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**File #13-1176 Open Forum 9-10-13 Brown Act Inquiry**

1 message

**Lori at Shingle Springs Community Alliance**

Tue, Sep 24, 2013 at 5:49

&lt;info@shinglespringscommunityalliance.com&gt;

PM

To: Supervisor Mikulaco <bosone@edcgov.us>, Supervisor Nutting <bostwo@edcgov.us>, Supervisor Veerkamp <bosthree@edcgov.us>, Supervisor Briggs <bosfour@edcgov.us>, Supervisor Santiago <bosfive@edcgov.us>, edc.cob@edcgov.us

Dear Supervisors and Clerk of the Board,

Please add the attached documents to Legistar public record for Tuesday, September 10, 2013, Open Forum, File #13-1176. These are the documents I referred to during Open Forum, and attaching them to Legistar will make them available to the public.

Thank you,

Lori Parlin

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 **Open Forum 9-10-13 Brown Act.pdf**  
2858K

Open Forum 9-10-13, Lori Parlin

Back in spring of this year, possibly April, I attended a Reg Reform meeting where Kathleen Newell asked the group if they should be following the Brown Act. The overwhelming response from the people in the room was 'no.'

Several weeks later, at the monthly CEDAC meeting on May 16, 2013, County Counsel Michael Ciccozzi gave a presentation to the CEDAC group to make it clear that CEDAC does fall under the Brown Act. During the course of the presentation the question was asked as to whether or not Reg Reform should also follow the Brown Act. Mr. Ciccozzi said that it often takes some research and time to determine whether or not a group falls under the Brown Act. Another question was asked as to whether anyone from the group could just contact Mr. Ciccozzi to ask him to make that determination. He said 'yes.'

Since I hadn't heard anything more about Reg Reform following the Brown Act, I stopped by County Counsel a few weeks ago and asked for Mr. Ciccozzi's contact information. Mr. Ciccozzi came to the counter and I asked him for his contact information and also asked him if anyone from CEDAC had contacted him to find out whether or not Reg Reform falls under the Brown Act. He said that no one had contacted him as of that moment.

So last week I emailed and sent a hard copy of a request to Mr. Ciccozzi to find out if Reg Reform should be following the Brown Act. There is a lot of speculation about it out in the public, and it seems that clarification is needed to put the public's mind at ease. This is especially important to the county since Reg Reform played a vital role in creating policy drafts in LUPPU. Transparency in government is the law and the foundation to creating positive relationships between people and their government. Open government allows for full public participation and fosters greater trust, something that is sorely lacking at every level of our government these days. I am asking you to please get answers to this very important issue in our county.

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**Subject:** Brown Act Inquiry

**From:** "Lori at Shingle Springs Community Alliance" <[info@shinglespringscommunityalliance.com](mailto:info@shinglespringscommunityalliance.com)>

**Date:** Mon, Sep 02, 2013 8:33 pm

**To:** "Michael Ciccozzi" <[michael.ciccozzi@edcgov.us](mailto:michael.ciccozzi@edcgov.us)>

**Attach:** Resolution 029-2013.pdf

Reg Reform weekly meeting announcement.pdf

EDAC Workgroups 1-11-13.pdf

Reg Reform Traffic workgroup email.pdf

Michael J. Ciccozzi  
County Counsel, El Dorado County  
330 Fair Lane  
Placerville, CA 95667  
[michael.ciccozzi@edcgov.us](mailto:michael.ciccozzi@edcgov.us)

Sent Postal Mail and email

Dear Mr. Ciccozzi,

Thank you for providing me with your contact information when I stopped by the office a few weeks ago. As I mentioned to you then, I am surprised that nobody from CEDAC (Community and Economic Development Advisory Committee) has followed up with you regarding your May 16 presentation about the Brown act. It seemed like the group wanted to clarify whether or not the Regulatory Reform (Reg Reform) subcommittee should be following the Brown Act.

Would you please provide clarification as to whether the Reg Reform subcommittee should be following the Brown Act? There has been a lot of speculation about it and clarification is needed.

