

6/22/2017

Edcgov.us Mail - Public input Planning Commission Item



PC 6/22/17  
(Distributed at meeting) #4  
8 pages  
Charlene Tim <charlene.tim@edcgov.us>

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## Public input Planning Commission Item

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Nathan Rangel <nate@raftcalifornia.com>  
To: charlene.tim@edcgov.us

Wed, Jun 21, 2017 at 3:45 PM

Dear Ms. Tim,

Could you please include my attached comments to the June 22, 2017 Planning Commission Agenda Item # 4 - the Workshop dealing with the River Management Plan Update.

Thank you.

Regards,


Nathan Rangel

Outfitter Representative on the El Dorado County River Management Advisory Committee

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### 2 attachments

 **6-22 Planning Commission Testimony.pdf**  
19K

 **RMAC BOS Resolution.pdf**  
2250K

June 22, 2017

Memo To: El Dorado County Planning Commission

From: Nathan Rangel, Outfitter Representative on the RMAC

RE: Draft 2017 RMP

I will be giving your Commission some verbal comments but wanted to supplement those with the following paragraph from the existing 2001 RMP and the attached BOS resolution 065-2002 which established the River Management Advisory Committee.

### **"7.2.1 Planning Commission Consideration of RMAC Recommendations**

The County Planning Commission will conduct a public session for consideration of any RMAC recommendations to modify the existing RMP. After the receipt of public comments and deliberation, the Planning Commission will reject or tentatively accept the RMAC recommendation. If the RMAC recommendation is accepted, a CEQA Initial Study will be conducted to identify and report the potential environmental impacts of the proposed program modification. The results of this analysis will be reported to the County Planning Commission in a public session. The Planning Commission will consider the results of the CEQA analysis and accept or reject the RMAC recommendation to modify the RMP."

Please note that, based upon the current Board resolution which proscribes RMAC's powers and responsibilities, the consultant and staff have inappropriately and, we believe, illegally removed RMAC from numerous elements in the revised RMP. One such example is the above description of this very process that you are now engaged in. Another example is in the sections which deal with Monitoring and Reporting Programs. Another is the complete elimination of RMAC from Section IV of the Draft RMP titled "River Management Plan Review and Revision Process" and suggesting that the County Parks and Recreation Commission could provide the expertise to deal with the issues that RMAC now holds purview over. And yet another example is the incomplete explanation of just how the entire RMP process has evolved that is contained in this current draft RMP. For example, the 2001 Plan that is being amended was entirely based upon RMAC's recommendations. The Board had numerous project alternatives to choose from and they chose the RMAC alternative. The bottom line is that the River Management Advisory Committee has been, and continues to be, an integral and vital part of our County's river management activities, has been designated by the Board of Supervisors as having primary responsibility for any recommendations to your Commission and to the Board for any RMP revisions and/or amendments and, as such, should be re-inserted in the appropriate sections of this draft RMP for consideration in the Project Description.

The choice of staff to eliminate RMAC from the current RMP is unwise, inappropriate and flies directly in the face of what our entire community has expressed to both staff and the consultant. Whilst this draft mentions that there was a community meeting in the Coloma/Lotus Valley to preview the then existing draft and answer questions, what it does not mention is that literally dozens of those in attendance strongly objected to any elimination of RMAC from the existing Draft RMP and management program. The opposition to that suggestion was overwhelming. Staff's suggestion that removal of RMAC from this Draft is appropriate because it is a Board appointed committee flies in the face of both reason and the BOS resolution establishing RMAC. It also effectively does exactly what the Consultant suggested - elimination of RMAC - by removing RMAC from the very duties that it has been directed to have by the Board resolution. The fact that that resolution is not attached to your packet makes this suggestion even more suspect. Why would staff deny you the opportunity to decide what the intent of the BOS was, and is, by denying you an opportunity to see just what the Board chose to do?

Again, I represent the largest pure tourism industry on the West Slope. We cannot express strongly enough how opposed we are to the current RMP as it deals with RMAC. We urge your Commission to re-insert the RMAC in the appropriate sections of this draft for inclusion in the Project Description.



## RESOLUTION NO. 065-2002

### OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

#### A RESOLUTION OF THE EL DORADO COUNTY BOARD OF SUPERVISORS AMENDING RESOLUTION NO. 170-2001 RELATING TO THE RIVER MANAGEMENT ADVISORY COMMITTEE

**WHEREAS**, the County of El Dorado has in 2001 adopted an updated River Management Plan; which is a plan for the management of whitewater recreation activities and supporting land uses on the South Fork of the American River; and

**WHEREAS**, said plan calls for the establishment of a standing committee to advise the County on appropriate measures for the Plan's implementation and to make recommendations on amendments to the Plan and related matters; and

**WHEREAS**, it is desirable for said committee to be formally established and to be representative of a broad base of interests concerning the river; and

**WHEREAS**, those interests should include representatives from the Coloma-Lotus communities, the overall County of El Dorado, and agencies that share management responsibilities over whitewater recreation on the South Fork of the American River; and

**WHEREAS**, the federal Bureau of Land Management has declined the County's invitation to participate in the standing advisory committee;

**NOW, THEREFORE, BE IT RESOLVED BY THE EL DORADO COUNTY BOARD OF SUPERVISORS** that there is established a River Management Advisory Committee whose membership, role, conduct and by-laws shall be reconstituted in accordance with the following:

#### **I. EXISTING COMPOSITON OF RMAC REPRESENTATIVES AMENDED**

The composition of RMAC as established by Resolution No. 170-2001 is hereby rescinded and abolished.

#### **II. COMPOSITION OF REPRESENTATIVES**

There shall be established a RMAC that shall consist of seven members or representatives to be appointed by majority vote of the Board of Supervisors upon nomination in the manner specified in Section III. below.

- A. Business Representative. There shall be one business representative who shall be an owner or operator of a business in the Coloma-Lotus area. The business representative shall not be a permitted outfitter on the South Fork of the American River.
- B. Outfitter Representative. There shall be one outfitter representative who shall be an owner or operator of a business possessing a valid River Use Permit for the South Fork of the American River.
- C. Non-commercial boater Representative. There shall be one non-commercial boater representative who has an appropriate background to represent non-commercial interests and regularly uses the river for whitewater recreation. The non-commercial representative shall not have a financial interest in any outfitting business nor derive their primary income from any aspect of commercial outfitting.
- D. Landowner/Resident Representative. There shall be a landowner/resident representative who shall be an owner of residential property or a resident on property that is within the project area of the River Management Plan. This representative shall not have a financial interest in any outfitting business nor derive their primary income from any aspect of commercial outfitting.
- E. California Department of Parks and Recreation Representative. There shall be a representative from the Gold River District who has responsibilities for the management of recreation on state park lands along the South Fork of the American River.
- F. Members-at-Large. There shall be two public members-at-large who shall not own or reside on any property within 1000 feet of the South Fork American River and who shall be free from any material financial relationship to tourist-recreation businesses along the river corridor.
- G. The Airports, Parks and Grounds Manager or his/her designee shall serve ex officio as secretary to the RMAC. The responsibilities of the secretary include posting the meeting notices as required by law, and preparing the agenda and minutes for the committee's meetings.

### III. **NOMINATION AND APPOINTMENT**

- A. Candidates for outfitter, non-commercial boater, business, member-at-large and landowner/resident vacancies shall be solicited by the Clerk of the Board of Supervisors who shall post a notice of vacancy in the County Administrative Center and in at least one conspicuous public location in the Coloma-Lotus area. The notice shall state the type of vacancy, and nominations shall be accepted for not less than 20 days after posting.

