

M. Lane Public Comment on BOS 8-11-15
Consent Calendar

Mountain Democrat

PLACERVILLE, CALIFORNIA

News

Fireworks are illegal

From page A1 | July 03, 2015

El Dorado County Sheriff's Office

Story Archive

Sheriff John D'Agostini wants to remind everyone that fireworks of any kind are illegal in El Dorado County. Any person caught possessing, transporting, purchasing, selling or even storing fireworks could be cited or arrested and booked into the El Dorado County Jail for violating the misdemeanor county ordinance.

Illegal fireworks in El Dorado County even include sparklers or those sold in Sacramento County as "Safe and Sane." All fireworks will be confiscated as evidence, rendered safe and properly disposed of. Thousands of people, most often children and teens, are injured while using consumer fireworks every 4th of July, according to the National Fire Protection Association. Despite the danger, few people understand or respect the associated risks such as devastating burns, severe injuries to eyes, ears and extremities, structure fires, wildland fires and even death. Yet many who use illegal fireworks do so without fear of repercussions or consequences.

Have a fun and safe holiday weekend in El Dorado County, without the fear of fire or injury. Pyrotechnics can be enjoyed by the whole family at several venues over the weekend. Events are planned at the El Dorado County Fairgrounds, South Lake Tahoe and El Dorado Hills Town Center.

Make your celebration a safe one without endangering yourselves or your neighbors. With dry conditions due to heat and the drought, safety should be paramount for everyone.

If you see others using fireworks, report it to law enforcement immediately. You may be saving someone's life, home, neighborhood or forest lands.

Rec'd 2/27/15



JOHN D'AGOSTINI
SHERIFF - CORONER - PUBLIC ADMINISTRATOR
COUNTY OF EL DORADO
STATE OF CALIFORNIA

REPLY TO:

HEADQUARTERS
300 FAIR LANE
PLACERVILLE
CA 95667
530 621-5655
FAX 626-8091

JAIL DIVISION
300 FORNI ROAD
PLACERVILLE
CA 95667
530 621-6000
FAX 626-9472

TAHOE PATROL
1360 JOHNSON BLVD., SUITE 100
SOUTH LAKE TAHOE
CA 96150
530 573-3000
FAX 544-6809

TAHOE JAIL
1051 AL TAHOE BLVD.
SOUTH LAKE TAHOE
CA 96150
530-573-3031
FAX 541-6721

February 23, 2015

Ms. Melody Lane
P.O. Box 598
Coloma, Ca. 95613

Dear Ms. Lane:

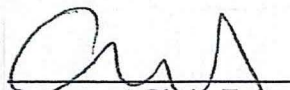
This letter is to inform you that the El Dorado County Sheriff's Office Internal Affairs Section has investigated your complaint of misconduct involving an Officer with our Department.

The investigation has been completed and it has been determined that there was no misconduct on the part of the Officer and no further action will be taken.

I am not at liberty to discuss any details of the investigation with anyone due to the California Penal Code and the California Attorney General's opinion. The related sections are 832.5, 832.7 832.8 (e) and (f) of the California Penal Code and 1043 and 1046 of the California Evidence Code.

Sincerely,

John D'Agostini
Sheriff - Coroner
Public Administrator


Sergeant Chris Felton
Support Services Division

X1254

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El Dorado County Sheriff's Office Citizen Complaint Information And Complaint Form

The El Dorado County Sheriff's Office acknowledges its responsibility to establish a procedure to investigate citizens' complaints. A complaint may be filed in person, by writing or by telephone. However, it may be necessary that the complainant be available for personal interview. Complaint forms are also available at the public counters of all Sheriff's buildings. Completed forms may either be delivered or mailed to:

El Dorado County Sheriff's Office
Citizens' Complaints
300 Fair Lane
Placerville, ca 95667
Telephone: (530) 621-5655

Personnel complaints are defined as any allegation of misconduct or improper job performance against any department employee. Personnel Complaints are classified as:

- **Informal** – a matter in which the complaining party is satisfied that appropriate action has been or will be taken by a department supervisor of rank greater than the accused employee.
- **Formal** – a matter in which the complaining party requests further investigation or which a department supervisor determines that further action is warranted.
- **Incomplete** – A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. Such complaints may still be investigated by a department supervisor of rank greater than the accused employee or referred to Internal Affairs depending on the seriousness and complexity of the investigation.

It may be necessary for you to present your stated complaint in person before a Hearing Board in the event this complaint results in any disciplinary proceedings against the employee.

All investigations will be thorough, objective, and focused on maintaining public confidence and departmental integrity. The goal of every investigation will be to identify and evaluate all the facts surrounding the incident in question.

Investigations by the Sheriff's Office concerning the conduct of its employees, and the District Attorney's independent decision to prosecute a criminal case are two entirely separate matters. If a person arrested by Sheriff's Deputies files a citizen's complaint against those deputies, such action will in no manner affect the prosecutor's decision to proceed with a criminal filing.

In all cases, after completion of the investigation, the complainant will be notified in writing of the findings to the extent allowed by law.

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EL DORADO COUNTY SHERIFF'S DEPARTMENT
PERSONNEL COMPLAINT FORM

TODAY'S DATE: 8/8/15

DATE OF INCIDENT: 07/04/2015

RECEIVED TIME: _____

TIME OF INCIDENT: 9 PM and 12:15 AM

CASE NUMBER (IF KNOWN): CF#15-5698

RECEIVED BY: _____

#1 COMPLAINANT NAME: Melody Lane
(Printed) _____
(Signed) _____

#2 COMPLAINANT NAME: _____
(Printed) _____
(Signed) _____

ADDRESS: _____
CITY: Coloma
STATE: CA ZIP: 95613

ADDRESS: _____
CITY: _____
STATE: _____ ZIP: _____

RES. PHONE: (530) _____
BUS. PHONE: _____

RES. PHONE: _____
BUS. PHONE: _____

LOCATION OF OCCURRENCE: Coloma Resort
6921 Mt. Murphy Road
Coloma, CA 95613

OFFICERS INVOLVED: Deputy Garrett Gennai #1286

WITNESS: _____
ADDRESS: _____
CITY: Coloma
STATE: CA ZIP: 95613
PHONE: (530) _____

WITNESS: _____
ADDRESS: _____
CITY: _____
STATE: _____ ZIP: _____
PHONE: _____

STATEMENT OF ALLEGATION OR COMPLAINT:

Failure of Deputy Gennai to investigate crime of illegal fireworks, interview witnesses, respond to phone messages & written correspondence, and falsification of CF report. See attached for additional information.

When completing the attached Personnel Complaint Form, please:

Fill in the information blanks providing as much information as known, including any witnesses, and return it to the Sheriff's Office. Please write, type, or print clearly so that all of the information provided will be understood.

Complete a detailed statement outlining the allegation(s), facts, and circumstances surrounding the incident. It is important that exact statements, actions, or circumstances are described in detail when possible.

The following advisement is required by state law:

YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A PEACE OFFICER FOR ANY IMPROPER CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CITIZENS' COMPLAINTS. YOU HAVE THE RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT. NEVERTHELESS, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER ACTED IMPROPERLY. CITIZEN COMPLAINTS AND ANY REPORTS OR FINDINGS RELATED TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS.

I have read and understand the above statement:

Signature of Complainant:

Melody Lane

Date:

8/8/15

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Melody Lane
P.O. Box 598
Coloma, CA 95613
(530) 642-1670
melody.lane@reagan.com

August 8, 2015

Sheriff John D'Agostini
El Dorado County Sheriff's Office
300 Fair Lane
Placerville, CA 95667

RE: Citizen's Complaint - Deputy Garrett Gennai #1286

Dear Sheriff D'Agostini,

The purpose of this correspondence is to file a **formal complaint** and request disciplinary action against Deputy Garrett Gennai for conspiracy against rights, obstruction of justice, falsification of records, and failure to interview witnesses stemming from the 7/4/15 report of repeated illegal fireworks and SUP violations at the Coloma Resort (**See Exhibit A - CF#15-5698 - *Note - this erroneous CF cover sheet states it is for loud unreasonable noise, NOT ILLEGAL FIREWORKS**).

Deputy Gennai's misconduct undermines the public's trust in law enforcement. It is apparent by the enclosed documentation that the deputy:

1. Patronized me
2. Was lying
3. And/or was acting under orders of higher authority

Your staff is a reflection of your leadership. To ensure the investigation is thorough, objective, and focused on maintaining public confidence and departmental integrity, I request my right to state this complaint in person before a Hearing Board.