Here is information that you may find helpful:

Reg Reform has claimed in meetings that it is an ad hoc committee and, therefore, does not have to follow the Brown Act. However, Reg Reform has had standing meetings on Friday mornings at 8am inside county offices for several years (see attached email to see standing weekly meeting information). Reg Reform is the primary source of materials for CEDAC's work on LUPPU, including policies and specific language. The failure of Reg Reform and CEDAC to have complied with the Brown Act may affect the legality of the entire LUPPU process, wasting all of the County resources invested in it to date. The principal is that the people's business on such important matters should be conducted in an open and transparent manner. Reg Reform is a subcommittee of CEDAC, which was created by

**Resolution (copy attached), and is therefore by definition a legislative body:**

54952. As used in this chapter, "legislative body" means:

(a) The governing body of a local agency or any other local body created by state or federal statute.

(b) A commission, committee, board, or other body of a local agency, whether permanent or temporary, decisionmaking or advisory, created by charter, ordinance, resolution, or formal action of a legislative body.

However, advisory committees, composed solely of the members of the legislative body that are less than a quorum of the legislative body are not legislative bodies, except that standing committees of a legislative body, irrespective of their composition, which have a continuing subject matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body are legislative bodies for purposes of this chapter.

**Reg Reform has workgroups, as you can see in the attached EDAC workgroups document. Both Reg Reform meetings and workgroup meetings are announced using a private email address (see attached email regarding Traffic Workgroup).**

**There is not a mechanism for the public to find this email list and sign up for meeting announcements. If you know someone in the group you are easily added to the email list. This manner of proceeding gives special interests inordinate influence and control over the process.**

**I look forward to hearing from you regarding this matter of utmost importance.**

**Thank you,**

**Lori Parlin  
Shingle Springs resident**

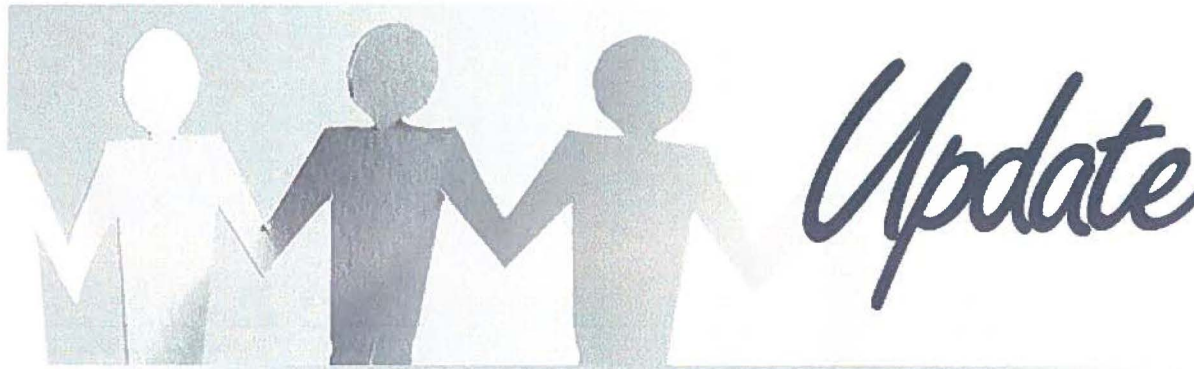
**Subject: CEDAC - Reg. Reform - Weekly Meeting Announcement**

**From: CEDAC - Regulation Reform Subcommittee <gordon@the-helm.net>**

**Date: Tue, Aug 20, 2013 9:26 am**

**To: [info@shinglespringscommunityalliance.com](mailto:info@shinglespringscommunityalliance.com)**

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## El Dorado Community & Economic Advisory Committee Regulation Reform

### **CEDAC Regulatory Reform Sub-Committee**

A stakeholders forum with a notification list of approximately 300 recipients and growing. All members of the public are welcome to attend meetings scheduled at a time to allow the participation of key staff necessary to coordinate County Regulatory Reform using a programmatic approach.

Interested individuals are welcome to participate in working group research and recommendations and are encouraged to get involved with specific functional working groups.

**Get Involved!**



[Click here for more info.](#)

### **This Week's Meeting Summary**



**This Week's Schedule:**

- **Weekly Reg Reform I**  
Friday @ 8:00 - 10:00AM  
**TAC Room**  
(Downstairs, Building C)  
Community Development Building  
2850 Fairlane Ct., Placerville

 Send to a Colleague

 Join Our Mailing List

- **Weekly Reg Reform II:**  
Friday @ 10:00AM-12:00PM  
Planning Commission Hearing Room  
(next to the TAC Room)  
Community Development Building  
2850 Fairlane Ct., Placerville