- B. Nominations for the State Parks representatives shall be forwarded to the District IV Supervisor from the agency manager.
- C. The Board of Supervisors shall make appointments at any regularly scheduled Board meeting. In the event that there are insufficient nominations for membership, the Board of Supervisors may make any appointment it deems in the interest of the public.

**IV. APPOINTMENT TERM AND CONDITIONS**

Representatives, or members, shall serve for four-year terms.

A member shall be removed from the committee for cause if the Board of Supervisors finds he or she no longer meets the qualifications for the position to which he or she was appointed.

The General Services Director shall report to the Board of Supervisors if the outfitter representative is in violation of any ordinance, regulation or condition related to his or her River Use Permit.

The General Services Director shall notify the Board of Supervisors if any member fails to attend four consecutive regular committee meetings. The Board of Supervisors shall thereupon declare the membership vacant for cause. Vacancies shall be filled in the manner specified in Section III.

A member may be removed from the committee without cause by an order declaring the membership vacant. The order must be approved by a four-fifths vote of the Board of Supervisors.

**V. POWERS AND DUTIES**

The RMAC provides a forum for the discussion of river use issues, ideas or conflicts among persons or groups with an interest in the South Fork of the American River. The committee may make recommendations to both the County Planning Commission and the Board of Supervisors on matters related to whitewater recreation and campground development along the river.

**A. RMAC SHALL BE ADVISORY TO THE BOARD OF SUPERVISORS ON THE FOLLOWING MATTERS:**

1. Administration of the River Management Plan and Plan Update by the County.
2. Implementation of the River Management Plan Update.
3. Amendments to the River Management Plan and Plan Update.
4. Ordinances or regulations relating to private or commercial activities on the South Fork American River.
5. Use of the River Trust Fund.

6. Other matters referred by the Board of Supervisors.
7. Nothing in this resolution shall require that comments or recommendations from RMAC be a prerequisite for a decision by the Board of Supervisors on any matter.

**B. RMAC SHALL BE ADVISORY TO THE PLANNING COMMISSION ON THE FOLLOWING MATTERS:**

1. Amendments to the River Management Plan and Plan Update.
2. River Use Permits
3. Special Use Permits for campgrounds, river accesses, and similar recreation facilities adjacent to the South Fork of the American River.
4. All discretionary applications within 1/4 mile of the center of the South Fork of the American River between Chili Bar reservoir and Folsom Lake.
5. Nothing in this resolution shall require that comments or recommendations from RMAC be a prerequisite for a decision by the Planning Commission on any matter.

**VI. CONDUCT OF MEETINGS**

The RMAC shall establish a schedule for regular meetings and may schedule special meetings at its discretion. All meetings shall be conducted in accordance with standard parliamentary procedure. Notice shall be provided and in all other way meetings shall be conducted in compliance with the Ralph Brown Act, as amended. The attendance of four members is required for a quorum. A quorum is required for the official transaction of business.

**VII. ORGANIZATION**

- A. Officers. At the first committee meeting each calendar year, RMAC shall elect a chair and vice-chair, who shall hold office for a term of one year or until the election of their successors. No officer shall serve more than two consecutive terms in the respective office.
- B. By-laws. RMAC may develop by-laws for the committee, provided the by-laws do not conflict with this resolution and are approved by the Board of Supervisors.

**VIII. FISCAL SUPPORT**

Members of RMAC shall not be considered as agents of the County and shall serve without compensation. RMAC shall be eligible for clerical support necessary for preparation, reproduction and distribution of meeting agendas and minutes. These support costs shall be paid by the River Trust Fund to the extent such funds are available. The Director of General Services or his/her designee shall be considered the fiscal officer for RMAC and shall approve all charges and requests for funds.

**IX. COMMUNICATIONS**

RMAC shall forward all official communications and recommendations in written form to the Planning Commission or Board of Supervisors. Recommendations and communications shall include the date of the meeting, the number of representatives in attendance and the roll call vote of the committee. The Planning Commission or Board of Supervisors may waive the requirement for written communication at its sole discretion.

Passed and adopted by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 12th day of March, 2002, by the following vote of said Board:

Ayes: DUPRAY, BAUMANN, BORELLI, HUMPHREYS, SOLARO

ATTEST  
Dixie L. Foote  
Clerk of the Board of Supervisors

By: Margaret E. Moody  
Deputy Clerk

Noes: NONE  
Absent: NONE

David A. Solaro  
Chairman, David A. Solaro  
Board of Supervisors

I certify that the foregoing instrument is correct copy of the original on file in this office.

Date: \_\_\_\_\_

Attest: Dixie L. Foote, Clerk of the Board of Supervisors of the County of El Dorado, State of California

By: \_\_\_\_\_  
Deputy Clerk



6/22/2017

Edcgov.us Mail - FW: Today's Consent Item #9 and Open Forum (Affidavit) - 6/22/17 Planning Commission Item #4 - RMP Workshop



(Distributed at meeting) PC 6/22/17 #4  
Charlene Tim <charlene.tim@edcgov.us>  
7 pages

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## FW: Today's Consent Item #9 and Open Forum (Affidavit) - 6/22/17 Planning Commission Item #4 - RMP Workshop

Melody Lane <melody.lane@reagan.com>

Wed, Jun 21, 2017 at 7:49 PM

To: Donald Ashton <don.ashton@edcgov.us>

Cc: Michael Ranalli <michael.ranalli@edcgov.us>, sue.novasel@edcgov.us, brian.veerkamp@edcgov.us, john.hidahl@edcgov.us, shiva.frentzen@edcgov.us, charlene.tim@edcgov.us, Jim Mitrison <jim.mitrison@edcgov.us>, edc.cob@edcgov.us

Mr. Ashton,

"Good governance" is *supposed* to ensure government transparency and accountability.

As you can see below, there still appears to be a problem with the BOS and CAO complying with the law. Jim Mitrison failed to post any of the materials that I submitted to the 6/22/17 Planning Commission Item #4 – RMP Workshop.

Enough of the Bureaucratic Shenanigans. As the CAO you get paid good money to do your job. Please fix the problem and make sure someone on your staff gets this posted ASAP to tomorrow's PC Item #4 – RMP Workshop/Hearing(?).

*Melody Lane*

Founder – Compass2Truth

*You Either Stand Up For The Truth, or You've Surrendered To The Lie.*

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**From:** Melody Lane [mailto:melody.lane@reagan.com]

**Sent:** Wednesday, June 21, 2017 6:43 PM

**To:** 'Jim Mitrison - El Dorado County'; shiva.frentzen@edcgov.us; brian.veerkamp@edcgov.us

**Cc:** 'Shiva Frentzen'; 'Sue Novasel'; 'Brian Veerkamp'; 'John Hidhal'; 'Michael Ranalli'; 'EDC COB'; 'The BOSFIVE'; 'The BOSFOUR'; 'The BOSONE'; 'The BOSTHREE'; 'The BOSTWO'; jvegna@edcgov.us; brian.shinault@edcgov.us; James Williams; gary.miller@edcgov.us; jeff.hansen@edcgov.us; barry.smith@parks.ca.gov

**Subject:** RE: Today's Consent Item #9 and Open Forum (Affidavit)

Mr. Mitrison,

My message was directed to Supervisors Shiva Frentzen and Brian Veerkamp. Sorry, but you have no authority whatsoever to act as mouthpiece and respond on their behalf, nor does any other employee for that matter, including county counsel.

