

7/28/2020

Edcgov.us Mail - 7/28/20 BOS Open Forum - CPRAs #2709-070620 & #2645-052720

Open Forum  
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EDC COB <edc.cob@edcgov.us>

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## 7/28/20 BOS Open Forum - CPRAs #2709-070620 & #2645-052720

1 message

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Melody Lane <melody.lane@reagan.com>

Tue, Jul 28, 2020 at 9:42 AM

To: edc.cob@edcgov.us

Cc: lori.parlin@edcgov.us, bosfive@edcgov.us, bosfour <bosfour@edcgov.us>, bosone@edcgov.us, bosthree@edcgov.us, bostwo@edcgov.us

Please ensure the entirety of this correspondence is entered into the public record:

In the past Lori Parlin and Larry Weitzman have accompanied me to meetings with county counsel concerning the county's systematic lack of response to Public Record Act Requests. This just goes to prove how last week's 3.5 hour Special Joint BOS-Planning Commission meeting was just another dog-n-pony show, a total waste of time and taxpayer resources. In regard to CPRA 2709 and 2645, my original CPRA was edited by the Clerk to the Board, very likely under the direction of County Counsel, and in so doing key elements were eliminated from my requests for public records. Such Bureaucratic Shenanigans CANNOT be tolerated.

Of particular concern is Deputy Toney's report Case File EG20-5423 which was also to be sent to Planning Director Tiffany Schmid, along with all other complaints, pursuant to the River Management Plan. Responses to the aforementioned CPRAs were due respectively June 9<sup>th</sup> and July 17<sup>th</sup>.

Apparently EDC public officials have no intention of operating lawfully with transparency and accountability. It does not bode well that Lori Parlin has been particularly unresponsive to constituent concerns about public safety in the Coloma-Lotus region. I've specifically requested if the requested documents do not exist, or you intend to withhold them, *please so state immediately*. **The agency must justify the withholding of any record** by demonstrating that the record is exempt or that the public interest in confidentiality outweighs the public interest in disclosure. (§6255) **If you determine that some but not all of the information is exempt from disclosure and that you intend to withhold it, I ask that you provide a signed notification citing the specific legal authorities on whom you rely.** It was further requested that your determination be made within **10 days, or sooner**, as stipulated within the California Public Records Act, Government Code 6253(c).

**\*Note these time periods may not be used solely to delay access to the records. (§ 6253(d)) The law makes no provision for extensions due to Covid-19.**

**So what's the problem? Pursuant to the Brown Act Section § 54954.2 (a), you are required to respond publicly to this inquiry by law.**

**Lori Parlin has an obligation to respond to her constituents. Lori? (TOTAL SILENCE)**

**Your silence is your acquiescence that you have no intention of abiding by the law.**

*Melody Lane*

Founder – Compass2Truth

"All that is necessary for the triumph of evil is that enough good men do nothing." ~ Edmund Burke ~

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**From:** Melody Lane [mailto:melody.lane@reagan.com]  
**Sent:** Friday, July 24, 2020 12:17 PM  
**To:** 'El Dorado County Public Records Center'; david.livingston@edcgov.us; 'Sheriff DAgostini'; 'Donald Ashton'; 'Tiffany Schmid'; nancy.williams@edcgov.us; lori.parlin@edcgov.us  
**Cc:** 'Vern R Pierson'; bosfive@edcgov.us; 'bosfour'; bosone@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.us  
**Subject:** RE: Public Records Request :: P002709-070620

There still has been no response to this CPRA initially submitted on July 4, 2020 at 8:06 PM which was to be **emailed directly to me** no later than July 17<sup>th</sup> pursuant to Government Code Section 6250 et seq. That certainly doesn't demonstrate your commitment to "Good Governance."

**Lori Parlin:** Since this is pertinent to District #4, you have an obligation to constituents to follow up on this ASAP. We'd like to know what's the hang-up? Also note the latest developments at the Coloma Resort affecting the public safety of local residents:

**From:** 'Matt Phillips' via Coloma-Lotus News [mailto:clnews@googlegroups.com]  
**Sent:** Monday, July 13, 2020 11:22 PM  
**To:** yogaskya@gmail.com  
**Cc:** Coloma-Lotus News  
**Subject:** Re: [CLNews] Coloma resort campers fireworks

The Sheriff dispatcher said they are busy right now and will get here when they can.

Sent from my iPhone

On Jul 13, 2020, at 11:04 PM, Skya Livingston <yogaskya@gmail.com> wrote:

Has the Sheriff been contacted? All fireworks are illegal in EDC.

Skya Livingston  
Board Certified Massage Therapist & Perinatal Specialist  
www.itbodywork.com

On Mon, Jul 13, 2020, 10:25 PM 'Matt Phillips' via Coloma-Lotus News <clnews@googlegroups.com> wrote:

There are campers campers at Coloma resort lightning off Fireworks tonight.

