

Public Comment # 18
BOS Recd. 10-25-22

From: melody.lane@reagan.com
Sent: Tuesday, October 25, 2022 10:22 AM
To: Kim Dawson; BOS-Clerk of the Board; Lori Parlin; Sue Novasel; Wendy Thomas; John Hidahl; George Turnboo
Cc: David A Livingston; Donald Ashton; BOS-District V; BOS-District IV; BOS-District I; BOS-District III; BOS-District II
Subject: 10/25/22 BOS Public Comments - Item #18 Conflict Resolution
Attachments: Brown Act Rights of the Public.docx

Please ensure the entirety of this correspondence is entered into the public record under Item #18 Conflict Resolution. Be sure that these comments are included when the item is reviewed in 2023.

It should also be noted for the record that the issue of Good Governance was discussed extensively during yesterday's Taxpayers Association meeting. Afterwards the directors of the Association met privately to continue deliberations. The Association is comprised of many public officials, including Planning Commissioners Andy Nevis and Todd White, Tax Assessor Karl Weiland, George Turnboo's admin **Todd White**, and several other BOS appointees to boards, committees, and commissions. There is zero transparency or accountability. In other words, the Association has become another illegitimate arm of the government working to suppress the rights of citizens and their ability to participate in public dialog about government policy.

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It is deeply to disturbing to hear what just transpired.

By now you know that I may not be politically correct, but I am biblically correct. I have a moral duty as a Christian Patriot to expose the works of evil and darkness to the light of TRUTH according to Ephesians 5:11. It is better to obey God rather than man, but it has been apparent that the government has set itself up as a false god.

In 2009 Compass2Truth was founded upon the preamble to the Brown Act which 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."* You can't escape the fact that El Dorado County is experiencing the radical abrogation of the authority of the Constitution and sovereignty of the people.

Rules of conduct or Good Governance policies do NOT supersede the First Amendment Rights of citizens. It should interest to you to know that applause is a form of expression protected by the First Amendment. County Counsel's interpretation of the First Amendment however is just an opinion, NOT LAW.

The BOS has demonstrated their gross disrespect for constituents on many occasions, including today. Lori Parlin routinely demonstrates her dictatorial reign by gross disrespect for her oaths of office, the Brown Act, and the First Amendment rights of the public. Citizens bringing their petitions before the BOS for redress of grievances are rudely cut off in mid sentence, and their inquiries are left unanswered.

Furthermore censorship is against the Good Governance policy and the Core Values of **Integrity, Accountability and Service Excellence**. And who can forget when Todd White called me a "bitch, a trashy whore and go f*** yourself" in the presence of George Turnboo at a Taxpayers meeting?

Keep it simple by sticking to the Brown Act Rights of the Public and the Constitution.

Attached: Brown Act Rights of the Public

Melody Lane

Founder – Compass2Truth

All authority belongs to the people...in questions of power, let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution. ~ Thomas Jefferson ~

CALIFORNIA 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."

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).)