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**+++++ Reminders +++++**

**Community & Economic Development  
Advisory Committee**

Monthly Meeting: August 22, 2013 - 1:00 to 4:00  
OES Conference Room  
330 Fair Lane, Bldg A, Placerville, CA., 95667

**Sign Ordinance Community Meeting  
Schedule:**

Planning Commission Meeting - August 22, 2013  
at 9:00 a.m. in the Planning Commission Hearing  
Room

**Traffic & Engineering Subcommittee**

Wednesday August 28 from 3:30-5:00  
Conference Room 248, Bldg C  
Community Development Building  
2850 Fairlane Ct., Placerville  
Topic: Posted transportation data and  
documentation review

*To add yourself or a colleague to the mailing list,  
Please use the buttons to the right.*

Click here to view:  
[EDC Board of Supervisor's Meeting Calendar](#)

**Reference Documents:**

All reference documents may now be accessed  
online at: [www.5050inv.com/CEDAC/](http://www.5050inv.com/CEDAC/)

## Reg. Reform I Sub-Committee

**Location:** TAC Conference Room  
(Downstairs, Building C)  
Community Development Building  
2850 Fairlane Ct., Placerville

**When:**  
Friday, August 23, 2013, 8:00 - 10:00 AM

**Agenda:**

- As needed introductions & process overview (5 min)
- BOS/CAO/CEDAC update/reports (10 min)
- Regulatory Reform (40 min)
- Work Groups updates/reports (20 min)
- LUPPU and beyond (40 min)
- Future meeting topics (5 min)

**Contact:**  
Michael Ranalli - [MRanalli@aol.com](mailto:MRanalli@aol.com)  
or Gordon Helm - [Gordon@helmttech.com](mailto:Gordon@helmttech.com)

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## Reg. Reform II Sub-Committee

**No 10:00 AM meeting this week.**

Next meeting tentatively planned for  
sometime in August.

**Contact:**  
Michael Ranalli - [MRanalli@aol.com](mailto:MRanalli@aol.com)

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**RESOLUTION NO. 029-2013**

**OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO**

**RESOLUTION REVISING THE  
ECONOMIC DEVELOPMENT ADVISORY COMMITTEE**

WHEREAS, the County of El Dorado expresses in its General Plan, Economic Element – Policy 10.1.1.1, the need for an advisory body to help implement the Economic Element and County’s adopted Economic Development Strategy, and Annual Economic Development Report that supports the development of an environment conducive to sustainable economic activity, business development, private sector investment; and

WHEREAS, business and economic development can play a key role in providing a balanced economy for a local government; and

WHEREAS, the County of El Dorado has identified a critical need to increase its net revenue from diversified income sources while enhancing the County’s distinct character and quality of life, retain current businesses and industries while encouraging those uniquely compatible to locate and grow in the county, build the infrastructure to support a wide range of destination recreation tourism activities and shopping options, while capitalizing on our exceptionally competitive advantages for fostering existing and emerging industry cluster expansion; and

WHEREAS, the Board of Supervisors adopted Resolution #103-2006 creating the Economic Development Advisory Commission to provide input and advice to the Board of Supervisors on matters related to business, industry and economic development on May 9, 2006.

On July 3, 2007, the Board adopted Resolution #213-2007 which added a workforce development and education at large member and henceforth superseded Resolution #103-2006.

On February 10, 2009 the Board adopted Resolution #25-2009 which expanded the commission to 11 members and henceforth superseded Resolution #213-2007.

On May 18, 2009 the Board adopted Resolution #91-2009 which revised the terms of office to one year with committee member participation to be on a strictly volunteer basis and henceforth superseded Resolution #25-2009.

**WHEREAS**, in an effort to better reflect the direction of the Economic Development Advisory Committee (EDAC) while maintaining the vital economic development responsibilities, and recognizing the need to engage all county communities in the tasked worked, the committee members unanimously voted at the February 21, 2013 meeting to change the committee name to Community and Economic Development Advisory Committee (CEDAC).

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors that Resolution #91-2009 is hereby rescinded and replaced with the following:

**SECTION 1. COMMUNITY AND ECONOMIC DEVELOPMENT ADVISORY COMMITTEE.** There is hereby created for the County of El Dorado a standing Community and Economic Development Advisory Committee.

