of the basics of government and their rights, those who wield governmental power inevitably wield it excessively. After all, a citizenry can only hold its government accountable if it knows when the government oversteps its bounds.

**From:** Melody Lane [<mailto:melody.lane@reagan.com>]  
**Sent:** Wednesday, November 9, 2016 9:31 AM  
**To:** 'El Dorado County Public Records Center'; Jim Mitrisin; Mike Ranalli; 'Donald Ashton'; 'Lesley Gomes'; [shiva.frentzen@edcgov.us](mailto:shiva.frentzen@edcgov.us); [sue.novasel@edcgov.us](mailto:sue.novasel@edcgov.us); [brian.veerkamp@edcgov.us](mailto:brian.veerkamp@edcgov.us); [ron.mikulaco@edcgov.us](mailto:ron.mikulaco@edcgov.us)  
**Subject:** RE: Public Records Request :: P001129-102516

PRA P001129-102516 was due 11/4/16. Please forward all responsive documents relative to this CPRA directly to my email [melody.lane@reagan.com](mailto:melody.lane@reagan.com) .

*Melody Lane*

**Founder – Compass2Truth**

"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." ~ Abraham Lincoln ~

**From:** Melody Lane [<mailto:melody.lane@reagan.com>]  
**Sent:** Tuesday, November 8, 2016 10:06 AM  
**To:** 'El Dorado County Public Records Center'; Jim Mitrisin ([jim.mitrisin@edcgov.us](mailto:jim.mitrisin@edcgov.us)); Mike Ranalli; 'Donald Ashton'; 'Lesley Gomes'; [shiva.frentzen@edcgov.us](mailto:shiva.frentzen@edcgov.us); [sue.novasel@edcgov.us](mailto:sue.novasel@edcgov.us); [brian.veerkamp@edcgov.us](mailto:brian.veerkamp@edcgov.us); [ron.mikulaco@edcgov.us](mailto:ron.mikulaco@edcgov.us)  
**Subject:** RE: Public Records Request :: P001129-102516

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Due to technical difficulties I cannot access the EDC PRA Center any longer. As previously stated, please direct all CPRA responses to my email address [melody.lanae@reagan.com](mailto:melody.lanae@reagan.com).

*Melody Lane*

**Founder – Compass2Truth**

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

**From:** El Dorado County Public Records Center [<mailto:eldoradocountyca@mycusthelp.net>]

**Sent:** Friday, November 4, 2016 1:27 PM

**To:** [melody.lanae@reagan.com](mailto:melody.lanae@reagan.com)

**Subject:** Public Records Request :: P001129-102516

--- Please respond above this line ---



# County of El Dorado

*The Gold Standard in Public Service*

## Public Records

Please login to the Public Records Center to view documents responsive to your request. With this information, Reference number P001129-102516 is closed.

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

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## Melody Lane

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**From:** Melody Lane <melody.lane@reagan.com>  
**Sent:** Monday, November 14, 2016 11:07 AM  
**To:** 'Joe Harn'; 'Donald Ashton'; Mike Ranalli; shiva.frentzen@edcgov.us; edc.cob@edcgov.us; Jim Mitrison (jim.mitrison@edcgov.us); 'Lesley Gomes' sue.novasel@edcgov.us; brian.veerkamp@edcgov.us; Vern R Pierson; 'bosfive@edcgov.us'; bosfour@edcgov.us; 'bosone@edcgov.us'; 'bosthree@edcgov.us'; 'bostwo@edcgov.us'  
**Cc:**  
**Subject:** RE: DA Salary IT CTO - Public Records Act Request  
**Attachments:** 11-14-16 DA CTO CPRA.pdf; FW: Taxpayers Association today - Threat by Al Hamilton

Please see the attached and respond accordingly within 10 days as per Government Code Section 6250 et seq.

Auditor Joe Harn is further instructed NOT to copy his response to this CPRA to Al Hamilton or Bernard Carlson. Such action by an elected official would represent a Conflict of Interest in violation of EDC Personnel Rules thus encouraging retaliation and discrimination against a long-standing member of the EDC Taxpayers Association.

Thank you for your anticipated cooperation.

*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:** Joe Harn [<mailto:joe.harn@edcgov.us>]  
**Sent:** Monday, November 14, 2016 9:32 AM  
**To:** Melody Lane  
**Subject:** DA Salary IT CTO

Melody,

I will get you the info in the next couple of days.

Joe Harn  
Auditor-Controller  
El Dorado County

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