

Kim Dawson

From: melody.lane@reagan.com
Sent: Tuesday, July 30, 2024 1:51 PM
To: Kim Dawson; BOS-Clerk of the Board; David A Livingston; Tiffany Schmid; Lori Parlin
Cc: Tonya D. Digiorno; BOS-District V; BOS-District IV; BOS-District I; BOS-District III; BOS-District II
Subject: 7/30/24 BOS Open Forum Public Comments...DOT/PRA Request for Information

This Message Is From an External Sender

This message came from outside your organization.

Report Suspicious

Please ensure the below public comments are entered into the 7/30/24 BOS Open Forum. Of particular importance is the corresponding demand to immediately restore my 1st Amendment rights to communicate electronically with DOT and all EDC staff.

Note as well the PRA to which I referred concerning the recent improperly applied chip-seal of Mt. Murphy Road. If you have any questions, do not hesitate to contact me immediately.

Melody Lane

Founder – Compass2Truth

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

From: melody.lane@reagan.com <melody.lane@reagan.com>
Sent: Tuesday, July 30, 2024 12:55 PM
To: 'Rafael Martinez' <Rafael.Martinez@edcgov.us>; 'Lori Parlin' <lori.parlin@edcgov.us>; 'Shelley Wiley' <Shelley.Wiley@edcgov.us>; 'David A Livingston' <david.livingston@edcgov.us>; Tiffany Schmid <Tiffany.Schmid@edcgov.us>; Tonya Digiorno <tonya.digiorno@edcgov.us>; Kim Dawson <Kim.Dawson@edcgov.us>; edc.cob@edcgov.us
Cc: 'Preston Moore' <Preston.Moore@edcgov.us>; 'BOS-District V' <bosfive@edcgov.us>; 'BOS-District IV' <bosfour@edcgov.us>; 'BOS-District I' <bosone@edcgov.us>; 'BOS-District III' <bosthree@edcgov.us>; 'BOS-District II' <bostwo@edcgov.us>; 'Kelly D. Carnahan' <Kelly.Carnahan@edcgov.us>; road.maintenance@edcgov.us
Subject: RE: Mt. Murphy Road double chip seal...PRA Request for Information

Mr. Martinez, et al,

Although you are out of the office until 8/5/24, it is apparent you are still resorting to your usual Bureaucratic Shenanigans. Diverting and obfuscating the issues, especially pertaining to DOT accountability, is unacceptable and will not be tolerated.

First and foremost, it is apparent IT is still blocking my emails. I'm referring to the matter of the former CAO, Don Ashton, unlawfully ordering IT to block my ability to communicate electronically with staff. **Despite numerous requests made to Tiffany Schmid and David Livingston, this issue has never been resolved which represents a direct assault upon my 1st Amendment rights.**

During our conversation yesterday, Preston confirmed that despite several attempts to forward emails to him and road maintenance, **none of my emails were ever received by DOT**. You are aware that failure to provide public services to constituents violates local, state, and federal laws, ordinances, regulations, and statutes. **I demand the County immediately remediate my ability to communicate with DOT and all other EDC staff.**

Secondly, I abhor dishonesty, particularly by public servants whose salaries are paid via my tax dollars. It is insulting for you to claim that the chip seal on Mt. Murphy Road is not inferior when it is glaringly apparent from the photographs and my surveillance videos that the work done on Mt. Murphy Road by American Pavement Systems was NOT the double chip seal you described in #2 below.

It is also glaringly evident that American Pavement/DOT failed to apply a double chip-seal 2–3' wide swaths in front of my property.

Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I ask to obtain **via email** the following information:

- 1.) The name of the Transportation inspector assigned by DOT to oversee the completion and the quality standards of the project work.
- 2.) The American Pavement Systems contract, and all DOT communications with APS relevant to the scope, cost, and timeline pertaining to the double chip seal project work on Mt. Murphy Road.
- 3.) All internal DOT communications with staff pertaining to the chip seal of Mt. Murphy Road project and the remediation of the missed portions of the road.

To avoid unnecessary delays or costs of duplication, electronic copies are acceptable and may be emailed directly to melody.lane@reagan.com in **pdf format**. **Access is always free**. Fees for "inspection" or "processing" are prohibited. (§ 6253)

The agency must justify the withholding of any record by demonstrating that the record is exempt or that the public interest in confidentiality outweighs the public interest in disclosure. (§6255) **If you determine that some but not all of the information is exempt from disclosure and that you intend to withhold it, I ask that you provide a signed notification citing the specific legal authorities on whom you rely.**

It is further requested that your determination be made within **10 days, or sooner**, as stipulated within the California Public Records Act, Government Code 6253(c). ***Note these time periods may not be used solely to delay access to the records. (§ 6253(d))**

Please do not hesitate to contact me immediately if you have any questions.

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Founder – Compass2Truth

"To compel a man to subsidize with his taxes the propagation of ideas which he disbelieves and abhors is sinful and tyrannical." ~ Thomas Jefferson ~

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Sent: Monday, July 29, 2024 9:27 AM

To: <Preston.Moore@edcgov.us>; <road.maintenance@edcgov.us>; <Kelly.Carnahan@edcgov.us>; <matt.smeltzer@edcgov.us>; <rafael.martinez@edcgov.us>; <david.livingston@edcgov.us>

Cc: <Tiffany.Schmid@edcgov.us>; <tonya.digiorno@edcgov.us>; <bosfive@edcgov.us>; <bosfour@edcgov.us>; <bosone@edcgov.us>; <bosthree@edcgov.us>; <bostwo@edcgov.us>

Subject: FW: Mt. Murphy Road double chip seal...