**SECTION 2. ROLES AND RESPONSIBILITIES.** The Community and Economic Development Advisory Committee shall have the following responsibilities:

- A. Analyze socio-economic benefits of varied economic development opportunities and present plans of how best to achieve the goal of creating prosperous and sustainable communities while maintaining our quality of life.
- B. Recommend ways to reform and improve regulatory processes relating to business in order to foster the spirit of cooperation, understanding and consensus between government and business, including a specific review of the General Plan and continue with existing County regulations and procedures to eliminate contradictory, unneeded requirements, and to narrow the scope of government to only those regulations that are necessary to the common good and that do not usurp the right of the individual to make responsible and creative choices.
- C. Advise the Board of Supervisors and staff on matters relating to economic development: attraction; retention and expansion; entrepreneurial business formation; and workforce development. While reviewing and researching economic development opportunities and obstacles, the Committee shall be informed and work with the Economic Development Strategy as stated in the 2004 General Plan and seek ways to enhance the economic vitality of the County by diversifying economic activities
- D. Identify and determine ways to support dynamic business sectors, review and recommend business attraction incentives and collaborative marketing strategies that address both countywide needs and district-specific needs.
- E. Perform the following activities: identify constraints and incentives to economic development, direction and incentives for business recruitment, represent the County on business outreach visits to existing businesses, sponsor and support collaborative business and community outreach efforts on the importance of growing a sustainable economic base (Economic Development) appropriate to the County of El Dorado, monitoring of sales tax leakage, and engage in other activities as directed by the Board of Supervisors.

- F. Serve as a conduit for the business community and County government on economic development projects and issues. Work cooperatively with the Planning Commission and other County and community groups on economic issues of mutual interest.
- G. Identifying annually the top economic development priorities to focus on and to establish annual goals and objectives to reflect those priorities.
- H. Report quarterly to the Board of Supervisors concerning activities, achievements, and recommendations. Reports may be presented with greater frequency where the Supervisors or Committee deems necessary.

**SECTION 3. MEMBERSHIP.** The Community and Economic Development Advisory Committee shall be comprised of eleven (11) members: 5 direct Supervisorial nominated appointments (one per district each), 6 at large members selected from business, industry and trade organizations, private sector advocacy and educational institutions.

- A. Community and Economic Development Advisory Committee composition:
  - o Five direct Supervisorial nominated appointments;
  - o Six at-large appointments;
- B. Members shall be nominated after completion of an application process.
- C. All members shall have relevant knowledge, experience, and expertise in key existing and emerging County business clusters or related fields that support those key clusters (such as business management, workforce development, recreation and tourism development, or real estate development).
- D. In nominating members for the Committee, the Board of Supervisors will consider appropriate geographic and industry specific representation.

**SECTION 4. MEETINGS.** The Committee shall meet quarterly or more often as the Committee or Board of Supervisors deems necessary. Efforts shall be made to avoid unnecessary meetings. The Committee shall establish a regular time and place of meeting. Special meetings of the Committee may be called at any time by the chairperson or a majority of the members of the Committee. The special meeting shall be noticed as required by law.

**SECTION 5: TERMS OF OFFICE.** The terms of office for Supervisor nominated appointed members shall be for one year, however the term shall expire upon the conclusion of the nominating Supervisor's term. Terms of service for at-large members shall be for one year. All members shall serve at the pleasure of the Board of Supervisors.

**SECTION 6. AUTOMATIC TERMINATION OF APPOINTMENT.** The appointment of any Committee member who has been absent from three consecutive regular meetings without the approval of the Committee shall be automatically terminated.

**SECTION 7. APPOINTMENT/VACANCY.** All appointments made to the Committee shall be by action of the Board of Supervisors.

**SECTION 8. OFFICERS OF THE COMMITTEE.** At the first meeting of the Community and Economic Development Advisory Committee held after January 1 in each calendar year, the Committee shall select one of its members as chairperson and one of its members as vice-chairperson, who shall hold office for one year and until the election of their successors. The chairperson shall be responsible for chairing Committee meetings, calling special meetings, ensuring the establishment of the Technical Advisory Group and conferring with staff on meeting agendas. In the event of the chairperson's absence, the vice-chairperson shall assume the responsibilities of the chairperson.

**SECTION 9. TECHNICAL ADVISORY GROUP.** The Committee will establish a supporting Technical Advisory Group comprised of representatives from the local chambers, community service organizations, and other business and industry stakeholders for the purpose of assisting the Committee on specified issues and projects. The work of the Technical Advisory Group will be assigned by the Committee. The Technical Advisory Group will meet as requested by the Committee and report to the Committee.