On July 4th at approximately 8:54 PM I called Dispatch regarding a disturbance of the peace/loud karaoke at the Coloma Resort. I requested the deputy on duty call me back. I also requested to make a Citizen's Arrest. (*CFS #07042015-226)

At 10:16 PM Deputy Gennai returned my call while on premises at the Coloma Resort. The following is a transcript of our conversation:

Melody: Hello?

Deputy Gennai: Ms. Lane? Hello, this is Deputy Gennai from the Sheriff's Department. How ya doing?

Melody: Fine, thank you.

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Gennai: Yeah, I'm down here at the Coloma Resort. I drove through and it's quiet and I just found out they have a...Capitol Security officers down here now.

M: Capitol Security officers?

G: Yeah, and they are here to make sure all the weddings, all the parties get shut off at 10 and the karaoke gets shut off at 9:30.

M: OK, well the thing is they were in violation of their special use permit and the River Management Plan. They were far and exceedingly above the decibel levels that are permitted. This is an ongoing problem as you are well aware.

G: Yep.

M: The other thing is there was a huge traffic jam at the Coloma Resort out on the Mt. Murphy Road Bridge, out onto Highway 49, and all the way up to Carvers Road this afternoon with automobiles going into the Coloma Resort. I'd like to know the headcount of how many people are at the resort at this time.

G: Yeah, I don't know. There's probably over 100.

M: Well, there's got to be a whole lot more than 100, and there is a limit on this. They can have their special use permit revoked. I don't know what Capitol Security is, but the thing is, it is the Sheriff's job with Code Enforcement--County Code Enforcement--that they abide by the laws, the ordinances, and permits within this county. And without the Sheriff's cooperation they have the residents of this county held hostage by the Coloma Resort and other business establishments that know the Sheriff's Department and Code Enforcement aren't doing their job. This is something we are working on as a group and as a community to ensure the Coloma Resort complies with the River Management Plan and the codes, ordinances and laws of El Dorado County. Are you at the Coloma Resort right now?

G: I am.

M: OK. Um...In the past I've been libeled, I have been slandered, I have been threatened by the owners of the Coloma Resort, and I am willing to press charges. The next time this happens I would like a deputy to come up here immediately while it is happening so that I can make a Citizen's Arrest. My neighbors and I have done this in the past, as is our right. But they are going to continue getting away with this as long as the Sheriff's Department and the County Code Enforcement allows them to abuse property rights and invade our homes with their noise. This is also a public safety issue. Thursday night there were firecrackers out at the Coloma Resort. I heard it, my neighbors heard it. We were very concerned. I've had five arson fires start on this property. Um, you know I lost my dog in the 2007 fire that consumed half of the Marshall Gold Discovery Park. But at this time would you please consult with the park manager and find out how many people are actually at the Coloma Resort this evening? They should have a record of that.

G: Yeah, I can make an attempt, but right now there are calls pending that I've got to get to.

M: Yeah, I know but if you're there already it should be a simple question to answer for the park manager. And I'm assuming there is a park manager on duty there.

G: I'll talk to security staff about it.

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M: I don't know about security, but how many events do they have going on there today?

G: I don't know.

M: Would you please find out? Because any amplified music events are supposed to go through the Sheriff's Office.

G: Yep, that's true.

M: And if they've got an amplified music permit, I'd like to see it. If they do not have it, I would like to know. Could you get back to me Deputy Gennai? It doesn't have to be immediately or tonight any longer; it's kind of late. But if you can get back to me tomorrow, you know, with that information...

G: Yeah, I'll sure try. Yeah, for sure.

M: If you would please, I'd sure greatly appreciate it.

G: Yeah, I've worked with you on this before, and uh, yeah, I think you're right, if there was an event, they pay a lot of money for a music permit and they're getting away with it. Yeah, it bothers me too.

M: Yeah, it's huge. It's become part of the River Management Plan. There was recently a meeting held at the Grange Hall a couple weeks ago and Supervisor Ranalli was there. They also had the new temporary Park manager since Jeremy McReynolds was fired. We've got a lot of chaos going on and a lot of it has to do with the Coloma Resort. We're not putting up with this any longer. So if you could get back to me with the number of people, and whether there's any permits issued by the Sheriff's Department for the events they've got there because this can't go on. This is an invasion of our privacy; the noise is extremely intrusive. That affects our property values. The traffic jams too. There were about between 25-35 young boys with inner tubes that refused to get out of the road today. Eric Carter—Ranger Eric Carter—looked like he was beside himself. It looked like he was giving citations, but the Coloma Resort is way, way out of control.

G: It sure sounds like it... (radio interference)

M: Yeah, this is Deputy Gennai, correct?

G: Yes it is.

M: I've spoken with you before. If you could get back to me at a reasonable hour, you know, with that information, I would greatly appreciate it. But do get a headcount because there is a limit to the number of people that they are allowed to have there, and I want to know if they have a Sheriff's issued special use permit for the amplified outdoor music.

G: OK. I'll get on it right now. And uh, yeah, I want to talk to Jim Wassner because he's with the Code Enforcement.

M: No, Jim Wassner retired and...

G: (interrupting) He did?

M: Yeah, he's retired and there's a new guy, but I don't have his name handy right now. I've been speaking to Code Enforcement and Supervisor Ranalli about getting a handle on this. And so we need

the Sheriff's Office to cooperate with us. So if you could get back to me with that information I'd greatly appreciate it and so would my neighbors.

G: OK. I'll get on it.

M: Thank you very much and have a good evening.

G: You too. Goodbye.

#End of transcript#

At 12:15 AM that evening I was awakened by a huge display of fireworks above the treetops near the base of my property clearly viewable from my bedroom window. My dog became alarmed and started barking at the disturbance. I called Dispatch requesting a deputy immediately respond after investigating the illegal fireworks at the Coloma Resort.

Deputy Gennai called at 1 AM and reported that he had spoken with the security guard who'd interviewed some of the campers witnessing the fireworks display. According to Deputy Gennai the Capitol Security guard couldn't determine who set off the fireworks, but several campers reported being upset by the apparent danger and noise. I questioned the security guard's authority to issue citations but Deputy Gennai indicated he didn't know. When I asked whether he had spoken with the campground manager Deputy Gennai replied that he had not.

I reiterated my earlier request for the EDSO issued SUPs, total headcount, and the name of the regular campground manager on duty. We would need this for our meeting with Supervisor Ranalli and with members of the local Fire Safe Council. I explained this was the second year a row that illegal fireworks were reported at the Coloma Resort creating a threat of fire, particularly to my property, but no action had been taken by county authorities. **(See Exhibit B)** In order to assist, I suggested he speak with Fred and Mariel Faieta, the owners of the Coloma Resort. Deputy Gennai assured me that he would get back to me with the requested information.

I then requested a Case File number. Deputy Gennai responded with **CFS#0705-2015-0001**. Realizing that this was actually a CFS number (Call For Service) requiring no investigation or report, I remarked this was a matter of public safety and insisted on the assignment of a Case File number for investigation of the CRIME of illegal fireworks. Gennai agreed it was a crime and reluctantly assigned **CF#15-5698**. We ended our conversation with the assurance that he would follow up on this investigation.

The next morning I spoke with campers situated parallel to Mt. Murphy Road at the Coloma Resort. It was apparent that there were more campers per space than safely allowed by law. They reported hearing the loud karaoke, but rather than participating they chose to party down on the river. At least three dozen booze bottles were stacked on their picnic table and clothing was hung on the fence causing the grounds to look like a homeless camp. They also reported hearing the fireworks and were concerned about the danger it presented. I then sent out the attached announcement via CLNews about the fireworks and traffic jam at the Coloma Resort. Bob Day, Secretary for the Coloma Lotus Fire Safe Council distributed my email to others with his comments concerning meeting with Supervisor Ranalli. **(See Exhibit C)**

Inebriated campers and loud parties often after midnight in the vicinity of the Mt. Murphy Bridge have been frequent community complaints expressed for decades to Code Enforcement and during public RMAC meetings. Typically the campground manager and EDSO are reticent to respond or cite the

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responsible individuals. Historically the 4th of July weekend has generated the greatest resident concern about the lack of code and law enforcement and the lack of an emergency evacuation plan. This has especially been a concern of residents in the vicinity of the Marshall Gold Discovery Historic State Park and the American River Trail corridor. Public Record Act requests reveal numerous petitions have been submitted to Code Enforcement but there has never been a response from the responsible department heads. You'll recall this was the purpose of our last meeting with Roger Trout and MGDSP Superintendent Jeremy McReynolds in your office September 4, 2012. (See Exhibit D)

Messages were conveyed via phone and letter to Deputy Gennai but he never responded. (See Exhibit E) When the [REDACTED] reported that they'd never been contacted, I left a phone message in Gennai's voice mail that [REDACTED] a witness to the fireworks at the Coloma Resort on the 4th of July, would be out of town after 8/1/15. I also called Dispatch requesting he return my call but never received a response.

For years the [REDACTED] and I have been active participants in the Emergency Evacuation Planning & Coordination for the Coloma Lotus community. Other neighbors mentioned they also had been disturbed by the fireworks at the Coloma Resort and the threat of another wildfire. Additionally when I called Patrol Sgt. Parker to for Deputy Gennai's schedule, I never received the courtesy of a call back.

On 7/14/15 I requested the BOS to Pull Item #34 from Consent for public discussion – **Sheriff Declares State of Emergency Due to the Drought. (See Exhibit F)**. The BOS Chair Brian Veeramp refused my request. When I specifically challenged my right to pull this item Mike Ranalli remarked they had “ongoing meetings yesterday & discussions with fire safe council” and that they were aware there were “two pending investigations” stemming from my report and they were awaiting release of those reports. I submitted documents during both Consent and Open Forum in respect to the drought conditions and illegal fireworks.

Immediately after Open Forum I spoke with Brenda Bailey. She promised she would let me know when the BOS received both copies of the case files. Apparently they wanted to see how many other witnesses had reported the illegal fireworks at the Coloma Resort. She also indicated that the BOS was monitoring the Coloma Lotus News for retaliatory comments after my initial posting.

Although I had contact information for other witnesses, it became glaringly apparent on July 24th when I finally picked up a copy of CF#5698 that Deputy Gennai never had any intention of conducting an investigation or interviewing witnesses. He had portrayed me as the problem and handed his report off to Code Enforcement for review. As you are well aware, Code Enforcement has kicked this can down the road for decades.

On July 28th two more constituents requested that the State of Emergency Due to the Drought be pulled from Consent for public discussion. Since July 4th there have been two more fires: 1) one on Mt. Murphy and 2) the Adventure Fire in Coloma. Last year the Camp Lotus fire jumped the river and the illegal fireworks at the Coloma Resort were reported to EDSO by a neighbor. Refer specifically to the 7/28/15 Consent and Open Forum remarks by Mark Smith and Ron Wolsfeld:
http://eldorado.granicus.com/MediaPlayer.php?view_id=2&clip_id=673 .

On July 31st I addressed an email to the BOS, EDSO and Chamber of Commerce concerning the Coloma Resort libel and lack of their compliance with EDC codes, ordinances and SUPs. Later the same day I followed up with an email to Brenda Bailey, the BOS and to you concerning EDSO Case Files #15-5698

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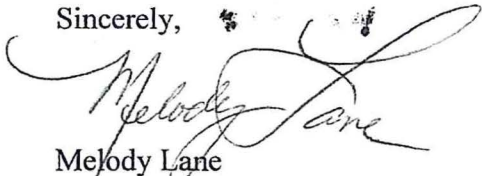
& #15-5793. Note Brenda's reply dated August 7, 2015 @ 11:11 AM. The question remains why did it take three weeks for both these reports to be made available to the BOS and the public? (See Exhibit G)

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It is your jurisdiction to coordinate agencies within the Office of Emergency Services and ensure all investigations are properly conducted. You were elected to make a difference in EDC and to clean house. As a professing Constitutional Sheriff we intend to take you at your word: "*Hold their feet to the fire; all of them. Mine too. I work for you.*" In other words, standard EDSO letters stating, "*EDSO Internal Affairs completed a thorough investigation*" and "*...it has been determined no officer misconduct and no further action will be taken*" are **unacceptable**. Enough of the Bureaucratic Shenanigans. ~~The solution is simple:~~ Just do what's right.

The courtesy of your timely reply is anticipated.

Sincerely,



Melody Lane

Enclosures:

1. Exhibit A – CF# 15-5698
2. Exhibit B – 7/5/14 notes re: illegal fireworks at Coloma Resort
3. Exhibit C – 7/5/15 Bob Day distribution of my CLNews posting re: Coloma Resort illegal fireworks
4. Exhibit D – 9/4/12 EDSO/MGDP/Planning SUP Agenda
5. Exhibit E – 7/12 & 7/16/15 correspondence to Deputy Gennai
6. Exhibit F – 7/12/15 request to pull Item #34 from Consent for public discussion
7. Exhibit G – 8/7/15 @ 11:11 AM Brenda Bailey email & 7/12/15 @ 10:16 C of C/Coloma Resort Libel

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EL DORADO COUNTY SHERIFF

300 FAIR LANE
PLACERVILLE, CA 95667
(530) 621-5655
(530) 626-8163

EG1505698

WRONG! ↑
↓

CODES AND ORDINANCES				OTHER-NOT PENAL OR CITY	OTHER CODE		
Reporting Officer GENNAI G	Reporting Officer	Reporting Officer	Reporting Officer		Case Title LOUD/UNREASONABLE NO		
1st Code Section 415(2) PC	2nd Code Section	3rd Code Section	4th Code Section	Date / Time Reported 07/05/15 00:05	Date / Time / Day (From) 07/05/15 00:05	Date / Time / Day (To) 07/05/15 00:05	
Street Address 69 MT MURPHY RD, COLOMA				Cross Street			

NON SUSPECT(S)

NO. 01	Name (Last, First, Middle) LANE, MELODY LYNN	ADULT
NO. 02	Name (Last, First, Middle) COLOMA RESORT.	

CONTROLLED DOCUMENT
 Released to *Melody Lane*
 By *SAM* Date *7-24-15*
 EL DORADO COUNTY SHERIFF'S OFFICE

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Copies To

Signature Verifying Original Copy of Case: _____ Date: _____
 Released By: _____ Received By: _____ Date: _____

7/22/2015 11:20:23AM
Print Date/Time

controlled document, duplication or re-issuance controlled by law.

Page No. 1

EXHIBIT A

El Dorado County Sheriff's Office

300 Fair Lane
Placerville, CA 95667

CA00900
Phone 530-621-5655
Fax 530-626-8163

Case Number
EG1505698

Date
07/05/15

Deputy
GENNAI G

CASE NARRATIVE

Synopsis: On 7/5/15 at approximately 0005hrs, R/P reported loud aerial fireworks were set off at the Coloma Resort.

Details: On July 5, 2015 at approximately 0005hrs, I was dispatched to 69 Mt. Murphy Road, (Coloma Resort) Coloma for a report of fireworks. The R/P, Melody Lane reported hearing loud fireworks coming from the Coloma Resort. When I arrived to the resort I contacted a Capitol Security Guard at the front gate. The security guard told me he heard loud bangs and saw aerial fireworks in the area of the Eastside of the resort. When the security guard investigated he was unable to locate the subjects responsible for the fireworks and the subjects he contacted did not know who set the fireworks off.

I telephoned Lane and she told me she thought the fireworks came from the area of the Trouble Maker rapid (Eastside of the resort). Lane further told me the resort had held several loud events which used amplified music such as wedding parties and karaoke sessions. Lane told me the loud noise and amplified music was in violation of the resort's "Special use permit". Lane expressed her concern for the violation of the special use permit and wanted the permit to be re-evaluated by the county or be taken away from the resort in order to stop the amplified music and unreasonable noise.

Nothing further.

Officers Involved:

Deputy Gennai

Follow-up:

I request this report be forwarded to El Dorado County Code Enforcement for review.

Approved by : SGT CLARK K Date : 07/07/2015 01:31 AM

13 & 16

Melody Lane

From: brenda.bailey@edcgov.us on behalf of The BOSFOUR <bosfour@edcgov.us>
Sent: Friday, August 07, 2015 11:11 AM
To: Melody Lane
Subject: Re: EDSO Case Files #15-5698 & #15-5793

Dear Melody,

Thank you for your email and follow-up phone call. I have provided responses in the order they were presented in your email.

Supervisor Ranalli's comments regarding "ongoing meetings" were in reference to the publicly noticed meetings, per the Coloma-Lotus News site, for the community effort to form the Coloma-Lotus Fire Safe Council held on March 31st, April 28th, May 19th and June 16th. Our office does not schedule the Coloma-Lotus Fire Safe Council meetings and Supervisor Ranalli attends as a participant and not as a meeting organizer. These meetings are added to his calendar as they are announced to the community on Coloma-Lotus News.

The Coloma-Lotus Fire Safe Council is one of many fire safe councils in the Supervisor's District that are established Associate Councils or in the formation process. The meeting he mentioned that was specifically held the "day prior" was with members of the El Dorado County Fire Safe Council and was to discuss generally the efforts of the Associate Fire Safe Councils within his District as well as the countywide efforts and funding priorities of the El Dorado County Fire Safe Council. The meeting was not scheduled to discuss specific issues within any one community.

Regarding the three week time frame before report #15-5698 was made available, I am not qualified to speak to the review process within the Sheriff's Department before reports can be made available to the public. I will forward your email to the CAO and the Sheriff to request a response that speaks to this concern.

Our office did receive a copy of that report at approximately the same time you received your report. I do not know if County Counsel and others were also provided copies. As these reports are considered "controlled documents," I can seek the Sheriff's permission to provide copies to Counsel and the other members of the Board on your behalf.

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WRONG!

In referring the matter to Code Enforcement, Deputy Gennai took appropriate steps to refer the matter to Code Enforcement for their review. This referral does not pre-empt or diminish any efforts by this office regarding

EXHIBIT G

follow-up on the same issue. The report does, in fact, formally document your complaint and Deputy Gennai's efforts in response to your complaint and call for service.

WRONG!

Regarding your concerns on the availability of Legistar Item #14-1417, the Sheriff's "State of Emergency" due to drought conditions, the message you received when trying to access this item provided that the item was unavailable at that time as staff was in the process of developing a new version. Item #14-1417 is a recurring item and has been on the Board's agenda 30 times since its introduction on October 14, 2014.

Each time a Legistar file is in the process to be included on an upcoming agenda; access is limited as the item transitions either from draft form or as an item continued from an earlier agenda. This is a constraint of the Legistar operating system and not an internal directive or policy. You should now be able to access version 31 of Item # 14-1417, and all of the historical attachments, as the August 11, 2015, agenda is now posted.

I am not qualified to provide response to your concerns regarding censorship and violations of the Brown Act. I have forwarded your email to County Counsel for their review.

If you wish to discuss these issues further, please do not hesitate to contact me directly at (530) 621-6513.

Brenda Bailey
Assistant to Supervisor Ranalli
Board of Supervisors, District IV
County of El Dorado
(530) 621-6513

On Fri, Jul 31, 2015 at 4:39 PM, Melody Lane <melody.lane@reagan.com> wrote:

Hi Brenda,

Thanks for your phone message yesterday evening in reply to my inquiry about Supervisor Ranalli's comments concerning the above captioned case files.

Please refer to my 7/12 request to pull item #34 from the 7/14 BOS Consent agenda – *Sheriff Declares a State of Emergency due to drought conditions.*

My written request was denied because the BOS felt it was "inappropriate for public discussion" until the two background investigations had taken place.

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Mike also publicly mentioned the "ongoing meetings" and the specific meeting the day prior with members of the Fire Safe Council. Who attended those meetings and why was I not informed?

I had just picked up both reports from EDSO last Friday afternoon when I showed you CF#15-5698 was signed off by Sgt. Clark on 7/7/15.

Question is why did it take 3 weeks for this report to be made available, and when did the BOS actually receive a copy of the report? Point is, Deputy Gennai never investigated the illegal fireworks in the first place, he portrayed me as the "problem" and then kicked the can down the road to Code Enforcement for review. In so doing Deputy Gennai circumvented the whole purpose of our meeting request with Roger Trout, Sheriff D'Agostini, Mike Ranalli, CSP Barry Smith and Fire Safe representative Bob Day that you are attempting to coordinate.

Additionally, all previous agenda items referring to the Sheriff declaring a state of emergency due to the drought are now redacted from the BOS calendar. It is disturbing that my relevant exhibits entered into the public record also have disappeared from the BOS agenda/calendar presumably by Mike Ciccozzi with Robyn Drivon's blessing. The following statement appears in its place:

El Dorado County staff are developing a new version of this agenda file. If you require immediate access to the previous version(s) of this agenda file, please contact the office of the Clerk of the Board.

Numerous individuals have been censored during Consent and deferred to Open Forum in violation of the Brown Act and our Constitutional liberties. Note how many citizens are regularly demanding transparency and accountability of their public officials.

Thanks in advance for your timely written reply.

Melody Lane

Founder - Compass2Truth

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