In addition to the Political Reform Act, Sunshine laws and Government Ethics laws, federal anticorruption law broadly guarantees the public "honest services" from public officials. *Depriving the public of honest services is a federal crime.*

As stated in the affidavit addressed to Shiva, officials at all levels of government have unlawfully insulated themselves from their constituents through the unconstitutional use of security barriers, regulations restricting what is said at public meetings, and other tactics that run afoul of the First Amendment's safeguards for free speech, public assembly and the right to petition the government for redress of grievances, as well as all aspects of due process of law. Constitutionally secured rights are intended to empower citizens to push back against those who would stifle the ardor of citizens, arbitrarily silence critics and impede efforts to ensure transparency in government.

Your explanation failed to address the question of terminology, and as such, appears to be yet another unacceptable deceptive diversion aimed at maintenance of the status quo. This too, needs to be entered into the 6/22/17 Planning Commission public record, Item #4 – RMP Workshop.

*Melody Lane*

**Founder – Compass2Truth**

Any act by any public officer either supports and upholds the Constitution, or opposes and violates it.

**From:** Jim Mitrisin - El Dorado County [mailto:jim.mitrisin@edcgov.us]

**Sent:** Wednesday, June 21, 2017 4:09 PM

**To:** Melody Lane

**Cc:** Shiva Frentzen; Sue Novasel; Brian Veerkamp; John Hidhal; Michael Ranalli; EDC COB; The BOSFIVE; The BOSFOUR; The BOSONE; The BOSTHREE; The BOSTWO

**Subject:** Re: Today's Consent Item #9 and Open Forum (Affidavit)

Ms. Lane,

I can help in regard to parts of your email. An agenda item that uses the term "Hearing" typically has an official Public Notice element(s) and/or is the result of an action required by state law or county ordinance, for example.

In my experience at the county, the term "workshop" is used to identify a discussion a a topic(s) that is general in nature where information is shared and there is typically no particular recommendation from staff nor a particular action anticipated from the meeting body.

Items 9 and 37 were continued by the Board and as you know our practice is for the Clerk to restate any changes prior to the Board voting on the Adoption of the Agenda and Approval of Consent Calendar. We did make a verbal correction later in the day, prior to the call for the 2:00 item, that item 9 was continued to June 27th and not July 18th which was initially reported in error.

Jim Mitrising

Clerk of the Board of Supervisors

County of El Dorado

Ph. 530.621.5390 Main

Ph. 530.621.5592 Direct

Email [jim.mitrising@edcgov.us](mailto:jim.mitrising@edcgov.us)

**From:** Melody Lane [<mailto:melody.lane@reagan.com>]

**Sent:** Wednesday, June 21, 2017 11:37 AM.

**To:** [shiva.frentzen@edcgov.us](mailto:shiva.frentzen@edcgov.us); [brian.veerkamp@edcgov.us](mailto:brian.veerkamp@edcgov.us)

**Cc:** Michael Ranalli; 'Nathan Rangel'; 'Coloma Lotus News News'; [sue.novasel@edcgov.us](mailto:sue.novasel@edcgov.us); [john.hidahl@edcgov.us](mailto:john.hidahl@edcgov.us); 'Donald Ashton'; [edc.cob@edcgov.us](mailto:edc.cob@edcgov.us); James Williams ([james.williams@edcgov.us](mailto:james.williams@edcgov.us)); [gary.miller@edcgov.us](mailto:gary.miller@edcgov.us); [brian.shinault@edcgov.us](mailto:brian.shinault@edcgov.us); [jeff.hansen@edcgov.us](mailto:jeff.hansen@edcgov.us); [barry.smith@parks.ca.gov](mailto:barry.smith@parks.ca.gov)

**Subject:** RE: [CLNews] River Management Plan Hearing

Supervisors Frentzen & Veerkamp,

During yesterday's BOS agenda Consent Item #9- SOFAR Charter was diverted by Brian Veerkamp until next week, thus the public was denied due process in violation of the Brown Act, particularly § 54954.2 (a) and § 54954.3. Lori Parlin and others have also expressed concerns about this important item and recent changes in public policy. Staff apparently is giving conflicting information and/or is unresponsive to certain constituents.

Your public explanation about these discrepancies is in order, particularly the difference between a HEARING and a WORKSHOP. "Testimony" is terminology reserved for legal court hearings, whereas "dialog" is appropriate verbiage for workshops.

In the interest of government transparency and accountability, and pursuant to your Oaths of Office, and, please respond prior to tomorrow's Planning Commission meeting and ensure the COB enters the entirety of this correspondence into the public record.

*Melody Lane*

Founder – Compass2Truth

Any act by any public officer either supports and upholds the Constitution, or opposes and violates it.

6/22/2017

Edcgov.us Mail - FW: Today's Consent Item #9 and Open Forum (Affidavit) - 6/22/17 Planning Commission Item #4 - RMP Workshop

On Tue, Jun 20, 2017 at 6:20 PM, Melody Lane <melody.lane@reagan.com> wrote:

Supervisor Frentzen:

Twice today you perjured your Oaths of Office and denied the public due process.

The first time concerned **Consent Item #9 (SOFAR Charter)** which I requested be pulled for public discussion and dialog per § 54954.2(a) and 54954.3 of the Brown Act. This item is scheduled as a Workshop during Thursday's 6/22/17 Planning Commission meeting (Agenda Item #4). When it was apparent none of the Supervisors were going to pull it as requested, Lori Parlin also addressed her concerns about Item #9. It wasn't until you agreed to pull Item #9, that I withheld my comments until such time as it would be addressed during today's BOS. (See attached prepared comments)

Finally I asked John, who runs the audio/visual, when Item #9 was going to be addressed. He replied that he didn't know because he didn't hear the BOS make any announcement about it. After Item #33 you called a lunch break, and I inquired about when Item #9 would be heard. That's when Brian Veerkamp said the decision had been made to schedule it for NEXT week's BOS meeting. As I exited the room John apologized to me that he didn't pick up that important little tidbit.

When I got home I had to listen to my audio recording ***three times*** before I could barely discern the SOFAR Charter announcement. It was apparent that the decision to divert this item until AFTER the Thursday Planning Commission meeting was predetermined as an intentionally deceptive tactic to mislead the public and deprive them the right to due process. Your public explanation is in order, particularly the difference between a HEARING and a WORKSHOP. Note the following post by Nate Rangle to the CL News:

**From:** Nathan Rangel [mailto:nate@raftcalifornia.com]  
**Sent:** Tuesday, June 20, 2017 12:17 AM  
**To:** melody.lane@reagan.com; 'Coloma Lotus News News'  
**Subject:** RE: [CLNews] River Management Plan Hearing

Hi all.....

Ms. Lane is correct and, as I wrote twice below, this is a workshop and no actions will be taken. However, I have been told by County staff that testimony will be heard from the public.

6/22/2017

Edcgov.us Mail - FW: Today's Consent Item #9 and Open Forum (Affidavit) - 6/22/17 Planning Commission Item #4 - RMP Workshop

Just wanted to be clear on that.