**SECTION 10. ORGANIZATION AND PROCEDURE.** The Committee may make or alter all rules and regulations governing its organization and procedure that are not inconsistent with this resolution, any ordinance of the County, or law of the State of California.

**SECTION 11. COMPENSATION.** There will be no compensation for committee members. Participation shall be on a strictly volunteer basis.

**PASSED AND ADOPTED** by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 25th day of March, 2013, by the following vote of said Board:

**Attest:**

James S. Mitrison  
Clerk of the Board of Supervisors

By: \_\_\_\_\_

Deputy Clerk

**Ayes:** Nutting, Briggs, Mikulaco, Veerkamp

Santiago

**Noes:** None

**Absent:** None

\_\_\_\_\_  
Chairman, Board of Supervisors

Ron Briggs

**I CERTIFY THAT:**

THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

**DATE:** \_\_\_\_\_

**Attest:** James S. Mitrison Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By: \_\_\_\_\_

# Interested in getting involved?

*Coordinators for each group welcome participation from one and all. Below is a list of the working groups with contact information for each of the coordinators . If you are interested in working with one or more of the groups please contact the group coordinator to let them know. Working groups will prepare information and provide findings and recommendations on Fridays to discuss with larger group.*

## **EDAC Regulatory Reform Working Groups**

**Agriculture** (Maryann Argyres at [maargyres@comcast.net](mailto:maargyres@comcast.net))

**Active Travel & Transportation** (Lindell Price at [lindellprice@gmail.com](mailto:lindellprice@gmail.com))

**Business and Promotion** (Howard Penn at [hpenn@lbcomm.com](mailto:hpenn@lbcomm.com))

**Community ID** (Noah Briel at [noahbriel@gmail.com](mailto:noahbriel@gmail.com))

**Grants/Incentives** (Jim Brunello at [jlb87@aol.com](mailto:jlb87@aol.com))

**General State Compliance** (Shawna Purvines at [shawna.purvines@edcgov.us](mailto:shawna.purvines@edcgov.us))

**Green Valley Corridor** (Paul Raveling at [Paul.Raveling@sierrafoot.org](mailto:Paul.Raveling@sierrafoot.org))

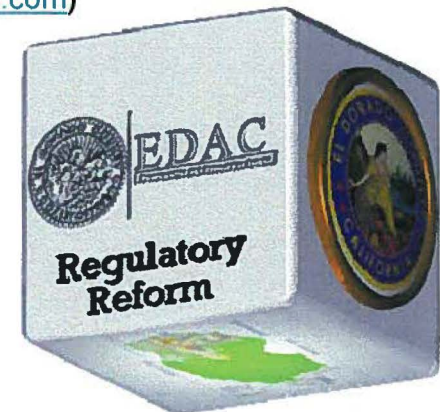
**Information Technology** (Michael Ranalli at [mrnanalli@aol.com](mailto:mrnanalli@aol.com))

**Pollock Pines Community ID** (Jeanne Harper at [jmharper2@comcast.net](mailto:jmharper2@comcast.net))

**Rare Plants** (Kimberly Beal at [kimberlyabeal@gmail.com](mailto:kimberlyabeal@gmail.com) or Kathy Russell [kathyerrussell@gmail.com](mailto:kathyerrussell@gmail.com))

**Traffic & Engineering** (Michael at [mrnanalli@aol.com](mailto:mrnanalli@aol.com) )

**Zoning Ordinance Update / Stress Testing** (Kathy Russell [kathyerrussell@gmail.com](mailto:kathyerrussell@gmail.com))



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**Subject: CEDAC - Reg. Reform - Traffic Meeting Announcement**

**From: CEDAC - Regulation Reform Subcommittee <[gordon@the-helm.net](mailto:gordon@the-helm.net)>**

**Date: Thu, Aug 22, 2013 8:45 am**

**To: [info@shinglespringscommunityalliance.com](mailto:info@shinglespringscommunityalliance.com)**

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**El Dorado County  
Community & Economic Development Advisory Committee  
Regulatory Reform Subcommittee**

**Special Meeting Announcement**

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**Traffic & Engineering Subcommittee**

Wednesday August 28 from 3:30-5:00

Conference Room 248 in Building C

Agenda:

- Posted transportation data and documentation review
  - TDM Process update/status
  - And other related items

LUPPU and the Travel Demand Model

Contact: Michael Ranalli - [MRanalli@aol.com](mailto:MRanalli@aol.com)

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13-1176 Open Forum 9-10-13 Public Comment