

SUPPLEMENTAL ADDENDUM TO NOTICE TO CURE AND CORRECT

Applied Deprivation of Public Comment Rights
Agenda Item 25-2065

To the El Dorado County Board of Supervisors and County Counsel David Livingston:

This Supplemental Addendum is submitted in support of, and to be read in conjunction with, the previously transmitted Notice to Cure and Correct and Demand to Cease and Desist concerning the Board of Supervisors' consolidated public comment policy.

This addendum documents an applied violation of Government Code section 54954.3(a) arising from the Board's implementation of that policy.

At a recent Board meeting, during consideration of Agenda Item 25-2065, involving the rezoning of a specific property in El Dorado County, the property owner was denied the opportunity to address the Board on the agenda item even though the agenda item directly impacted him and his property. The speaker was advised that they should have spoken during the earlier consolidated public comment period and was prohibited from speaking as the item was taken up and considered.

This incident confirms that the consolidated public comment format is being applied as an exclusive and preclusive procedure, rather than as a lawful opportunity to speak before or during consideration of a specific agenda item as required by Government Code section 54954.3(a).

Denying a property owner the opportunity to speak on an agenda item that impacts them directly constitutes a direct deprivation of a statutory right. It demonstrates that the current public comment structure is not merely risky in theory, but noncompliant in practice.

This applied violation reinforces the need for immediate cure and correction of the consolidated public comment policy, and for cessation of its continued use in its current form.

This Supplemental Addendum is submitted to preserve the administrative record and to provide the County with notice of an actual, documented violation arising from the policy at issue.

Respectfully submitted,

Lee Tannenbaum
President
Taxpayers Association of El Dorado County