Apparently my emails are still blocked by IT. Obstruction of EDC public services to constituents violates local, state, and federal laws, ordinances, regulations, and statutes. Please remediate my ability to communicate with DOT staff immediately.

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Founder – Compass2Truth

From: Rafael Martinez <Rafael.Martinez@edcgov.us>

Sent: Tuesday, July 30, 2024 7:31 AM

To: melody.lane@reagan.com; Lori Parlin <lori.parlin@edcgov.us>; Shelley Wiley <Shelley.Wiley@edcgov.us>

Cc: Preston Moore <Preston.Moore@edcgov.us>; BOS-District V <bosfive@edcgov.us>; BOS-District IV <bosfour@edcgov.us>; BOS-District I <bosone@edcgov.us>; BOS-District III <bosthree@edcgov.us>; BOS-District II <bostwo@edcgov.us>; Kelly D. Carnahan <Kelly.Carnahan@edcgov.us>

Subject: RE: Mt. Murphy Road double chip seal...

Melody,

The answers to your questions are in red below.

1. Do these photos actually represent a double-chip seal, or just a single-chip seal?
Yes, the photos do represent a double-chip seal.
2. Exactly what does a double chip seal entail, and what is the anticipated life of such a surface treatment?
A double chip seal consists of ditching, grading, and compacting the dirt road surface, then applying asphalt emulsion over the dirt/grindings, and on top of the emulsion is 3/8 rock imbed into the oil. Then, the roadway is lightly swept, and a second layer of emulsion is applied and 5/16 rock chip is imbed into the oil. Since this is the first hard surfacing that the county has done on Mt. Murphy, it is going to be hard to determine the life expectancy. The life expectancy of a standard chip seal surface treatment over an asphalt road is 5 to 10 years. With that being said the amount and type of traffic, driving habits, and unforeseen issues such as subgrade failures or storm related issues will shorten the life span of the roadway.
3. Will DOT take responsibility to remediate the inferior work recently done on the road by American Pavement Systems?
The work and product are not inferior, and the county will continue to maintain Mt. Murphy Road. Additional information, funding came from AQMD grant for dust mitigation.
4. Proper maintenance of Mt. Murphy Road is of paramount importance to residents who rely on this as an evacuation route in the event of another wildfire. Who is the person in charge to oversee Quality Assurance for DOT projects to ensure the work is properly done?
Transportation has an inspector on every construction project. They take samples when needed, monitor the site for the safety of the workers and the public, and ensure quality and quantities are to Transportation's expectations. As we do, with all county-maintained roads, we will monitor and maintain the chip seal on Mt. Murphy Rd.

Sincerely,

Rafael Martinez

Director

County of El Dorado

Department of Transportation

2850 Fairlane Court

Placerville, CA 95667

(530) 621-7533

rafael.martinez@edcgov.us

From: melody.lane@reagan.com <melody.lane@reagan.com>

Sent: Friday, July 26, 2024 12:18 PM

To: Rafael Martinez <Rafael.Martinez@edcgov.us>; Lori Parlin <lori.parlin@edcgov.us>; Shelley Wiley <Shelley.Wiley@edcgov.us>

Cc: Preston Moore <Preston.Moore@edcgov.us>; BOS-District V <bosfive@edcgov.us>; BOS-District IV <bosfour@edcgov.us>; BOS-District I <bosone@edcgov.us>; BOS-District III <bosthree@edcgov.us>; BOS-District II <bostwo@edcgov.us>

Subject: RE: Mt. Murphy Road double chip seal...

Rafael,

Residents would like to know: What is the status of the road work that DOT said was to be completed by 7/26/24? It appears the work is incomplete/not properly done. Note below text dialog with American Pavement Systems.

Melody's text message 7/24/24 at 12:17 PM to Kyle Wengel at American Pavement Systems:
Are your crews going to be finishing the double chip seal on Mount Murphy Road, or will that be handled by DOT?

Kyle Wengel replied:

Double chip seal is completed on Mt. Murphy. We went back and completed what we had missed.

Melody replied:

The road is not double chip sealed as expected, only the gravel that you laid last week. It looks like a base coat that will soon deteriorate.

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From: melody.lane@reagan.com <melody.lane@reagan.com>

Sent: Thursday, July 25, 2024 11:12 AM

To: rafael.martinez@edcgov.us; 'Lori Parlin' <lori.parlin@edcgov.us>

Cc: 'Preston Moore' <Preston.Moore@edcgov.us>; bosfive@edcgov.us; bosfour@edcgov.us; bosone@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.us

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This is a photo you should be very familiar with of one of the chunks of pavement that DOT graded up from the 2006 solid surface of Mt. Murphy Road, and then DOT annually applied dirt and gravel which soon washed away and turned into a potholes/washboard surface:



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Regards,

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Kim Dawson

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