Best,

Nate Rangel

**From:** 'Melody Lane' via Coloma-Lotus News [mailto:clnews@googlegroups.com]  
**Sent:** Monday, June 19, 2017 10:09 PM  
**To:** nate@raftcalifornia.com; 'Coloma-Lotus News' <clnews@googlegroups.com>  
**Subject:** RE: [CLNews] River Management Plan Hearing

The June 22 Planning Commission issue #4 concerning the RMP is a workshop, NOT a hearing:

4. 17-0659 WORKSHOP - Chief Administrative Office, Parks Division requesting a workshop to discuss proposed changes to the El Dorado County River Management Plan. This item is for discussion purposes only.

*Melody Lane*

**Founder – Compass2Truth**

"I don't make jokes. I just watch the government and report the facts." -- Will Rogers

**From:** clnews@googlegroups.com [mailto:clnews@googlegroups.com] **On Behalf Of** Nathan Rangel  
**Sent:** Monday, June 19, 2017 4:39 PM  
**To:** 'Coloma-Lotus News'  
**Subject:** [CLNews] River Management Plan Hearing

Hi Neighbors....

The long River Management Plan revision process is coming back to an active status with a workshop scheduled before the El Dorado County Planning Commission this coming Thursday, June 22nd. You can find more information on the RMP revision and staff summary online at:

file:///C:/Users/User/Downloads/Agenda%20(39).pdf

The item is number 3 on the Commission agenda and, unfortunately, it is not time certain...which means it could come up at 10:00 AM, or later. Best guess from folks I know is that it will likely be heard between 10:30 AM and noon.

This is a workshop which means that staff will be giving a presentation on just what has occurred during this RMP revision process, as well as their suggestions for the final product. Testimony will be taken, either verbally or in writing, but no action will be taken by the Commission at this meeting.

Many of you attended a presentation of the draft RMP last year at the Grange in Coloma. Please do check out the attached materials on the above site and please do plan on either attending or sending in your comments if you have concerns over any part of the draft RMP or plans as they relate to the future of our River Management Advisory Committee.

Thanks and I hope to see you there this Thursday!

Regards,  
Nate Rangel

The second occasion you perjured your oath was after my Open Forum presentation of the Affidavit for violations of your Constitutional Oaths of Office into the public record. **(see attached)** You falsely claimed to have responded, when it is a fact that you failed to reply with your own notarized Affidavit as stipulated in the following excerpts below:

"Shiva was served notice last week, and the entire BOS received a copy of the notarized affidavit being entered into the public record. It states that your failure to respond with truth, fact, evidence and valid law, as stipulated, and rebut, anything with which you disagree in this Affidavit/Declaration, is your lawful, legal and binding tacit agreement with and admission to the fact that everything in this Affidavit/Declaration is true, correct, legal, lawful, and fully binding upon you in any court in America, without your protest or objection or that of those who represent you. Connally v. General Construction Co., 269 U.S. 385, 391. Notification of legal responsibility is "the first essential of due process of law." U.S. v. Tweel, 550 F. 2d. 297. "Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading."

The First Amendment guarantees the Right of free speech and the Right to petition government for **redress of grievances**, which, you, the oath taker, pursuant to your oath, are mandated to uphold. You failed this requirement, thus, you violated two provisions of the First Amendment, the Public Trust, and perjured your oath.

Further, by not responding and/or not rebutting in your June 1<sup>st</sup> letter with specificity all the claims contained in my May 8<sup>th</sup> letter, you deny me, the Citizen, remedy; thus, deny constitutional due process of law, as stated within the Bill of Rights."

**\*\*\*In the interest of government transparency and accountability, and in accordance with your Constitutional**

Oaths of Office, I respectfully request the BOS direct the Clerk of the Board that the entirety of this correspondence be posted to the appropriate **BOS Agenda item next week**, and posted as well as to the **June 22, 2017 Planning Commission Agenda Item #4 – RMP Workshop**.

*Melody Lane*

Founder – Compass2Truth

~ By identifying the people's sovereign will not with its latest but its oldest expression, the Framers succeeded in identifying the people's authority with the Constitution, **not with the statutory law made by their representatives**. ~

(Submitted at meeting by Melody Lane) #4

For clarification, "RMP" refers both to the River Management Plan, and to River Mafia Politics. 11 pages

Under the Political Reform Act, federal anticorruption law broadly guarantees the public "honest services" from public officials. Depriving the public of honest services is a federal crime. Any enterprise undertaken by the public official who tends to weaken public confidence and undermine the sense of security for individual rights is against public policy. Fraud, in its elementary common law sense of deceit, is one of the meanings that fraud bears. Just a few examples:

1. Falsified RMAC minutes and data submitted to BOS by Noah Rucker, Vickie Sanders, Roger Trout and consultant Steve Peterson concerning the RMP.
2. Censorship and deliberate stall tactics.
3. In a meeting held August 2016 with Don Ashton and Mike Ranalli, Roger Trout admitted the 9/14/15 RMAC meeting was a "set up" to discredit me and Compass2Truth. *CSV ARC/BLM Noah/CS*
4. Failure to track and respond to CPRAs concerning the RMP and SUPs. *\**
5. Serial meetings and collusion. *2016 MGD/P/Rangel special RMAC*
6. Violations of Principal Agent Oaths of Office. *mtg - Ø*
7. Complicity of BOS by their failure to take remedial action. *audio/minutes*
8. No resident representation as mandated by the RMP.

For years RMAC representatives have been in violation of their Principal Agent Oaths of Office and the Brown Act. Serial meetings are explicitly prohibited by the Brown Act. A serial meeting is a series of communications, each involving less than a quorum, but which taken as a whole involves a majority. Serial meetings may occur in various ways. Examples include members of the body communicating with each other and a staff member communicating with members of the body, to orchestrate a consensus. Unlawful serial meetings may occur through oral, written or electronic communications.

The issue of serial meetings stands at the vortex of two significant public policies: first, the constitutional right of citizens to address grievances and communicate with their elected representatives; and second, the Act's policy favoring public deliberation by multi-member boards, commissions and councils. The purpose of the serial meeting prohibition is not to prevent citizens from communicating with their elected representatives, but rather to prevent public bodies from circumventing the requirement



for open and public deliberation of issues. The Act expressly prohibits serial meetings that are conducted through direct communications, personal intermediaries or technological devices for the purpose of developing a concurrence as to action to be taken.

The truth be told, evidence substantiates the decision to disband the RMAC and create the SOFAR charter was made over two years ago behind closed doors. It essentially turns control over to the River Mafia, American River Conservancy, BLM and CA State Parks & Recreation. The email sent out last night on CL News by Nate Rangle misinforms the river community that this item is slated for Thursday's Planning Commission as a hearing. It is in fact a Workshop for discussion purposes only.

ANY act by ANY public official that doesn't support and defend the Constitution, opposes and violates it. Your consent on this item to approve the SOFAR Charter simply condones and empowers the River Mafia to continue their corrupt business as usual without any transparency or accountability whatsoever. Rather than aiding and abetting, the solution is clear: do the right thing and honor your Constitutional Oath of Office.