*Melody Lane*

**Founder – Compass2Truth**

"All that is necessary for the triumph of evil is that enough good men do nothing." ~ Edmund Burke ~

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**From:** Melody Lane [mailto:melody.lane@reagan.com]  
**Sent:** Saturday, July 18, 2020 12:02 PM  
**To:** El Dorado County Public Records Center; david.livingston@edcgov.us; Sheriff DAgostini; 'Donald Ashton'; Tiffany Schmid; nancy.williams@edcgov.us  
**Cc:** lori.parlin@edcgov.us; Vern R Pierson; bosfive@edcgov.us; bosfour; bosone@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.us  
**Subject:** RE: Public Records Request :: P002709-070620

A response to this CPRA was due no later than 7/17/20, but thus far nothing has been emailed to me as initially requested on July 4, 2020.

If the requested documents do not exist, or you intend to withhold them, *please so state immediately*. **The agency must justify the withholding of any record** by demonstrating that the record is exempt or that the public interest in confidentiality outweighs the public interest in disclosure. (§6255) **If you determine that some but not all of the information is exempt from disclosure and that you intend to withhold it, I ask that you provide a signed notification citing the specific legal authorities on whom you rely.**

Of particular concern is Deputy Toney's report Case File EG20-5423 which was also to be sent to Planning Director Tiffany Schmid, along with all other complaints, pursuant to the River Management Plan as specifically outlined below:

A copy of this report should also be filed with Planning and Development Director Tiffany Schmid and to Supervisor Lori Parlin to ensure appropriate follow up as per the RMP:

I also request EDC and CSP email me copies of the signed and dated safety plans for the Argonaut Café and the Coloma Resort as per the above directive issued by Dr. Nancy Williams. If those plans do not exist, please so state. To avoid unnecessary delays or costs of duplication, electronic copies are acceptable and may be emailed directly to melody.lane@reagan.com in pdf format. **Access is always free.** Fees for "inspection" or "processing" are prohibited. (§ 6253)

It is further requested that your determination be made within **10 days, or sooner**, as stipulated within the California Public Records Act, Government Code 6253(c). **\*Note these time periods may not be used solely to delay access to the records. (§ 6253(d)) The law makes no provision for extensions due to Covid-19.**

The County of El Dorado is dedicated and responsive to our community. Your request has been received and is being processed. Your request was given the reference number P002709-070620 for tracking purposes.

Records Requested: Therefore, pursuant to California Public Records Act (Government Code Section 6250 et seq.) I request the following: Since Sheriff D'Agostini has threatened me for the exercise of my First Amendment rights and unlawfully deprived me the right to email EDSO staff, Deputy Toney advised me to email this request to the appropriate staff in order to obtain a copy of Case File 20-5423. His report should be emailed to me immediately upon the submission by Deputy Toney. A copy of this report should also be filed with Planning and Development Director Tiffany Schmid and to Supervisor Lori Parlin to ensure appropriate follow up as per the RMP: Note Section 2.4.2 "During weekend days, on-river staff will provide patrol and respond to safety, trespass, and noise issues. Boat counts and coordination with the Sheriff related to trespass and illegal parking incidents will be conducted by on-shore staff." Section 2.5 states: "The Sheriff's Department will remain the lead agency for river emergency response. The Sheriff's Department will continue its river regulation and law enforcement functions, and coordinate with the El Dorado County Fire Protection District and RSC in all river rescue planning and response functions." Section 4.8.1: "Observed or reported violations of Quiet Zone regulations or County noise standards will be reported to the County Code Enforcement Officer or the Sheriff's Department, as appropriate, within 2 working days of the occurrence." Section 4.8.2: "More than two noise exceedance citations per year issued to SUP holders may result in a formal hearing considering the noise exceedances and the possible imposition of fines and other disciplinary measures on violators." Section 4.8.3: "More than two noise exceedance citations in two consecutive years may result in a formal recommendation for limitation or revocation of an SUP to the County Code Enforcement Officer and Planning Director. I also request EDC and CSP email me copies of the signed and dated safety plans for the Argonaut Café and the Coloma Resort as per the above directive issued by Dr. Nancy Williams. If those plans do not exist, please so state. To avoid unnecessary delays or costs of duplication, electronic copies are acceptable and may be emailed directly to melody.lane@reagan.com in pdf format. Access is always free. Fees for "inspection" or "processing" are prohibited. (§ 6253) It is further requested that your determination be made within 10 days, or sooner, as stipulated within the California Public Records Act, Government Code 6253(c). \*Note these time periods may not be used solely to delay access to the records. (§ 6253(d)) The law makes no provision for extensions due to Covid-19.

Your request will be forwarded to the relevant department(s) to locate the information you seek and to determine the volume and any costs associated with satisfying your request. You will be contacted about the availability and/or provided with copies of the records in question.

You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed.

Thank You,

County of El Dorado

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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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