
RE: SUPPLEMENTAL CURE OR CORRECT DEMAND – Brown Act Violations & Conflict of Interest

From lee tannenbaum <president@taxpayersedc.org>

Date Tue 3/3/2026 11:40 AM

To David A Livingston <david.livingston@edcgov.us>

Cc Sue Phillips <Sue.Phillips@edcgov.us>; BOS-Clerk of the Board <edc.cob@edcgov.us>; Vern R. Pierson <vern.pierson@edcda.us>; lee tannenbaum <president@taxpayersedc.org>

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Hi Dave,

VIA E-MAIL: david.livingston@edcgov.us

David A. Livingston County Counsel, El Dorado County 330 Fair Lane Placerville, CA 95667

RE: SUPPLEMENTAL CURE OR CORRECT DEMAND – Brown Act Violations & Conflict of Interest

Dear Mr. Livingston,

I am formally submitting this supplemental demand to "Cure or Correct" additional Brown Act violations regarding the Board's ongoing handling of closed sessions.

1. Improper Secrecy Regarding Charter Section 504 Litigation and/or other items Recent "Anticipated Litigation" items on the Board's agenda lack the "brief general description" required by Gov. Code § 54954.5. It is my understanding these items may involve a legal challenge to a citizen-led ballot measure seeking to amend Charter Section 504 and/or other items. Because the County has already sent a letter to the proponents alleging the measure is "illegal," the "facts and circumstances" are known to the potential plaintiffs. Therefore, the Board cannot invoke the secrecy of § 54956.9(e)(1). The public has a right to know when the Board is using public funds to sue its own constituents to protect automatic salary "add-ons."

2. Failure to Report Individual Votes (§ 54957.1) The Board continues to report "no action taken" or collective vote counts (e.g., 5-0) following closed sessions. The Brown Act requires the Board to report the vote of **every member present**. Furthermore, if the Board authorized you to seek judicial relief against the ballot measure proponents, that action **must** be reported out immediately.

3. Conflict of Interest Because Charter Section 504 "add-ons" currently benefit unrepresented executive positions, including the County Counsel and the CAO, your offices appear to have a direct financial conflict of interest in advising the Board on how to legally block a measure that would remove those very benefits.

We demand the Board immediately disclose all authorizations for legal action regarding the Section 504 measure and provide the individual vote records for those decisions.

Sincerely,

Lee

Lee Tannenbaum

TAXPAYERSEDC.ORG

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