

# 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."

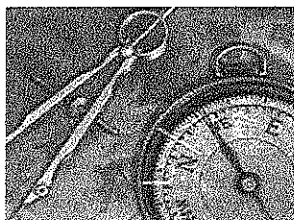
## CHAPTER V.

### 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).)



# COMPAS

*Citizens Organized to Monitor Protect And Serve*

## NEWS RELEASE

Contact • Melody Lane • melodylane@calis.com

Coloma, CA November 12, 2009 - *COMPAS*, a new citizens association has been formed in El Dorado County to do just what the name says - *Citizens Organized to Monitor Protect and Serve*. This very compelling mandate is the cornerstone of the newly formed group which dovetails perfectly with the Preamble of the CA Brown Act:

**"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."**

*COMPAS* is comprised of concerned citizens, residents and dedicated volunteers. We believe that this statement and the hundreds of other legal requisites of the Ralph M. Brown Act and The Bagley-Keene Open Meeting Act pertain to the River Management Advisory Committee (RMAC), the State Department of Parks & Recreation, Marshall Gold Discovery Historic State Park, and other affiliated organizations in El Dorado County that work closely with government agencies.

The mission of *COMPAS* is to sustain the high quality of life in El Dorado County, to educate residents and visitors while providing focused direction and assuring protection from the effects of unmonitored management and a general degradation of the wonders and benefits of this historic county.

The goal of *COMPAS* is to preserve the environmental and historic heritage of El Dorado County for present and future generations. Included in this goal is the method of accountability of funds used to maintain the historic environment that makes the western slope of El Dorado County a safe and desirable area for residents and tourists alike. This objective includes citing informed suggestions for more desirable methods of operation in addition to accountability for historic artifacts, natural resources and designated funds.

Long standing controversies associated with the El Dorado County River Management Plan and the Marshall Gold Discovery Park have captured the attention of Governor Schwarzenegger and other legislators in

Sacramento. However few citizens fully comprehend the complexity of the controlling powers or how to effectively navigate these shark infested political waters. In a CA non-profit benefits corporation the anonymity of group members is protected from intimidation or retaliation for exposing illegal operations and/or abusive manipulation by all agencies and their affiliates.

A serious crisis of public safety and fiscal accountability lurks at the “world wide renowned Marshall Gold Discovery Park.” The El Dorado County Board of Supervisors and CA State Parks Director Ruth Coleman have continually turned blind eyes & deaf ears to concerned residents calls for action. *COMPAS* is calling for **investigation and action into these violations**, for which there are both Civil Remedies and Criminal Sanctions. We pledge to get this information properly disseminated to the general public, State & National government offices, watchdog organizations and the media. Consultants view this as significant breakthrough in undetected and/or underreported accounts of dreadfully serious malfeasance at the site where the 1849 California Gold Rush had its beginning.

*COMPAS* now has the tools and first-hand knowledge to expose many of the problems that for years have plagued this historic American River region. They may be partially summed up as: mislaid records, missing money, lost artifacts, lack of code & law enforcement, private property encroachments, five recent arson fires, unethical business conduct, censorship and many serious public safety issues that have been swept under the rug of government bureaucracy. *COMPAS* provides the concerned citizens of El Dorado County a powerful venue to navigate conflicts and ensure that local and State government officials will no longer ignore those citizens in favor of special interest groups.

Since 1998 *COMPAS* President, Melody Lane has resided adjacent to the 500-acre Marshall Gold Discovery Historic State Park. She is Past President of the Bay Area Chapter of Executive Women International, has worked for El Dorado County Human Services as well as for the Executive Staff at Sacramento City Hall, and served as the 2001 President of the Gold Discovery Park Association. Her judicious record-keeping and deep concern for the area assures validity in forthcoming reports and materials *COMPAS* will bring forward. Additionally her wide experience involves several art organizations, an essential financial support to the area. She is currently the Public Relations/Membership Director for the International Association of Pastel Artists. Her home is ideally situated upon the historic Mt. Murphy overlooking the South Fork of the American River where the panoramic views have provided inspiration to artists of all mediums from throughout the world.

Melody is available for interviews of all kinds. • [melodylane@calis.com](mailto:melodylane@calis.com) Photo included.