Madam Clerk: Please enter these documents into the public record:

1. This transcript
2. CL News Nate Rangle RMP email @ 10:09 PM
3. 8/3/16 Agenda w/Don Ashton, Mike Ranalli, Roger Trout

## Melody Lane

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**From:** Melody Lane <melody.lane@reagan.com>  
**Sent:** Sunday, June 18, 2017 11:24 AM  
**To:** brian.veerkamp@edcgov.us; Michael Ranalli; sue.novasel@edcgov.us; shiva.frentzen@edcgov.us; john.hidahl@edcgov.us; Jim Mitrison (jim.mitrison@edcgov.us)  
**Cc:** edc.cob@edcgov.us; 'bosfive@edcgov.us'; bosfour@edcgov.us; 'bosone@edcgov.us'; 'bosthree@edcgov.us'; 'bostwo@edcgov.us'  
**Subject:** Please pull Item #9 from 6/20/17 BOS Consent Agenda for public discussion  
**Attachments:** BOS CAO Memo 5-16-17 (2) (1).pdf; RMAC members 5-17-17.doc

Please pull Item #9 from the 6/20/17 BOS Consent Agenda for public discussion. Pursuant to your Oaths of Office, and in the interest of public transparency & accountability, also post the attached CAO memo, as well as the Blue Sheet and all other documents relevant to this item to the 6/20/17 BOS & 6/22/17 Planning calendar.

9. 17-0592 Supervisor Veerkamp recommending the Board authorize the Chair's signature on the South Fork American River Cohesive Strategy Charter.

1. A - SOFAR Draft Charter 6-20-17

**\*Note the River Management Plan is already slated on the 6/22/17 Planning Commission agenda as a Workshop:**

4. 17-0659 WORKSHOP - Chief Administrative Office, Parks Division requesting a workshop to discuss proposed changes to the El Dorado County River Management Plan. This item is for discussion purposes only.

4. D - Workshop-Redline RMP Draft Public Comments Combined PC 06-22-17,

*Melody Lane*

**Founder – Compass2Truth**

~ By identifying the people's sovereign will not with its latest but its oldest expression, the Framers succeeded in identifying the people's authority with the Constitution, not with the statutory law made by their representatives. ~



# County of El Dorado

*Chief Administrative Office*

*Parks Division*

330 Fair Lane  
Placerville, CA 95667-4197

*Don Ashton, MPA*  
*Chief Administrative Officer*

*Phone (530) 621-5360*  
*Fax (530) 642-0301*

DATE: May 9, 2017  
TO: Board of Supervisors  
FROM: Laura Schwartz, Deputy Chief Administrative Officer  
RE: River Management Advisory Committee

## Background

In 2001, the Board adopted Resolution number 065-2002 establishing the River Management Advisory Committee (RMAC). The committee consists of seven members appointed by majority vote of the Board of Supervisors. The RMAC was formed to provide a forum for the discussion of river use issues, ideas or conflicts among persons or groups with an interest in the South Fork of the American River. The committee is advisory to the Board of Supervisors.

El Dorado County Chief Administrative Office, Parks Division entered into a contract with Environmental Stewardship and Planning on July 28, 2014. The purpose of this contract was to prepare a redlined revision of the River Management Plan (RMP). This plan has not been updated since 2001 and since that time the County has fifteen years of data to support the recommendations made in the redlined version. One of the recommendations from the consultant was specifically related to the River Management Advisory Committee (RMAC). The recommendation was as follows:

### **5. Dissolve the RMAC.**

The most significant change that we propose is to dissolve the RMAC. This committee has done some very good and dedicated work since its inception in 1984, but has evolved into more of a community-focused, rather than River-focused organization. Because of the lack of substantive issues that require deliberation and the wide-ranging interests of the RMAC, we recommend that this committee be dissolved and that the County encourage interested participants to form an ad-hoc committee. This committee could be supported by the County in same manner as the Rubicon Oversight Committee that has successfully conducted ad-hoc meetings for over 10 years.

17-0528 E 1 of 3

The draft Redlined Version of the RMP was posted to the County website on February 10, 2016 for public comments. On February 18, 2016 a public meeting was held at the Coloma Grange with the consultant present to answer any questions. The recommendation for the dissolution of RMAC had the most comments from the public as they were not in support of this recommendation.

Staff concurs with the recommendation of the consultant. RMAC was formed by Resolution of the Board and not by the RMP; therefore all references to RMAC have been removed from the plan. The reporting structure and recommendations are addressed in the revised plan.

Timeline

The timeline for the Redlined Version of the RMP has changed many times. The public comment period was extended from March 18, 2016 to April 15, 2016. RMAC then requested that they have a separate deadline as they wanted to review the public comments before they made their comments. RMAC's comment period was extended to May 26, 2016. It was requested that the deadline be extended again. It was extended to June 14, 2016, giving RMAC an opportunity to discuss at their June 13, 2016 meeting.

Comments were received during the busy river season and staff did not review the comments until the river season was complete. Staff compiled the draft plan and sent the Administrative Draft to County departments for comment on January 13, 2017. Staff received comments from Roger Trout of the Community Development Agency and Jim Byers of the Sheriff's Department. Staff met with County Counsel on April 18, 2017. Their comments were addressed and incorporated into the draft.

This is the proposed schedule to complete this project.

* Planning Commission Workshop	June 24, 2017
Planning Commission Project Description & Initial Study Approval	July 2017
Board of Supervisors-Project Description & Initial Study Approval	July 2017
CEQA Document Prepared	August 2017
30 Public Comment Period for CEQA Document	September 2017
Prepare Final Document	October 2017
Planning Commission Approval	November 2017
Board of Supervisors Approval	November 2017

Issue and Recommendation

Until the new River Management Plan is approved and adopted, RMAC is still an advisory committee to the Board of Supervisors and the Planning Commission. Over the past several months, the majority of RMAC members have stepped down from the Committee resulting in not enough members to reach to quorum. Several meetings have been cancelled at the request of

2 5  
RMAC due to a lack of a quorum or no issues to discuss. Per the resolution, the County posted notices of vacancies and received applications to fill the vacancies.

X The Chief Administrative Office recommends that the Board consider filling the vacancies, noting that RMAC may be dissolved by the end of the year.

**From:** Melody Lane [mailto:melody.lane@reagan.com]  
**Sent:** Wednesday, June 21, 2017 7:50 PM  
**To:** 'Donald Ashton'  
**Cc:** Michael Ranalli; sue.novasel@edcgov.us; brian.veerkamp@edcgov.us; john.hidahl@edcgov.us; shiva.frentzen@edcgov.us; charlene.tim@edcgov.us; Jim Mitrisin; edc.cob@edcgov.us  
**Subject:** FW: Today's Consent Item #9 and Open Forum (Affidavit) - 6/22/17 Planning Commission Item #4 - RMP Workshop  
**Importance:** High

Mr. Ashton,

“Good governance” is *supposed* to ensure government transparency and accountability.

As you can see below, there still appears to be a problem with the BOS and CAO complying with the law. Jim Mitrisin failed to post any of the materials that I submitted to the 6/22/17 Planning Commission Item #4 – RMP Workshop.

Enough of the Bureaucratic Shenanigans. As the CAO you get paid good money to do your job. Please fix the problem and make sure someone on your staff gets this posted ASAP to tomorrow's PC Item #4 – RMP Workshop/Hearing(?).

*Melody Lane*

**Founder – Compass2Truth**

*You Either Stand Up For The Truth, or You've Surrendered To The Lie.*

**From:** Melody Lane [mailto:melody.lane@reagan.com]  
**Sent:** Wednesday, June 21, 2017 6:43 PM  
**To:** 'Jim Mitrisin - El Dorado County'; shiva.frentzen@edcgov.us; brian.veerkamp@edcgov.us  
**Cc:** 'Shiva Frentzen'; 'Sue Novasel'; 'Brian Veerkamp'; 'John Hidhal'; 'Michael Ranalli'; 'EDC COB'; 'The BOSFIVE'; 'The BOSFOUR'; 'The BOSONE'; 'The BOSTHREE'; 'The BOSTWO'; jvegna@edcgov.us; brian.shinault@edcgov.us; James Williams; gary.miller@edcgov.us; jeff.hansen@edcgov.us; barry.smith@parks.ca.gov  
**Subject:** RE: Today's Consent Item #9 and Open Forum (Affidavit)

Mr. Mitrisin,

My message was directed to Supervisors Shiva Frentzen and Brian Veerkamp. Sorry, but you have no authority whatsoever to act as mouthpiece and respond on their behalf, nor does any other employee for that matter, including county counsel.

\* { In addition to the Political Reform Act, Sunshine laws and Government Ethics laws, federal anticorruption law broadly guarantees the public “honest services” from public officials. *Depriving the public of honest services is a federal crime.*

\* { As stated in the affidavit addressed to Shiva, officials at all levels of government have unlawfully insulated themselves from their constituents through the unconstitutional use of security barriers, regulations restricting what is said at public meetings, and other tactics that run afoul of the First Amendment's safeguards for free speech, public assembly and the right to petition the government for redress of grievances, as well as all aspects of due process of law. Constitutionally secured rights are intended to empower citizens to push back against those who would stifle the ardor of citizens, arbitrarily silence critics and impede efforts to ensure transparency in government.

Your explanation failed to address the question of terminology, and as such, appears to be yet another unacceptable deceptive diversion aimed at maintenance of the status quo. This too, needs to be entered into the 6/22/17 Planning Commission public record, Item #4 – RMP Workshop.

*Melody Lane*

**Founder – Compass2Truth**

Any act by any public officer either supports and upholds the Constitution, or opposes and violates it.

**From:** Jim Mitrisin - El Dorado County [<mailto:jim.mitrisin@edcgov.us>]

**Sent:** Wednesday, June 21, 2017 4:09 PM

**To:** Melody Lane

**Cc:** Shiva Frentzen; Sue Novasel; Brian Veerkamp; John Hidhal; Michael Ranalli; EDC COB; The BOSFIVE; The BOSFOUR; The BOSONE; The BOSTHREE; The BOSTWO

**Subject:** Re: Today's Consent Item #9 and Open Forum (Affidavit)

Ms. Lane,

I can help in regard to parts of your email. An agenda item that uses the term "Hearing" typically has an official Public Notice element(s) and/or is the result of an action required by state law or county ordinance, for example.

In my experience at the county, the term "workshop" is used to identify a discussion a a topic(s) that is general in nature where information is shared and there is typically no particular recommendation from staff nor a particular action anticipated from the meeting body.

Items 9 and 37 were continued by the Board and as you know our practice is for the Clerk to restate any changes prior to the Board voting on the Adoption of the Agenda and Approval of Consent Calendar. We did make a verbal correction later in the day, prior to the call for the 2:00 item, that item 9 was continued to June 27th and not July 18th which was initially reported in error.

Jim Mitrisin  
Clerk of the Board of Supervisors  
County of El Dorado  
Ph. 530.621.5390 Main  
Ph. 530.621.5592 Direct  
Email [jim.mitrisin@edcgov.us](mailto:jim.mitrisin@edcgov.us)

**From:** Melody Lane [<mailto:melody.lane@reagan.com>]

**Sent:** Wednesday, June 21, 2017 11:37 AM

**To:** [shiva.frentzen@edcgov.us](mailto:shiva.frentzen@edcgov.us); [brian.veerkamp@edcgov.us](mailto:brian.veerkamp@edcgov.us)

**Cc:** Michael Ranalli; 'Nathan Rangel'; 'Coloma Lotus News News'; [sue.novasel@edcgov.us](mailto:sue.novasel@edcgov.us); [john.hidahi@edcgov.us](mailto:john.hidahi@edcgov.us); 'Donald Ashton'; [edc.cob@edcgov.us](mailto:edc.cob@edcgov.us); James Williams ([james.williams@edcgov.us](mailto:james.williams@edcgov.us)); [gary.miller@edcgov.us](mailto:gary.miller@edcgov.us); [brian.shinault@edcgov.us](mailto:brian.shinault@edcgov.us); [jeff.hansen@edcgov.us](mailto:jeff.hansen@edcgov.us); [barry.smith@parks.ca.gov](mailto:barry.smith@parks.ca.gov)

**Subject:** RE: [CLNews] River Management Plan Hearing

Supervisors Frentzen & Veerkamp,

During yesterday's BOS agenda Consent Item #9- SOFAR Charter was diverted by Brian Veerkamp until next week, thus the public was denied due process in violation of the Brown Act, particularly § 54954.2(a) and § 54954.3. Lori Parlin and others have also expressed concerns about this important item and recent

changes in public policy. Staff apparently is giving conflicting information and/or is unresponsive to certain constituents.

Your public explanation about these discrepancies is in order, particularly the difference between a HEARING and a WORKSHOP. "Testimony" is terminology reserved for legal court hearings, whereas "dialog" is appropriate verbiage for workshops.

In the interest of government transparency and accountability, and pursuant to your Oaths of Office, and, please respond prior to tomorrow's Planning Commission meeting and ensure the COB enters the entirety of this correspondence into the public record.

*Melody Lane*  
Founder – Compass2Truth

Any act by any public officer either supports and upholds the Constitution, or opposes and violates it.

On Tue, Jun 20, 2017 at 6:20 PM, Melody Lane <[melody.lane@reagan.com](mailto:melody.lane@reagan.com)> wrote:

Supervisor Frentzen:

Twice today you perjured your Oaths of Office and denied the public due process.

The first time concerned **Consent Item #9 (SOFAR Charter)** which I requested be pulled for public discussion and dialog per § 54954.2(a) and 54954.3 of the Brown Act. This item is scheduled as a Workshop during Thursday's 6/22/17 Planning Commission meeting (Agenda Item #4). When it was apparent none of the Supervisors were going to pull it as requested, Lori Parlin also addressed her concerns about Item #9. It wasn't until you agreed to pull Item #9, that I withheld my comments until such time as it would be addressed during today's BOS. (See attached prepared comments)

Finally I asked John, who runs the audio/visual, when Item #9 was going to be addressed. He replied that he didn't know because he didn't hear the BOS make any announcement about it. After Item #33 you called a lunch break, and I inquired about when Item #9 would be heard. That's when Brian Veerkamp said the decision had been made to schedule it for NEXT week's BOS meeting. As I exited the room John apologized to me that he didn't pick up that important little tidbit.

When I got home I had to listen to my audio recording **three times** before I could barely discern the SOFAR Charter announcement. It was apparent that the decision to divert this item until AFTER the Thursday Planning Commission meeting was predetermined as an intentionally deceptive tactic to mislead the public and deprive them the right to due process. Your public explanation is in order, particularly the difference between a HEARING and a WORKSHOP. Note the following post by Nate Rangle to the CL News:

**From:** Nathan Rangel [<mailto:nate@raftcalifornia.com>]  
**Sent:** Tuesday, June 20, 2017 12:17 AM



**To:** [melody.lane@reagan.com](mailto:melody.lane@reagan.com); 'Coloma Lotus News News'  
**Subject:** RE: [CLNews] River Management Plan Hearing

Hi all.....

Ms. Lane is correct and, as I wrote twice below, this is a workshop and no actions will be taken. However, I have been told by County staff that testimony will be heard from the public.

Just wanted to be clear on that.

Best,

Nate Rangel

**From:** 'Melody Lane' via Coloma-Lotus News [<mailto:clnews@googlegroups.com>]  
**Sent:** Monday, June 19, 2017 10:09 PM  
**To:** [nate@raftcalifornia.com](mailto:nate@raftcalifornia.com); 'Coloma-Lotus News' <[clnews@googlegroups.com](mailto:clnews@googlegroups.com)>  
**Subject:** RE: [CLNews] River Management Plan Hearing

The June 22 Planning Commission issue #4 concerning the RMP is a workshop, NOT a hearing:

4. 17-0659 WORKSHOP - Chief Administrative Office, Parks Division requesting a workshop to discuss proposed changes to the El Dorado County River Management Plan. This item is for discussion purposes only.

*Melody Lane*

**Founder – Compass2Truth**

"I don't make jokes. I just watch the government and report the facts." -- Will Rogers

**From:** [clnews@googlegroups.com](mailto:clnews@googlegroups.com) [<mailto:clnews@googlegroups.com>] **On Behalf Of** Nathan Rangel  
**Sent:** Monday, June 19, 2017 4:39 PM  
**To:** 'Coloma-Lotus News'  
**Subject:** [CLNews] River Management Plan Hearing

Hi Neighbors....

The long River Management Plan revision process is coming back to an active status with a workshop scheduled before the El Dorado County Planning Commission this coming Thursday, June 22nd. You can find more information on the RMP revision and staff summary online at:

[file:///C:/Users/User/Downloads/Agenda%20\(39\).pdf](file:///C:/Users/User/Downloads/Agenda%20(39).pdf)

The item is number 3 on the Commission agenda and, unfortunately, it is not time certain...which means it could come up at 10:00 AM, or later. Best guess from folks I know is that it will likely be heard between 10:30 AM and noon.

This is a workshop which means that staff will be giving a presentation on just what has occurred during this RMP revision process, as well as their suggestions for the final product. Testimony will be taken, either verbally or in writing, but no action will be taken by the Commission at this meeting.

Many of you attended a presentation of the draft RMP last year at the Grange in Coloma. Please do check out the attached materials on the above site and please do plan on either attending or sending in your comments if you have

concerns over any part of the draft RMP or plans as they relate to the future of our River Management Advisory Committee.

Thanks and I hope to see you there this Thursday!

Regards,  
Nate Rangel

The second occasion you perjured your oath was after my Open Forum presentation of the Affidavit for violations of your Constitutional Oaths of Office into the public record. **(see attached)** You falsely claimed to have responded, when it is a fact that you failed to reply with your own notarized Affidavit as stipulated in the following excerpts below:

"Shiva was served notice last week, and the entire BOS received a copy of the notarized affidavit being entered into the public record. It states that your failure to respond with truth, fact, evidence and valid law, as stipulated, and rebut, anything with which you disagree in this Affidavit/Declaration, is your lawful, legal and binding tacit agreement with and admission to the fact that everything in this Affidavit/Declaration is true, correct, legal, lawful, and fully binding upon you in any court in America, without your protest or objection or that of those who represent you. *Connally v. General Construction Co.*, 269 U.S. 385, 391. Notification of legal responsibility is "the first essential of due process of law." *U.S. v. Tweel*, 550 F. 2d. 297. "Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading."

The First Amendment guarantees the Right of free speech and the Right to petition government for **redress of grievances**, which, you, the oath taker, pursuant to your oath, are mandated to uphold. You failed this requirement, thus, you violated two provisions of the First Amendment, the Public Trust, and perjured your oath. Further, by not responding and/or not rebutting in your June 1<sup>st</sup> letter with specificity all the claims contained in my May 8<sup>th</sup> letter, you deny me, the Citizen, remedy; thus, deny constitutional due process of law, as stated within the Bill of Rights."

\*\*\*In the interest of government transparency and accountability, and in accordance with your Constitutional Oaths of Office, I respectfully request the BOS direct the Clerk of the Board that the entirety of this correspondence be posted to the appropriate **BOS Agenda item next week**, and posted as well as to the **June 22, 2017 Planning Commission Agenda Item #4 – RMP Workshop**.

*Melody Lane*

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6/22/2017

Edcgov.us Mail - Fwd: FW: Today's Consent Item #9 and Open Forum (Affidavit)

PC 6/22/17  
#4  
10 pages



Charlene Tim <charlene.tim@edcgov.us>

**Fwd: FW: Today's Consent Item #9 and Open Forum (Affidavit)**

EDC COB <edc.cob@edcgov.us>

Thu, Jun 22, 2017 at 11:45 AM

To: Char Tim <charlene.tim@edcgov.us>, Roger Trout <roger.trout@edcgov.us>

Hey Char - Don Ashton asked that this be attached to your Planning Commission meeting Agenda #4. If there is any problem with doing that, please let me know. Thanks, Kim

Office of the Clerk of the Board  
El Dorado County  
330 Fair Lane, Placerville, CA 95667  
530-621-5390

----- Forwarded message -----

From: **Melody Lane** <melody.lane@reagan.com>

Date: Tue, Jun 20, 2017 at 6:58 PM

Subject: FW: Today's Consent Item #9 and Open Forum (Affidavit)

To: James Williams <james.williams@edcgov.us>, gary.miller@edcgov.us, brian.shinault@edcgov.us, jeff.hansen@edcgov.us, jon.vegna@edcgov.us, edc.cob@edcgov.us

Cc: shiva.frentzen@edcgov.us, Jim Mitrisin <jim.mitrisin@edcgov.us>, bosfive@edcgov.us, bosfour@edcgov.us, bosone@edcgov.us, bosthree@edcgov.us, bostwo@edcgov.us

Please ensure the entirety of this correspondence is thoroughly read and publicly posted to the 6/22/17 Planning Commission Agenda Item #4 – RMP Workshop .

*Melody Lane*

**Founder – Compass2Truth**

“The only thing necessary for evil to triumph is for enough good men to do nothing.” ~ Edmund Burke ~

**From:** Melody Lane [mailto:melody.lane@reagan.com]

**Sent:** Tuesday, June 20, 2017 6:21 PM

**To:** shiva.frentzen@edcgov.us

**Cc:** sue.novasel@edcgov.us; brian.veerkamp@edcgov.us; john.hidahl@edcgov.us; Michael Ranalli; Jim Mitrisin; edc.cob@edcgov.us; bosfive@edcgov.us; bosfour@edcgov.us; bosone@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.us

**Subject:** Today's Consent Item #9 and Open Forum (Affidavit)

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**From:** Nathan Rangel [mailto:nate@raftcalifornia.com]  
**Sent:** Tuesday, June 20, 2017 12:17 AM  
**To:** melody.lane@reagan.com; 'Coloma Lotus News News'  
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6/22/2017

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The First Amendment guarantees the Right of free speech and the Right to petition government for **redress of grievances**, which, you, the oath taker, pursuant to your oath, are mandated to uphold. You failed this requirement, thus, you violated two provisions of the First Amendment, the Public Trust, and perjured your oath.

Further, by not responding and/or not rebutting in your June 1<sup>st</sup> letter with specificity all the claims contained in my May 8<sup>th</sup> letter, you deny me, the Citizen, remedy; thus, deny constitutional due process of law, as stated within the Bill of Rights.”

**\*\*\*In the interest of government transparency and accountability, and in accordance with your Constitutional**

Oaths of Office, I respectfully request the BOS direct the Clerk of the Board that the entirety of this correspondence be posted to the appropriate **BOS Agenda item next week**, and posted as well as to the **June 22, 2017 Planning Commission Agenda Item #4 – RMP Workshop**.

*Melody Lane*

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---

**3 attachments**



6-20-17 OF Shiva Frentzen Affidavit.docx  
19K



6-20-17 SOFAR Charter Item 9.docx  
20K



8-3-16 Agenda CAO Ranalli Trout.docx  
17K

As history teaches us, if the people have little or no knowledge of the basics of government and their rights, those who wield governmental power inevitably wield it excessively. After all, a citizenry can only hold its government accountable if it knows when the government oversteps its bounds.

All public officers, including judges and lawyers, are required by the Constitution(s) and by state, federal and local law to take oaths to support and uphold the Constitution(s) and must abide by the constitutional mandates imposed upon them by and through those oaths in the conduct of their official duties. No public officer has the constitutional authority, or any other form of lawful, valid authority, to oppose, violate, deny and contradict the very documents to which he/she swore or affirmed his/her oath.

Shiva was served notice last week, and the entire BOS received a copy of the notarized affidavit being entered into the public record. It states that your failure to respond with truth, fact, evidence and valid law, as stipulated, and rebut, anything with which you disagree in this Affidavit/Declaration, is your lawful, legal and binding tacit agreement with and admission to the fact that everything in this Affidavit/Declaration is true, correct, legal, lawful, and fully binding upon you in any court in America, without your protest or objection or that of those who represent you. *Connally v. General Construction Co.*, 269 U.S. 385, 391. Notification of legal responsibility is “the first essential of due process of law.” *U.S. v. Tweel*, 550 F. 2d. 297. “*Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading.*”

In violation of the Brown Act and her Oaths of Office, Shiva Frentzen deprived me, and other members of the public, the right to due process, to testify and address public officers for the purpose of redressing grievances, specifically regarding issues of El Dorado County corruption.

Any enterprise, undertaken by any public official, such as you and other Board of Supervisor members, which tends to weaken public confidence and undermines the sense of security for individual rights, is against public policy. Fraud, in its elementary common-law sense of **deceit**, is the simplest and clearest definition of that word. My claims, statements and averments also pertain to your actions taken regarding your failure to provide honest public services, pursuant to your oaths.

The First Amendment guarantees the Right of free speech and the Right to petition government for **redress of grievances**, which, you, the oath taker, pursuant to your



oath, are mandated to uphold. You failed this requirement, thus, you violated two provisions of the First Amendment, the Public Trust, and perjured your oath. Further, by not responding and/or not rebutting in your June 1<sup>st</sup> letter with specificity all the claims contained in my May 8<sup>th</sup> letter, you deny me, the Citizen, remedy; thus, deny constitutional due process of law, as stated within the Bill of Rights.

Madam Clerk: Please enter these documents into the public record:

1. This transcript
2. Notarized Affidavit of Truth – Shiva Frentzen

For clarification, “RMP” refers both to the River Management Plan, and to River Mafia Politics.

Under the Political Reform Act, federal anticorruption law broadly guarantees the public “honest services” from public officials. Depriving the public of honest services is a federal crime. Any enterprise undertaken by the public official who tends to weaken public confidence and undermine the sense of security for individual rights is against public policy. Fraud, in its elementary common law sense of deceit, is one of the meanings that fraud bears. Just a few examples:

1. Falsified RMAC minutes and data submitted to BOS by Noah Rucker, Vickie Sanders, Roger Trout and consultant Steve Peterson concerning the RMP.
2. Censorship and deliberate stall tactics.
3. In a meeting held August 2016 with Don Ashton and Mike Ranalli, Roger Trout admitted the 9/14/15 RMAC meeting was a “set up” to discredit me and Compass2Truth.
4. Failure to track and respond to CPRAs concerning the RMP and SUPs.
5. Serial meetings and collusion.
6. Violations of Principal Agent Oaths of Office.
7. Complicity of BOS by their failure to take remedial action.
8. No resident representation as mandated by the RMP.

For years RMAC representatives have been in violation of their Principal Agent Oaths of Office and the Brown Act. Serial meetings are explicitly prohibited by the Brown Act. A serial meeting is a series of communications, each involving less than a quorum, but which taken as a whole involves a majority. Serial meetings may occur in various ways. Examples include members of the body communicating with each other and a staff member communicating with members of the body, to orchestrate a consensus. Unlawful serial meetings may occur through oral, written or electronic communications.

The issue of serial meetings stands at the vortex of two significant public policies: first, the constitutional right of citizens to address grievances and communicate with their elected representatives; and second, the Act’s policy favoring public deliberation by multi-member boards, commissions and councils. The purpose of the serial meeting prohibition is not to prevent citizens from communicating with their elected representatives, but rather to prevent public bodies from circumventing the requirement

for open and public deliberation of issues. The Act expressly prohibits serial meetings that are conducted through direct communications, personal intermediaries or technological devices for the purpose of developing a concurrence as to action to be taken.

The truth be told, all evidence substantiates the decision to disband the RMAC and create the SOFAR charter was made over two years ago behind closed doors. It essentially turns control over to the River Mafia, American River Conservancy, BLM and CA State Parks & Recreation. The email sent out last night on CL News by Nate Rangle misinforms the river community that this item is slated for Thursday's Planning Commission as a hearing. It is in fact a Workshop for discussion purposes only.

ANY act by ANY public official that doesn't support and defend the Constitution, opposes and violates it. Your consent on this item to approve the SOFAR Charter simply condones and empowers the River Mafia to continue their corrupt business as usual without any transparency or accountability whatsoever. Rather than aiding and abetting, the solution is clear: Do the right thing and honor your Constitutional Oath of Office.

Madam Clerk: Please enter these documents into the public record:

1. This transcript
2. CL News Nate Rangle RMP email @ 10:09 PM
3. 8/3/16 Agenda w/Don Ashton, Mike Ranalli, Roger Trout

**Agenda**  
**8-3-16 @ 4 PM**  
**Don Ashton – Mike Ranalli – Roger Trout**

**I. RIVER MANAGEMENT PLAN**

- A. RMAC Representation
  - 1) EDSO
  - 2) MGDGP
  - 3) Resident
- B. Brown Act Violations
  - a. 9/14/15 meeting (attendees)
  - b. MGDGP Rep. Bill Deitchman – absent/approved minutes
  - c. 5/26/16 MGDGP Special Meeting
  - d. 7/11/16 Lotus Fire House > 8/8/16
- 1) EDSO Revisions
- 2) BLM/CA State Parks
- 3) Ranalli strategy

**II. CODE/LAW ENFORCEMENT**

- A. EDSO Jurisdiction
- B. SUPs
  - 1) Code Enforcement coordination w/EDSO (John Desario replaced Jim Wassner)
  - 2) Documentation
  - 3) Complaint process > responsibility?
  - 4) Consequences/Revocations
  - 5) Retaliation

**III. CPRAs**

- A. Oaths of Office
- B. CAO/County Counsel
- C. Violations – Late/non-compliant responses

**IV. FOLLOW UP**

- A. Remedy & Expectations
  - 1) CAO
  - 2) Mike Ranalli
  - 3) Roger Trout
  - 4) EDSO
- B. Next meeting target date: