Jim Mitrisin <jim.mitrisin@edcgov.us>

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 Mitrisin <jim.mitrisin@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 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

From: Melody Lane [mailto:melody.lane@reagan.com]
Sent: Wednesday, June 21, 2017 11:37 AM
To: shiva.frentzen@edcgov.us; brian.veerkamp@edcgov.us
Cc: Michael Ranalli; 'Nathan Rangel'; 'Coloma Lotus News News'; sue.novasel@edcgov.us; john.hidahl@edcgov.us; 'Donald Ashton'; edc.cob@edcgov.us; James Williams (james.williams@edcgov.us); gary.miller@edcgov.us; brian.shinault@edcgov.us; jeff.hansen@edcgov.us; 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> 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.

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 1st letter with specificity all the claims contained in my May 8th 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. ~**

Jim Mitrisin <jim.mitrisin@edcgov.us>

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> Thu, Jun 22, 2017 at 4:38 PM
To: Donald Ashton <don.ashton@edcgov.us>
Cc: Michael Ranalli <michael.ranalli@edcgov.us>, Sue Novasel <sue.novasel@edcgov.us>, Brian Veerkamp <brian.veerkamp@edcgov.us>, John Hidahl <john.hidahl@edcgov.us>, Shiva Frentzen <shiva.frentzen@edcgov.us>, Char Tim <charlene.tim@edcgov.us>, Jim Mitrisin <jim.mitrisin@edcgov.us>, EDC COB <edc.cob@edcgov.us>, jon.vegna@edcgov.us, brian.shinault@edcgov.us, gary.miller@edcgov.us, jeff.hansen@edcgov.us, James Williams <james.williams@edcgov.us>

Hi Don,

Your choice of words is very interesting…

When I arrived to the Planning Commission this morning around 9:15 a.m., NONE of my documents had been posted to the PC agenda Item #4, nor had they yet been posted to next week's 6/27/17 BOS agenda Item #50 – SOFAR Charter/Ad hoc committee requiring Chairman Frentzen's signature.

James Williams and Brian Shinault were absent this morning, but the rest of the commissioners got an earful from several individuals about how EDC "Shadow Government." Several comments about litigation were expressed too. Probably the most succinct, I was the last person to speak before Gary Miller abruptly adjourned the meeting just around 1 PM.

Of course Char Tim confirmed to you that she posted the documents to PC Agenda Item #4. I had just handed them to her for the public record a couple hours ago. However Char failed to post, as requested, the attached Shiva Frentzen Affidavit. It contains relevant information about Gary Miller's violations of the Brown Act and his Principal Agent Oath of Office, topics also mentioned by several individuals during today's "Workshop/Hearing." Char's posting after-the-fact was either to CYA, or another deceptive tactic depriving the public of ***honest services***. If so, was that under your direction, county counsel, or perhaps Mike Ranalli?

BTW, Nate Rangel was permitted to speak or 15 minutes. He publicly stated that Supervisor Ranalli will support whatever Nate desires to keep RMAC in power. ← Read that as River Mafia Politics. You'll recall we discussed this during our 8/3/16 meeting with Mike Ranalli and Roger Trout.

Please see to it that the attached Affidavit is added immediately to the PC Agenda Item #4.

In the interest of government transparency and accountability, also ensure that the COB posts ALL of the materials I submitted earlier this week, <u>including the attached documents and this entire correspondence thread.</u> to the **6/27/17 BOS Agenda Item #50 – SOFAR Charter/Ad hoc.**

Regards,

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. ~

From: Donald Ashton [mailto:don.ashton@edcgov.us]
Sent: Thursday, June 22, 2017 2:55 PM
To: Melody Lane
Cc: Michael Ranalli; Sue Novasel; Brian Veerkamp; John Hidahl; Shiva Frentzen; Char Tim; Jim Mitrisin; EDC COB
Subject: Re: FW: Today's Consent Item #9 and Open Forum (Affidavit) - 6/22/17 Planning Commission Item #4 - RMP Workshop

[Quoted text hidden]

3 attachments

Shiva Frentzen Affidavit.pdf
8935K

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

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

AFFIDAVIT/DECLARATION OF TRUTH

To: District #2 Supervisor Shiva Frentzen
EDC Board of Supervisors
330 Fair Lane
Placerville, CA 95667

I, **Melody Lane,** the undersigned, hereinafter: Affiant/Declarant**,** make this Affidavit/Declaration of Truth of my own free will, and I hereby affirm, declare and solemnly swear, under oath, before a certified California Notary Public, that I am of legal age and of sound mind and hereby attest that all the information contained in this Affidavit/Declaration is true, correct and admissible as evidence.

This Affidavit/Declaration of Truth is lawful notification to you, and is hereby made and sent to you pursuant to the Federal Constitution, specifically, the Bill of Rights, in particular, Amendments I, IV, V, VI, VII, IX and X, and The Declaration of Rights of the California Constitution, in particular, Article 1, Sections 1, 2, 3, 9, 10, 11, 21, 23, and Article 3 Section 1, and requires your written rebuttal to me, specific to each and every point of the subject matter stated herein, within 30 days, via your own sworn and notarized affidavit, using true fact(s), valid law and evidence to support your rebuttal.

You are hereby noticed that your failure to respond, as stipulated, and rebut, with particularity and specificity, 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. See: *Connally v. General Construction Co.*, 269 U.S. 385, 391. Notification of legal responsibility is "the first essential of due process of law." Also, see: *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."*

Affiant/Declarant hereby affirms that the following actions and events took place:

On May 8, 2017, I sent you, Shiva Frentzen, El Dorado County District #2 Supervisor, via USPS certified mail, a letter which you received on May 9, 2017, and which I entered into the public record during the May 9, 2017 Board of Supervisors meeting. That letter, attached hereto and marked **Exhibit A**, was sent to inform you of these events and statements made by you, and also as an inquiry to ascertain whether you, Shiva Frentzen, as District #2 Supervisor and BOS Chairman, support and uphold them or would rebut them.

Pursuant to the lawful notification contained in that letter, as I originally stated therein, and as cited and included by reference herein, you were required to respond to and rebut anything contained in the attached May 8th letter with which you disagreed, within thirty (30) days of receipt thereof. Your letter dated June 1st failed to respond with specificity and thereby failed to rebut anything stated therein with truth, fact, valid evidence and law. Therefore, pursuant to the referenced lawful notification, you tacitly admit to all of the statements, charges and claims contained therein, fully binding upon you in any court, without your protest, objection or that of those who represent you.

Some of the things to which you admit include, but are not limited to, the following:

1) On March 29, 2017, I addressed a letter to you, Shiva Frentzen, Supervisor Michael Ranalli and the Planning Commissioners. The correspondence concerned specific violations of the Brown Act, due process, and District #2 Planning Commissioner Gary Miller's Principal Agent Oath of Office. As principal, you have delegated authority to your appointed agent, Commissioner Gary Miller, to act on your behalf. When you or any public officer has knowledge of wrong doing, yet fails to take corrective action, then, that public officer aids, abets and condones the unlawful action of the agent, thereby maintaining the status quo, and thus you become complicit and liable. Mr. Miller has repeatedly committed violations of the Brown Act and his Principal Agent Oath of Office. One such example was quoted verbatim and entered into the public record during the April 11th Open Forum portion of the Board of Supervisors meeting.

2) On April 11th I addressed the aforementioned Planning Commission grievances to you and Supervisor Ranalli which mandates appropriate dialog, scheduling the topic for a future meeting, and remedial action as required under the Brown Act, Section 54954.2(a & c). However, as spokesperson for the Board, you denied me due process when my repeated requests to appeal and reverse the aforementioned 3/23/17 Planning Commission decisions were ignored.

3) Instead of responding appropriately to my request, you deferred to Chief Counsel, Mike Ciccozzi. Counsel has no authority to respond on behalf of the BOS, nor is it appropriate for Counsel to render his opinion and/or interpretation of the law as mouthpiece for the BOS such as transpired on April 11th. At the behest of Mike Ciccozzi, you shut off the microphone, in denial of my Constitutional rights, due process of law and the Brown Act, all of which you are required to uphold, pursuant to your oath, after I refused to yield my sovereignty until I received your direct response to **appeal and reverse** the aforementioned 3/23/17 Planning Commission decisions. This conduct by you and the other BOS members is evasive, an egregious violation of the Brown Act, due process of law, the Constitutions to which you swore your oaths, and perjury of those oaths.

4) §54954.3(c) of the Brown Act states in part, *"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. 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. 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."***

When I refused to yield my sovereignty and pressed for your response to schedule the issues on the BOS calendar for public discussion, you replied, *"What you're asking me to do is to remove my appointee from the Planning Commission which I'm not going to do...or to discipline him...You asked me a question and you did not like my answer, so I would politely ask you to please let the rest of the meeting flow...If you do not agree to let the meeting flow, I will call for a five minute break...Can you kill the microphone please?"*

In violation of the Brown Act and your Oaths of Office, you 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.

6) The Board of Supervisors has been regularly apprised that they are routinely receiving falsified information from the River Management Advisory Committee, Parks & Recreation, the CAO, and the Planning Commission. Despite frequent public testimony of fraudulent information submitted by the aforementioned public agencies to the BOS, you have failed to take corrective action and voted unanimously to approve their recommendations. 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. See U.S. v. Tweel, cited above. My claims, statements and averments also pertain to your actions taken regarding your failure to provide honest public services, pursuant to your oaths.

7) 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 1st letter with specificity all the claims contained in my May 8th letter, you deny me, the Citizen, remedy; thus, deny constitutional due process of law, as stated within the Bill of Rights.

Lawful notification has been provided to you stating that if you do not truthfully and factually rebut the statements, charges and averments made in this Affidavit/Declaration, then, you agree with and admit to them.

Pursuant to that lawful notification, if you disagree with anything stated under oath in this Affidavit/Declaration of Truth, then rebut that with which you disagree, with particularity, within thirty (30) days of receipt thereof, by means of your own written, sworn, notarized affidavit of truth, based on specific, relevant fact and valid law to support your disagreement, attesting to your rebuttal and supportive positions, as valid and lawful, under the pains and penalties of perjury under the laws of the United States of America and this state of California. An un-rebutted affidavit stands as truth before any court.

Your failure to respond, as stipulated, is your agreement with and irrevocable admission to the fact that everything in this Affidavit/Declaration of Truth is true, correct, legal, lawful, fully binding upon you, Shiva Frentzen, District #2 Supervisor, in any court of law in America, without your protest, objection or that of those who represent you.

Further Affiant sayeth naught.

All Rights Reserved,

By: Melody Lane Date: 6/12/17

Melody Lane

Melody Lane
Compass2Truth
C/o P.O. Box 598
Coloma, California [95613]

(See attached California Notarization)

Attachments:
Exhibit A – May 8, 2017 letter to Shiva Frentzen

CC: Dist. #1 Supervisor John Hidahl
Dist. # 3 Supervisor Brian Veerkamp
Dist. #4 Supervisor Michael Ranalli
Dist. # 5 Supervisor Sue Novasel
EDC District Attorney Vern Pierson
Media and other interested parties

CALIFORNIA JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }

COUNTY OF El Dorado }

Subscribed and sworn to (or affirmed) before me on this 12 (Date) day of June (Month), 2017 (Year)

by Melody Jane

Name of Signers

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature: B. Totaro
Signature of Notary Public

B. TOTARO
Comm. # 2123330
Notary Public California
El Dorado County
My Comm. Expires Aug.14, 2019

Seal
Place Notary Seal Above

---------- **OPTIONAL** ----------

Though this section is optional, completing this information can deter alteration of the document or fraudulent attachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Affidavit Declaration of Truth

Document Date: 6/12/17

Number of Pages: 4

Signer(s) Other Than Named Above:

Melody Lane
Compass2Truth
P.O. Box 598
Coloma, CA 95613

May 8, 2017

Supervisor Shiva Frentzen, Dist. #2
El Dorado County Board of Supervisors
330 Fair Lane
Placerville, CA 95667

Supervisor Shiva Frentzen,

This letter is lawful notification to you, and is hereby made and sent to you pursuant to the national Constitution, specifically, the Bill of Rights, in particular, Amendments I, IV, V, VI, VII, IX and X, and the California Constitution, in particular, Article 1, Sections 1, 2, 3, 9, 10, 11, 21, 23, and Article 3 Section 1. This letter requires your written rebuttal to me, specific to each claim, statement and averment made herein, within 30 days of the date of this letter, using fact, valid law and evidence to support your rebuttal.

You are hereby noticed that your failure to respond within 30 days as stipulated, and rebut with particularity everything in this letter with which you disagree is your lawful, legal and binding agreement with and admission to the fact that everything in this letter is true, correct, legal, lawful and binding upon you, in any court, anywhere in America, without your protest or objection or that of those who represent you. Your silence is your acquiescence. See: *Connally v. General Construction Co.*, 269 U.S. 385, 391. Notification of legal responsibility is "the first essential of due process of law." Also, see: *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."*

What I say in this letter is based in the supreme, superseding authority of the Constitution for the United States of America, circa 1787, as amended in 1791, with the Bill of Rights, and the California Constitution, to which all public officers have sworn or affirmed oaths, under which they are bound by Law. It is impossible for an oath taker to lawfully defy and oppose the authority of the documents to which he or she swore or affirmed his or her oath. My claims, statements and averments also pertain to your actions taken regarding violations of the California Ralph M. Brown Act and deprivation of my rights pursuant to your oaths. When I use the term "public officer(s)", this term includes you.

The Supreme Law and superseding authority in this nation is the national Constitution, as declared in Article VI of that document. In Article IV, Section 4 of that Constitution, every state is guaranteed a republican form of government. Any "laws", rules, regulations, codes and policies which conflict with, contradict, oppose and violate the national and state Constitutions are null and void, *ab initio*. It is a fact that your oath requires you to support the national and state Constitutions and the rights of the people secured therein.

All public officers are required to abide by their oaths in the performance of their official duties. No public officer, including you, has the constitutional authority to oppose, deny, defy, violate and disparage the very documents to which he or she swore or affirmed his or her oath. All actions by public officers conducted in the performance of their official duties either support the national and state Constitutions, or deny them.

In order for America to survive as a Constitutional Republic, it is imperative that all aspects of government, including you, all other members of the Board of Supervisors and El Dorado County public officers, abide by all Constitutional requirements while conducting your official duties. When you and other public officers violate the Constitutions, at will, as an apparent custom, practice and policy of office, you and they subvert the authority, mandates and protections of the Constitutions, thereby act as domestic enemies to these Republics and their people. When large numbers of public officers so act, this reduces America, California and the County of El Dorado to the status of frauds operating for the benefit of governments and their corporate allies, and not for the people they theoretically serve.

Unfortunately, officials at all levels of government, including you, 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.

You swore an oath to uphold and support the Constitution of the United States of America, and pursuant to your oath, you are required to abide by that oath in the performance of your official duties. You have no Constitutional or other valid authority to defy the Constitution, to which you owe your LIMITED authority, delegated to you by and through the People, and to which you swore your oath.

On March 18, 2017, correspondence and accompanying evidence was submitted to the Planning Commissioners, Development Services Director, Roger Trout, and the Board of Supervisors regarding the upcoming March 23rd Planning Commission hearing relevant to the revocation of the Villa Florentina Special Use Permit and multiple violations of the River Management Plan.

After the March 23rd and the April 13th Commission hearings it became evident while in the course of conversations with Commissioners James Williams and Gary Miller, that none of those materials had been read by the Planning Commissioners prior to rubber-stamping their unanimous decisions made during the hearings. **(See Exhibit A)**

Then, on March 29, 2017, I addressed a letter to you, Supervisor Michael Ranalli and the Planning Commissioners. The correspondence concerned specific violations of the Brown Act, due process and District #2 Planning Commissioner Gary Miller's Principal Agent Oath of Office. As principal, you have delegated authority to your appointed agent, Commissioner Gary Miller, to act on your behalf. When you or any public officer has knowledge of wrong doing, yet fails to take corrective action, then, that public officer aids, abets and condones the unlawful action of the agent, thereby maintaining the status quo, and thus you become complicit and liable. In some cases, it's the agent who can be held responsible for misconduct, illegal activity, or violations of business standards.

Mr. Miller has repeatedly committed violations of the Brown Act and his Principal Agent Oath of Office. One such example was read into the public record after I questioned Commissioner Miller's voting rationale and his unprofessional conduct during the March 23rd hearing, as quoted here below, verbatim:

> *"I don't really need to explain to you what I did...I don't need to justify myself to you. You get what I give you!...I suggest you make a complaint to the BOS & have me removed. That would break my heart!...There isn't a 3 strikes policy! I know there's no such policy!...There is nothing in the Brown Act that says you can talk 3 or 5 minutes. One of the unique things about being a Chairman is you don't get to tell me what I can do!...Sounds like you are threatening to take me to court...County Council was right there. I assure you, that if I was in violation of the Brown Act he would have said something."*

As elected officials, you are responsible to deal directly and transparently with the constituents whom you profess to serve. During the April 11th Open Forum, I addressed the aforementioned Planning Commission grievances to you and Supervisor Ranalli which mandates appropriate dialog, scheduling the topic for a future meeting and remedial action as required under the Brown Act, Section 54954.2(a), which states in part:

> 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).)

The Board of Supervisors has been regularly apprised that they are routinely receiving false information from the River Management Advisory Committee, Parks & Recreation, the CAO, and the Planning Commission. Any enterprise, undertaken by a 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.

Additionally, Public Record Act requests for information pertinent to the River Management Plan have been ignored, are late, or are insufficiently responded to as required by law. Just one example is Roger Trout's fraudulent 3-Strikes policy which Commissioner Gary Miller referred to and has been the topic of meetings with county staff. **(See Exhibit B)**

Collusion between departments appears to be a major factor in depriving citizens of their right to access public information and due process. Following is Clerk to the Board, Jim Mitrisin's, 3/24/17 reply to a CPRA requesting said 3-Strikes policy, *"There are no records responsive to your request. I phoned the Planning Department to learn more and was informed the reference to "1,2,3" was made by an applicant and restated by Mr. Trout regarding steps taken to address a use permit issue. You may want to contact Mr. Trout for additional information."*

Prior to the March 23rd Planning Commission hearing, sufficient evidence was submitted for the Item #5 Villa Florentina SUP revocation along with a request made to pull from Consent Item #2, RMP Update. Apparently those materials were never read by any of the commissioners, nor were they properly posted to the government website prior to the hearing. I conversed at length with District #4 Commissioner James Williams about the anomalies, and he concurred with my assessment of the situation by encouraging me to request in writing that the decisions be repealed and reversed for lack of due process. **(See Exhibit C)**

However, as spokesperson for the Board on April 11th, you denied me due process when my repeated requests were ignored to **appeal and reverse** the aforementioned 3/23/17 Planning Commission decisions. Instead of responding appropriately to my request, you deferred to Chief Counsel, Mike Ciccozzi. Counsel has no authority to respond on behalf of the BOS or any other EDC employee, nor is it appropriate for Counsel to give his *opinion* and/or interpretation of the law such as transpired on April 11th. As John Adams, our nation's second president once said, "Facts are stubborn things." I want ONLY valid, relevant facts, and not opinions rendered by mouthpiece for the BOS. This conduct by you and the other BOS members is evasive, an egregious violation of due process of law, the Constitutions to which you swore your oaths, and perjury of those oaths. At the behest of Mike Ciccozzi, you shut off the microphone after I refused to yield my sovereignty until you specifically responded appropriately to specific grievances concerning Planning Commission malfeasance.

As such, Mike Ciccozzi's interference has been habitually without authority, and is in violation of the Brown Act and the Bagley-Keene Act. Thus, he too denied my

constitutionally secured rights and due process. See *Miller v. United States*, 230 F.2d 486 (5th Cir. 1956); "The claim and exercise of a constitutional right cannot be converted into a crime."

When I refused to yield my sovereignty and pressed for a response to schedule the issues on the BOS calendar for public discussion, you violated your Oath of Office by your reply, *"What you're asking me to do is to remove my appointee from the Planning Commission which I'm not going to do…or to discipline him…You asked me a question and you did not like my answer, so I would politely ask you to please let the rest of the meeting flow…If you do not agree to let the meeting flow, I will call for a five minute break…Can you kill the microphone please?"*

In violation of the Brown Act and your Oath of Office, you 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, to wit:

The Preamble of the Ralph M. Brown Act states:

> "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."**

It further states:

> §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.**

It has been brought to your attention on numerous occasions that county staff is habitually submitting erroneous data and/or false information regarding interrelated issues to the Board of Supervisors. You are reminded of your fiduciary duty to the public. Consequently, decisions made by the Supervisors that are based on deliberately falsified information submitted by staff will ultimately adversely affect all EDC tax payers, thus undermining the public trust in local government.

It is apparent the public's input has been reduced to irrelevancy by how the Board and Planning Commission vote unanimously, and/or rubber-stamp Consent items, thereby demonstrating that public meetings are little more than dog and pony shows with predetermined outcomes designed to falsely give the public an impression of government transparency and accountability. Furthermore, informal hallway conversations, such as took place February 14th and February 28th during BOS meeting breaks, are unacceptable substitutes for Citizen requests for transparency, due process and honest services.

Shiva, you were not elected by El Dorado County constituents to maintain the status quo. 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. *Your depriving the public of honest services is a federal crime.* 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. If you fail this requirement, then, you have violated two provisions of the First Amendment, the Public Trust and perjured your oath. Further, by not responding and/or not rebutting, you deny me, the Citizen, remedy; thus, deny constitutional due process of law, as stated within the Bill of Rights. An American Citizen can expect, and has the Right and duty to demand, that his or her government officers uphold their oaths to the Constitution(s) and abide by all constitutionally imposed mandates of their oaths. This is an un-enumerated Right guaranteed in the Ninth Amendment which I claim and exercise.

There is no legitimate argument to support the claim that oath takers, such as you, are not required to respond to letters, which, in this case, act as petitions for redress of grievances, stating complaints, charges and claims made against them by their constituents or by Citizens injured by their actions. When public officers, such as you, harm the Citizens by their errant actions, and then refuse to respond to or rebut petitions from Citizens, then those public officers are domestic enemies, acting in sedition and insurrection to the declared Law of the land and must be opposed, exposed and lawfully removed from office.

You perjured your oath by violating my constitutionally guaranteed Rights, in particular those secured in the Bill of Rights, including but not limited to my 1st

Amendment Rights. By your unlawful actions, you acted in sedition and insurrection against the Constitutions, both federal and state, and in treason against the People, in the instant case, me.

Anytime you and other public officers, pursuant to their oaths, violate Rights guaranteed to Citizens in the Constitutions, they act outside their limited delegated authority, thus, perjure their oaths, and by their own actions, invoke the self-executing Sections 3 and 4 of the 14th Amendment; thereby vacate their offices and forfeit all benefits thereof, including salaries and pensions, as you did on April 11, 2017 and several other occasions which are now a matter of public record.

As stated previously, actions by you and other public officers either uphold the Constitutions and rights secured therein, or oppose them. By your stepping outside of your delegated authority you lost any "perceived immunity" of your office and you can be sued for your wrongdoing against me, personally, privately, individually and in your professional capacity, as can all those in your jurisdiction, including any judges or prosecuting attorneys and public officers for that jurisdiction, if, once they are notified of your wrongdoing, they fail to take lawful actions to correct it, pursuant to their oaths and their duties, thereto.

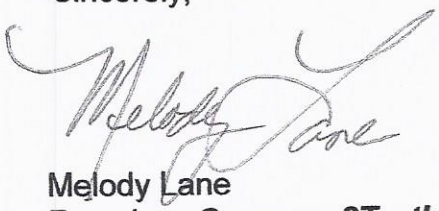
If they fail to act and correct the matter, then, they condone, aid and abet your criminal actions, and further, collude and conspire to deprive me and other Citizens of their Rights guaranteed in the Constitutions, as an apparent custom, practice and usual business operation of their office and the jurisdiction for which they work. This constitutes treason by the entire jurisdiction against the people, in the instant case, me, and based upon the actions taken and what exists on the public record, it is impossible for you and any public officer to defend himself against treason committed. *See: 18 USC § 241 - Conspiracy against rights. See also: U.S. v. Guest, Ga. 1966, 86 S.Ct. 1170, 383 U.S. 745, 16 L.Ed 239.*

Pursuant to the constitutional mandates imposed upon them, by and through their oaths, there is no discretion for you to oppose the Constitutions and your oaths thereto, nor to be selective about which, if any, mandates and protections in the Constitutions you support. The mandates and protections set forth in the Constitutions are all encompassing, all-inclusive and fully binding upon you and all public officers, without exception.

If you disagree with anything in this letter, then, rebut that with which you disagree, in writing, with particularity, to me, within 30 days of the date of this letter, and support your disagreement with evidence, true fact and valid law.

Your failure to respond, as stipulated, is your agreement with and admission to the fact that everything in this letter is true, correct, legal, lawful, and is your irrevocable agreement attesting to this, fully binding upon you, in any court in America, without your protest or objection or that of those who represent you.

Sincerely,



Melody Lane
Founder - ***Compass2Truth***

Attachments:
Exhibit A – March 18, 2017 Villa Florentina SUP & RMP violations
Exhibit B - 10/4/16 CPRA Ethics Agenda
Exhibit C - March 29, 2017 Planning Comm. Hearing letter to Sups. Frentzen & Ranalli

CC: District #1 Supervisor John Hidahl
District #3 Supervisor Brian Veerkamp
District #4 Supervisor Ranalli
District #5 Supervisor Sue Novasel

Compass2Truth
Citizens for Constitutional Liberty

P.O. Box 598
Coloma, CA 95613

March 18, 2017

El Dorado County Planning Commission
C/o Development & Planning Services
2850 Fairlane
Placerville, CA 95667

RE: Villa Florentina Bed & Breakfast SUP #S10-0009 Violations & Revocation

Dear Commissioners,

I have been a resident of Coloma for nearly 20 years living close to the intersection of Carvers and Mt. Murphy Roads located within the Quiet Zone of the S. Fork American River. Not only can we hear excessively loud events emanating from Villa Florentina, residents are frequently bombarded simultaneously by multiple amplified events at the Coloma Resort and other surrounding campgrounds. **(See Exhibit A)**

Egress in the event of an emergency is also cause for concern frequently expressed by neighbors on the north side of the Mt. Murphy Road Bridge. This becomes a public safety issue when large events create traffic jams.

The Quiet Zone as described in the River Management Plan (RMP) begins at Indian Creek above Coloma, and ends at Greenwood Creek below Rivers Bend. RMP noise restrictions apply to the river rafters as well as to campgrounds, business establishments, and private property owners. The majority of residents moved to Coloma for the peace and quiet of the rural lifestyle. The purpose of the Quiet Zone is to respect the rights and reasonable expectations of adjoining landowners.

The specifics of SUPs and requirements are delineated in Sections 4 through 8 of the RMP. Section 8.2 of the RMP states only the County Sheriff's Department has the authority to fine and enforce County Code violations involving private campgrounds and private land owners. Should a resident desire to obtain a Temporary Use Permit (TUP) for a special amplified music event, they would be required to pay a fee to obtain a permit through the Sheriff's Department. To date, Public Record Act requests for information reveal there have only been about a dozen TUPs issued by EDSO over the course of more than 15 years, most of them held at Henningson-Lotus Park. None have ever been issued for Villa Florentina.

Significantly excessively noisy events, such as those emanating from Villa Florentina, have negative impacts not only upon the quality of life of residents living within this stretch of the river, but also upon the value of neighboring homes. The historic failure of the county to apply consequences for SUP violations as per the RMP exacerbates the problem of unacceptable levels of noise. The campgrounds, businesses, and event

Exhibit A

coordinators expect Code and Law Enforcement to turn a blind eye and deaf ear to resident's complaints; hence business continues as usual in EDC.

Noise violations within the Quiet Zone have been a bone of contention in our community long before I even moved here. Once it was realized what a problem SUP violations actually were, I joined others in circulating petitions for SUP revocations and volunteered as secretary for the Community Clamor Committee (CCC). The purpose of the CCC was to mitigate the frequent SUP violations, lack of appropriate monitoring within the Quiet Zone, and to develop a plan of action to bring the offending parties into compliance. Because these meetings could get very contentious, I invited law enforcement to actively participate as per the RMP. Note it is not necessary to have a decibel meter or hire a professional to determine the level of noise. **(See Exhibit B)**

The minutes of the CCC meetings were integrated into the RMP, but in essence the county failed to recognize and/or take any remedial action. Consequently bully tactics were applied against anyone who dared complain about disturbances of the peace. Ultimately the Sheriff's Department and Code Enforcement failed miserably to abide by the requirements of the RMP. Again, business continued as usual.

Every resident has a right to live in peace and safety. Therefore in 2010 we began meeting with Sheriff D'Agostini as well as County and CA State Parks personnel to further develop a plan of action to mitigate the RMP noise problems and associated concerns that have plagued our community for decades.

It is significant that Adam Anderson, owner of Villa Florentina, is the Business Representative for the River Management Advisory Committee (RMAC). I was accompanied by four individuals to the September 14, 2015 RMAC meeting. Supervisor Ranalli was also present. The purpose of the agenda item I'd specifically requested was to address RMP violations and recommend revocation of the SUPs to the Planning Commission. In addition to multiple audio recordings, my four witnesses can attest Adam Anderson falsely accused me of using profanity while I was quietly seated in the audience. Adam has failed to demonstrate integrity, and in fact, has a conflict of interest as delegate to RMAC. (Please refer to Consent Item #2 for the RMP to be pulled & removed.)

Using RMAC as a bully pulpit, it became evident RMAC delegates had colluded with county personnel to set up and publicly discredit me and the organization, ***Compass2Truth***. Consequently that incident became the subject of meetings with County Counsel, Supervisor Ranalli and other EDC staff. **(See Exhibit C)**

Please ensure that the Planning Commission REVOKE the SUP for Villa Florentina Bed & Breakfast.

Sincerely,

Melody Lane
Founder ~ ***Compass2Truth***

Attachments:
Exhibit A – Trout letters to American River Resort & Coloma Resort
Exhibit B - EDSO Examples of Sound Levels
Exhibit C - 11/14/16 RMP Public Comments

CC: Roger Trout
Supervisors Districts #1, 2, 3, 4 & 5

Tuesday October 4, 2016 @ 2:30 PM

Don Ashton, Mike Ranalli, Paula Franz

I. CPRAs - FOIA
   A. Guide to CPRAs
   B. Government PRA Tracking system – COB Discrepancies
   C. Legal vs. Lawful

II. Ethics & HR policies
   A. Brown Act Violations
   B. Transparency & Accountability
      1. BOS
      2. EDSO
      3. CAO

III. Obstacles - Bureaucratic Shenanigans
   A. Communication breakdown
   B. Fees - Resolution 113-95 v. AB1234
   C. Code/Law Enforcement policy inconsistencies

IV. Follow up - Target date

Exhibit B

Compass2Truth

Citizens for Constitutional Liberty

P.O. Box 598
Coloma, CA 95613

March 29, 2017

TO: District #4 Supervisor Mike Ranalli
District #2 Supervisor Shiva Frentzen

CC: EDC Planning Commissioners
CAO Don Ashton
Supervisor Brian Veerkamp
Supervisor Sue Novasel
Supervisor John Hidahl

RE: 3/23/17 Planning Commission Hearing – RMP & Villa Florentina

Dear Supervisors Frentzen & Ranalli,

Please ensure the entirety of this correspondence is posted to Public Comments for Villa Florentina SUP scheduled for the August Planning Commission hearing. The following comments apply to the 3/23/17 Planning Commission Consent Item #2 – RMP Update & Implementation, and Item #5 – Villa Florentina SUP hearing:

Note I did not address Mike Ciccozzi during the 3/28/17 Open Forum. My purpose in specifically addressing Supervisor Ranalli and Chair Frentzen was to briefly dialog, as permitted under the Brown Act, and receive a public response as to scheduling the item on the BOS calendar for public dialog and remedial action by the BOS.

Refer to the Brown Act § 54954.2(a) and § 54954.3 (c) which state in part,

> "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…These decisions found that prohibiting critical comments was a form of viewpoint discrimination *and that such prohibition promoted discussion artificially geared toward praising and maintaining the status quo,* ***thereby foreclosing meaningful public dialog***…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.***"

Additionally, based upon the BOS knowledge of falsified data submitted by Parks & Recreation staff member Noah Rucker-Triplet and CSD Director Roger Trout, and the subsequent denial of the public's due process, I

Exhibit C

also submit this request to **appeal and reverse the 3/23/17 Planning Commission Consent Item #2** unanimous vote to:

1) Approve 2016 Annual Report to implementation of RMP; and
2) Recommend continued implementation of the River Management Plan as currently prescribed

Prior to the hearing sufficient evidence was submitted for the #5 Villa Florentina SUP and request to pull from Consent Item #2 RMP Update. Apparently those materials were not read by the commissioners or properly posted to the government website. My records indicate one of the emails I had submitted was NOT posted to #5 Villa Florentina SUP. Lucky I had those materials with me which I presented three times to Char Tim during the hearing before she finally accepted them into the public record. ***Also significantly omitted was Adam Anderson's power point presentation that falsely targeted my home as a "noise hot spot" on a map of the river.***

You, our elected officials, are responsible to deal directly and transparently with the constituents whom you profess to serve. *Counsel has no authority whatsoever to respond on behalf of the BOS or any other EDC employee, nor is it appropriate for Counsel to give his opinion and/or interpretation of the law.* Mike Ciccozzi's comment to post missing documents *after the public hearing* is a typical form of discrimination artificially geared toward praising and maintaining the status quo, thus ***denying the public their right to due process.*** As such Mike Ciccozzi's reply was unacceptable.

Adam Anderson is not an exception to the law or any of the RMP restrictions in the Quiet Zone of the S. Fork American River. Adam has an apparent conflict of interest with RMAC, and in the presence of Supervisor Ranalli, Adam has proven his lack of integrity. Mr. Anderson has abused the authority delegated to him by you, the entire Board of Supervisors.

Furthermore, The Mountain Democrat article was a blatant misrepresentation of the 3/23/17 Planning Commission hearing orchestrated by the Chamber Political Action Committee (CPAC). Commission Chairman Gary Miller turned the Villa Florentina hearing into a biased kangaroo courtroom. The Channel 13 public relations stunt, plus special considerations given to Adam during the 3/21 BOS Open Forum, perpetrated sympathy and certainly generated profitable revenues in support of his plight.
http://sacramento.cbslocal.com/tag/villa-florentina/

Supervisor Frentzen, you especially need to be aware that District #2 Commissioner Gary Miller violated the Brown Act in addition to being discriminatory, disrespectful and arrogant during the 3/23/17 Commission hearing. I was the *only person whom he harassed,* demonstrating exactly the same unacceptable behavior as Ron Mikulaco while he was Chairman of the BOS. Gary's mocking attitude while we spoke Tuesday evening was bizarre, abrasive and unreasonable. This is just a sampling of some of his comments when I questioned his voting rationale and unprofessional conduct during the hearing:

> *"I don't really need to explain to you what I did...I don't need to justify myself to you. You get what I give you!...I suggest you make a complaint to the BOS & have me removed. That would break my heart!...There isn't a 3 strikes policy! I know there's no such policy!...There is nothing in the Brown Act that says you can talk 3 or 5 minutes. One of the unique things about being a Chairman is you don't get to tell me what I can do!...Sounds like you are threatening to take me to court...County Council was right there. I assure you, that if I was in violation of the Brown Act he would have said something."*

It is troubling that Commissioner Miller remarked about his fear of being sued. Similar comments were made by Kim Kulton during the February 15th CL Fire Safe Council. Some of the same community members at the CL FSC meeting addressed the 3/23/17 Planning Commission hearing as mentioned in the Mtn. Democrat

article concerning the Villa Florentina SUP. This is an issue that Supervisor Ranalli and Roger Trout have taken great pains to avoid addressing, particularly as it involves the RMP, SUP violations, Code & Law Enforcement, and related public safety issues in Coloma.

Comments made by Roger Trout during the Villa Florentina hearing raised several red flags, particularly his evident reluctance to respond to numerous requests for the written "3-strikes" Special Use Policy. How can a policy be enforced if it doesn't even exist?

Over the years we had met with Roger Trout, Sheriff D'Agostini, Supervisor Ranalli, Supervisor Briggs, Don Ashton and County Counsel on several occasions to discuss the 3 strikes policy and related code and law enforcement matters. However all meetings proved to be exercises in futility primarily because Roger Trout and Supervisor Ranalli remained unresponsive to constituent concerns about SUP enforcement affecting the entirety of El Dorado County.

Finally a District #4 constituent who couldn't be present for the hearing submitted a CPRA for the 3 strikes policy. It wasn't until 3/28/17 that I received the following response to the CPRA:

There are no records responsive to your request. I phoned the Planning Department to learn more and was informed the reference to "1, 2, 3" was made by an applicant and restated by Mr.Trout regarding steps taken to address a use permit issue. You may want to contact Mr. Trout for additional information.

Thank you.
Jim Mitrisin
Clerk of the Board

Special Use Permits are a major component of the RMP, particularly restrictions put upon business establishments within the Quiet Zone of the S. Fork American River.

During the hearing when District #4 Commissioner James Williams addressed concerns discussed prior to the hearing, Noah Rucker-Triplett made some disturbing comments and revealing admissions concerning the River Management Plan. Noah stated RMAC isn't required to respond to the public, nor had the RMAC held any meetings since the Annual November 2016 RMAC. That meeting was in reality less than 25 minutes in duration with only three members of the public present, me included. Additionally there was no Annual RMP Update submitted to the Planning Commission for the year 2015.

Commissioner Williams made the astute observation that the RMAC can't advise the BOS if they aren't meeting or the RMAC issues aren't publicly vetted. However Chairman Miller recommended approval of the RMP as submitted by staff. Subsequently the Commission unanimously approved the RMP despite the apparent discrepancies which had been brought to their attention. Apparently the facts didn't matter; business as usual. Thus the public was denied due process in violation of the Brown Act and legal mandates within the RMP.

The BOS has been made aware of the frequent RMP violations and safety aspects affecting the quality of life for river residents within District #4. Yet your failure to effectively address and remedy these issues is dereliction of duty making you complicit in their perpetuation.

Accordingly, you've been reminded on more than one occasion of AB1234 Mandatory Ethics Training for Public Officials, wherein it states in part:

- The law provides only minimum standards for ethical conduct. Just because a course of action is legal, doesn't make it ethical/what one ought to do.

- Because of the breadth of federal anticorruption law, avoid any temptation to walk closely to the line that divides legal from illegal conduct under state law. Even though a course of action may be lawful under the state law, it may not be lawful under federal law.
- Conduct the public's business in open and publicized meetings, except for the limited circumstances when the law allows closed sessions.
- Allow the public to participate in meeting, listening to the public's views before decisions are made.
- Cannot retaliate against those who whistle-blow.
- Must conduct public hearings in accordance with due process principles.
- The law is aimed at the perception, as well as the reality, that a public official's personal interests may influence a decision. Even the temptation to act in one's own interest could lead to disqualification, or worse.
- Cannot simultaneously hold certain public offices or engage in other outside activities that would subject them to conflicting loyalties.
- Violating the conflict of interest laws could lead to monetary fines and criminal penalties for public officials. *Don't take that risk.*

Included as an attachment is the Ron Mikulaco Declaration-Affidavit referenced above. It should serve as a wake-up call to all public officials to take their Constitutional Oaths seriously. Don't forget, you work for us.

In anticipation of your cooperation and in accordance with Constitutional principles I look forward to your prompt response.

Sincerely,

Melody Lane
Founder – ***Compass2Truth***

Attachments:
1. 3/27/17 Villa Florentina Mtn. Democrat article
2. Ron Mikulaco Declaration-Affidavit

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, 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) MGDP
  3) Resident
- B. Brown Act Violations
  a. 9/14/15 meeting (attendees)
  b. MGDP Rep. Bill Deitchman – absent/approved minutes
  c. 5/26/16 MGDP Special Meeting
  d. 7/11/16 Lotus Fire House > 8/8/16
- C. RMP Update
  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: