



Public Comment #16

County of El Dorado Clerk of the Board <edc.cob@edcgov.us>

BOS Rcvd. 6-14-2022

6/14/22 BOS Consent Item #16 Public Comments - Coloma Lotus Advisory Committee appointment of Rusty Sage

Melody Lane <melody.lane@reagan.com>

Tue, Jun 14, 2022 at 5:20 PM

To: Kim Dawson <Kim.Dawson@edcgov.us>, edc.cob@edcgov.us, lori.parlin@edcgov.us, Shelley Wiley <shelley.wiley@edcgov.us>

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Please enter the entirety of this correspondence under Consent Item #16.

Note as well that Comrade Parlin seems to have forgotten the basics of Mandatory Ethics Training required under AB1234, and the fact that the **law** trumps any local BOS rules or procedures. (Refer to attached Brown Act Rights of the Public)

A few seconds to allow the public to at least finish their sentences would go a long way in convincing Citizens that you are serious about Good Governance, transparency and accountability. Instead Lori consistently demonstrates her gross disrespect for constituents by cutting them off in mid-sentence and refusing to publicly respond to questions as required under Section 54954.3 of the Brown Act.

The point is **Comrade Parlin is violating the spirit and the letter of the law**, as well as her oaths of office.

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Regarding Consent Item #16, I object to the appointment of Mr. Sage to CLAC, but first let's address the root of this issue.

You profess to be committed to Good Governance, transparency and accountability. However it appears Comrade Parlin has a problem with that. There still has been no reply from you concerning my May 12th and May 22nd emails regarding the errors and omissions in the May 5th CLAC minutes. It begs the questions:

- Are you refusing to provide public services and avoiding accountability to constituents?
- Does the problem still reside with CAO Don Ashton ordering Tonya Digiorno to unlawfully block my ability to email most county staff?
- Is the problem with David Livingston issuing a directive not to meet or respond to constituents such as he advised George Turnboo?

- Or could it have something to do with me exposing Howard Penn and his minions for kicking me off of CLNews again for no apparent reason?

CLAC does NOT and NEVER has represented the voice of my community, nor do they have the best interests in mind for the Coloma Lotus region. CLAC represents the liberal River Mafia Mob, and CLNews is run by members of American River Conservancy and CA State Parks. These individuals, many of whom do not even live in the community or El Dorado County, have historically been very hostile especially toward local conservatives. RMAC has never abided by the Brown Act, and they have on numerous occasions intimidated residents to discourage them from participating in public meetings and necessitating that I involve law enforcement as per the River Management Plan.

During the May 5th CLAC meeting Bob Bradshaw questioned why I hadn't applied for the Landowner/Resident Representative. The reason is that it was just announced that evening. In fact, the position wasn't even posted until May 9th, nor was any vacancy publicly distributed in order that others may apply. Rusty Sage had already been selected.

It is evident this vacancy was "insider" information and that the CLAC members are still operating outside of the law just like RMAC. It is apparent CLAC had no intention of allowing other applicants into their "inner circle" of serial meetings which the Brown Act strictly prohibits.

Lori, don't forget who you work for. On March 19, 2019 you fraudulently did a bait and switch at the last moment during the RMAC meeting held at Coloma Grange Hall by turning it into your personal "community" meeting. As long as you aid and abet their unlawful activities, then you are abusing the public trust and violating your oaths of office. I suggest you revisit the mandatory ethics training required under AB1234 for all elected officials...and repent of your wicked ways.

Melody Lane

Founder – Compass2Truth

Brown Act Preamble: "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."



Brown Act Rights of the Public.docx

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CALIFORNIA BROWN ACT

PREAMBLE:

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CHAPTER V.

RIGHTS OF THE PUBLIC

§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.

54954.2 E (3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3.

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).)

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