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Fwd: Please distribute and publicly post to 1/14/19 RMAC agenda via Legistar

1 message

Jim Mitrison - El Dorado County <jim.mitrison@edcgov.us>

Mon, Jan 14, 2019 at 2:15 PM

To: Vickie Sanders <vickie.sanders@edcgov.us>, Noah Triplett <noah.triplett@edcgov.us>

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----- Forwarded message -----

From: **Melody Lane** <melody.lane@reagan.com>

Date: Thu, Jan 10, 2019 at 8:50 PM

Subject: Please distribute and publicly post to 1/14/19 RMAC agenda via Legistar

To: <lori.parlin@edcgov.us>, Vickie Sanders <vickie.sanders@edcgov.us>, <chelsea.doyle@edcgov.us>, Jim Mitrison <jim.mitrison@edcgov.us>, <edc.cob@edcgov.us>, Donald Ashton <don.ashton@edcgov.us>

Cc: <shiva.frentzen@edcgov.us>, <sue.novasel@edcgov.us>, <brian.veerkamp@edcgov.us>, <john.hidahl@edcgov.us>, <barry.smith@parks.ca.gov>, Jason DeWall <jason.dewall@parks.ca.gov>

Please ensure the entirety of this correspondence is timely distributed and publicly posted via Legistar to Item #2 of the 1/14/19 RMAC Agenda.

#

The Board of Supervisors and other county staff are aware of Nate Rangel's and Adam Anderson's penchant for lying and operating outside of the law concerning their involvement in RMAC. It is a matter of public record that Anderson has admitted to his "legal manipulations" arranged by county counsel. Such unethical and unlawful participation in River Mafia Politics (RMP) and deviation from EDC core values have been frequent topics of conversation during Taxpayers Association meetings as well as **Compass2Truth** pow-wows with county staff. Over the past six years Lori Parlin has actively participated in many of those meetings which I've audio recorded.

When any public official denies a citizen the right to address their grievances, then they are in violation of their Constitutional Oaths of Office. Subsequently when that public official has knowledge of wrong doing but fails to take remedial action, then they become complicit and liable. As you were made aware, RMAC representatives are NOT mere volunteers. They are bound by the same laws as the BOS. Rangel and Anderson continue to violate their Principle Agent Oaths of Office with the full knowledge and blessing of the BOS, CAO, county counsel, and Parks & Recreation staff. Such unlawful actions taken by the BOS concerning RMAC or the River Management Plan become **null and void**.

Furthermore the BOS are aware that State Parks pulled out of RMAC nearly a year ago after the CAO memorandum announced RMAC was to be disbanded by the end of 2017. (See attached substantiating memos.) However RMAC has unlawfully continued to conduct serial meetings which the Brown Act strictly prohibits. P&R Commissioner Kris Payne, Sue Taylor and Lori Parlin have actively participated in several of those meetings held in the Marshall Gold Discovery Park and Camp Lotus when in fact they don't live anywhere near the S. Fork American River.

Supervisor Parlin got off on the wrong foot during Tuesday's BOS meeting when she publically colluded with Nate Rangel during the 10 minute break.



Nate Rangel candidly admitted during Open Forum that he had "no idea" about his reappointment to RMAC until Lori contacted him and requested he be present for the BOS. Despite factual evidence that I submitted into the public record, Rangel lied and then impugned my character while at the podium. That is the modus operandi of the River Mafia Mob. Supervisor Parlin then proceeded to recommend the BOS approve his reappointment to RMAC during Agenda Item #11 which I had requested be pulled from Consent for public DISCUSSION and DIALOG pursuant to the Brown Act Rights of the Public. I was not included in that discussion or dialog which is in violation of my First Amendment rights.

Apparently nobody bothered to read the FACTUAL documents I entered into the public record, least of all **Don Ashton, Supervisor Hidahl and Supervisor Parlin** who appear to have a problem comprehending the attached materials. RMAC should have been disbanded over a year ago, yet the county aids and abets their perpetual unlawful meetings which opens EDC wide open to liability.

Perhaps a course in remedial reading comprehension is in order for the BOS along with Mandatory Ethics Training for Public Officials required under AB1234. It would go a long way in thwarting the out of control government corruption that I addressed during Open Forum.

Melody Lane

Founder – Compass2Truth

"We, the people are the rightful masters of both Congress and the courts not to overthrow the Constitution, but to overthrow men who pervert the Constitution." ~ Abraham Lincoln ~

5 attachments



BOS CAO Memo 5-9-17.pdf
553K



9-11-17 Anderson resigning RMAC.doc
55K



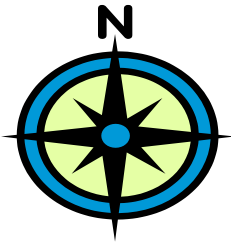
MGDP removed from RMAC 4-10-18.pdf
273K



1-5-19 Rangel reappointed to RMAC Agenda Consent item 11.doc
81K



Brown Act Rights of the Public.docx
15K



Compass2Truth

Citizens for Constitutional Liberty

P.O. Box 598
Coloma, CA 95613

January 5, 2019

TO: EDC Board of Supervisors
Districts 1, 2, 3, 4 & 5

CC: CAO Don Ashton
Vickie Sanders, Parks & Rec.
Barry Smith, MGD Superintendent

RE: 1/8/19 BOS Agenda Consent Item #11 – Objection of Reappointment of Nate Rangel to RMAC

On behalf of **Compass2Truth** constituents, we object to the reappointment of Nate Rangel to RMAC and respectfully request that you deny his reappointment for the following reasons:

- In a 5/9/17 memo Deputy CAO Laura Schwartz states: *“The most significant change that we propose is to dissolve the RMAC. This committee has done some very good and dedicated work since its inception in 1984, but has evolved into more of a community-focused, rather than River-focused organization. Because of the lack of substantive issues that require deliberation and the wide-ranging interests of the RMAC, we recommend that this committee be dissolved and that the County encourage interested participants to form an ad-hoc committee. This committee could be supported by the County in same manner as the Rubicon Oversight Committee that has successfully conducted ad-hoc meetings for over 10 years... **Over the past several months, the majority of RMAC members have stepped down from the Committee resulting in not enough members to reach to quorum. Several meetings have been cancelled at the request of RMAC due to a lack of a quorum or no issues to discuss...** The Chief Administrative Office recommends that the Board consider filling the vacancies, noting that RMAC may be dissolved by the end of the year.”* RMAC was never dissolved, and in fact they have continued to operate surreptitiously and outside of the law.
- Mr. Rangel has overbearingly acted as chair of RMAC for the past several years, and in that capacity he has frequently violated the Brown Act. Audio recordings corroborate that Rangel has spearheaded the orchestrated interruptions, shouting, and discrimination against residents during extremely chaotic meetings especially when county representatives have failed to be present to ensure proper decorum and adherence to the law.
- During one such meeting Larry Weitzman remarked that they were “ultra vires” (acting outside of the law) and described their chaotic behavior as “mob rule” in a subsequent Mountain Democrat column: *At a very recent River Management Advisory Committee meeting in the Marshall Gold Discovery Park Museum to discuss the updated County River Management Plan, the rafters want to tell the county how to run the river concessions. Isn't that the tail wagging the dog? **There was no county representative present at a very one-sided meeting that bordered on mob rule. While an official county advisory committee, their actions may have been beyond the law and their authority. It's called an “ultra vires act.”***

- It is a matter of public record that Rangel has finagled serial meetings which the Brown Act strictly prohibits. Several of those meetings have been held in the Marshall Gold Discovery Museum, Grange Hall, Coloma Resort, Camp Lotus and American River Conservancy.
- Rangel has regularly colluded with Noah Rucker to falsify RMAC data and meeting minutes. Vickie Sanders, CAO Don Ashton and the entire Board of Supervisors have been apprised of their fraudulent acts but they have failed to take remedial action. When a government official has knowledge of wrong doing and fails to take action, then they become complicit and liable. Additionally the individual may be held personally liable, and we all know the burden such lawsuits place upon taxpayers, a topic that frequently comes up at the Taxpayers Association. Wade versus American River Conservancy and the County of EDC is a prime example.
- Additionally CA State Parks pulled out of RMAC in early 2018 yet the 11/5/18 RMAC minutes falsely reflect that Eric Carter and Bill Deitchman remain as State Parks representatives to RMAC thus demonstrating the inconsistencies in public transparency and accountability:

Minutes
River Management Advisory
Committee (RMAC)
Adam Anderson, Business Representative
Robert Smay, Landowner/Resident Representative
Bill Deitchman, Calif Dept of Parks & Recreation Representative
William Crenshaw, Chair, Non-commercial boater
Representative
Victoria Sacksteder, Vice Chair, Member-at-Large
Nate Rangel, Outfitter Representative
Vacant, Member-at-Large
Eric Carter, Alternate, Calif Dept of Parks & Recreation
Representative

Staff:
Vickie Sanders, Parks Manager
Noah R. Triplett, River Recreation Supervisor

Monday, November 5, 2018

7:00 PM

Building C Hearing Room
2850 Fairlane Court

- During another RMAC meeting I asked a question and Rangel responded, “*Counsel has advised we don’t have to answer your questions.*” Mike Ciccozzi knows full well that depriving residents First Amendment rights to dialog and/or participate in governmental affairs is strictly prohibited by law. The Brown Act clearly delineates the content of RMAC minutes that have been consistently ram-rodged through the approval process without input from the public: “***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 purpose of discussion is to permit a member of the public to raise an issue or problem with the body or to permit body to provide info to the public, provide direction to its staff, or schedule the matter for a future meeting. Members of the public have broad constitutional rights to comment on any subject relating to the business of the governmental body.***”
- Furthermore County Counsel cannot lawfully represent Rangel or any other members of the public who theoretically serve as “volunteers” on RMAC. The reality is that RMAC representatives are delegates of the Board of Supervisors, and as such they are bound by their Principle Agent Oaths of Office to support and defend the national Constitution.

- Rangel admitted to bringing his good friend, Adam Anderson, onto RMAC as the business representative. Conflicts of interest abound. Anderson's connection is the ownership of the Villa Florentino in Coloma which was under scrutiny for violations of its special use permit and the River Management Plan. Rangel announced Anderson's resignation from RMAC to the BOS. However Anderson's remark that he would remain as the RMAC business representative due to a "legal manipulation" was captured on audio which I publicly reported to the BOS. The question remains why there was no response from any of the Supervisors?
- Permitting Nate Rangel to remain as a representative to RMAC is to buy into their mob rule. Each of their illegitimate RMAC meetings ends up costing taxpayers in one form or another as Larry Weitzman pointed out in one of his Mountain Democrat columns: *"The committee meets about 11 times a year, which creates a huge problem for taxpayers. But first I must describe the meeting I attended which lasted nearly two and a half hours. My time watching Looney Tunes was better spent, it was so unproductive (maybe it was a live action Looney Tunes). Not only did not one panel member understand their charge, they didn't even understand their own agenda which consisted of three items. The first one was the approval of the prior meeting's erroneous minutes and the approval of the agenda for that night. I also attended the prior meeting at the Marshall Gold Discovery Park Museum, which seemed to operate ultra vires. They were mostly concerned about the county's recommendation that RMAC be disbanded. **After listening to Schwartz's description of the nonfunctioning RMAC, many times not fielding a quorum, not understanding their duty or "job," not understanding their purpose, and certainly not understanding the Brown Act or how to conduct a meeting, it didn't take a rocket scientist to see the writing on the wall.** After two and a half hours, the meeting was done and nothing was accomplished but to set another meeting and perhaps another special meeting before the regularly scheduled meeting. **The only thing I learned from the RMAC meeting was government dysfunction at its worst.** But there is more. Attending this meeting were two very highly paid EDC employees. In fact, their total annual cost to EDC including salary and all benefits as reported by Transparent California exceeds \$400,000. That's an hourly cost of more than \$200 an hour combined. I am not begrudging the fact that they are paid a lot of money. I am sure they work hard; I know Schwartz does. What I am pointing out is the fact that each of these meetings cost the taxpayer a lot of money... And now there is an outcry that the CAO staff, and Parks and Rec staff has recommended that RMAC be disbanded. Why did it take this long? To add some gasoline to the fire, RMAC has been nothing more than to protect the interests of the commercial rafting industry, the concessionaires along the river and other related enterprises. Have they solved any problems? No. **The noise, crime, vandalism, and pollution are as big as ever. Have they ever told the board that it's many times out of control? Of course not.** But they do tell the board what a boon they are to the county."*

Good governance means transparency and accountability to all EDC residents, not just to special interest groups like RMAC. Accordingly the Board of Supervisors has a fiduciary responsibility to properly oversee and put a stop to Nate Rangel, illicit RMAC activities and River Mafia Mob bully tactics.

Sincerely,

Melody Lane

Founder – *Compass2Truth*

9/11/17 RMAC meeting:

COMMITTEE MEMBER COMMENTS AND ANNOUNCEMENTS

Member Rangel asked about the transition of the Institutional Groups as proposed in the updated River Management Plan.

Member Dietchamn asked about the use of private land by Institutional Groups and thanked people for attending the meeting.

Member Anderson said that chances are he will be closing down his business Villa Florentina due to the pressure from the neighbors and trouble complying with the County noise ordinance. He therefore would be resigning from RMAC at the end of the year since he would then no longer be a business owner in the Coloma-Lotus area.

October 19, 2017 Parks & Rec Commission audio corrupted. Nate Rangel announced Adam Anderson resigning from RMAC. John Hidahl was only other person in audience.

October 23, 2017 I sent email to BOS & Parks & Rec commissioners that audio was corrupted. John Hidahl was unresponsive to email inquiry.

January 18, 2018 Parks & Rec Commission – Corrupted RMAC audio again brought to attention of Planning Commission & BOS and fact that this happens on a regular basis, not to mention falsified data being submitted by county staff to BOS & PC. Vicki Sanders reminded Commissioners to read their email. **BOS & county staff unresponsive to issues pertaining to transparency & accountability.**

Same issues brought up at Taxpayers Association meeting 2/5/18.

Adam Anderson still on RMAC as of 2/5/18 – Villa Florentina SUP hearing scheduled 2/8/18.



County of El Dorado

Chief Administrative Office

Parks Division

330 Fair Lane
Placerville, CA 95667-4197

Don Ashton, MPA
Chief Administrative Officer

Phone (530) 621-5360
Fax (530) 642-0301

DATE: May 9, 2017

TO: Board of Supervisors

FROM: Laura Schwartz, Deputy Chief Administrative Officer

RE: River Management Advisory Committee

Background

In 2001, the Board adopted Resolution number 065-2002 establishing the River Management Advisory Committee (RMAC). The committee consists of seven members appointed by majority vote of the Board of Supervisors. The RMAC was formed to provide a forum for the discussion of river use issues, ideas or conflicts among persons or groups with an interest in the South Fork of the American River. The committee is advisory to the Board of Supervisors.

El Dorado County Chief Administrative Office, Parks Division entered into a contract with Environmental Stewardship and Planning on July 28, 2014. The purpose of this contract was to prepare a redlined revision of the River Management Plan (RMP). This plan has not been updated since 2001 and since that time the County has fifteen years of data to support the recommendations made in the redlined version. One of the recommendations from the consultant was specifically related to the River Management Advisory Committee (RMAC). The recommendation was as follows:

5. Dissolve the RMAC.

The most significant change that we propose is to dissolve the RMAC. This committee has done some very good and dedicated work since its inception in 1984, but has evolved into more of a community-focused, rather than River-focused organization. Because of the lack of substantive issues that require deliberation and the wide-ranging interests of the RMAC, we recommend that this committee be dissolved and that the County encourage interested participants to form an ad-hoc committee. This committee could be supported by the County in same manner as the Rubicon Oversight Committee that has successfully conducted ad-hoc meetings for over 10 years.

The draft Redlined Version of the RMP was posted to the County website on February 10, 2016 for public comments. On February 18, 2016 a public meeting was held at the Coloma Grange with the consultant present to answer any questions. The recommendation for the dissolution of RMAC had the most comments from the public as they were not in support of this recommendation.

Staff concurs with the recommendation of the consultant. RMAC was formed by Resolution of the Board and not by the RMP; therefore all references to RMAC have been removed from the plan. The reporting structure and recommendations are addressed in the revised plan.

Timeline

The timeline for the Redlined Version of the RMP has changed many times. The public comment period was extended from March 18, 2016 to April 15, 2016. RMAC then requested that they have a separate deadline as they wanted to review the public comments before they made their comments. RMAC's comment period was extended to May 26, 2016. It was requested that the deadline be extended again. It was extended to June 14, 2016, giving RMAC an opportunity to discuss at their June 13, 2016 meeting.

Comments were received during the busy river season and staff did not review the comments until the river season was complete. Staff compiled the draft plan and sent the Administrative Draft to County departments for comment on January 13, 2017. Staff received comments from Roger Trout of the Community Development Agency and Jim Byers of the Sheriff's Department. Staff met with County Counsel on April 18, 2017. Their comments were addressed and incorporated into the draft.

This is the proposed schedule to complete this project.

Planning Commission Workshop	June 24, 2017
Planning Commission Project Description & Initial Study Approval	July 2017
Board of Supervisors-Project Description & Initial Study Approval	July 2017
CEQA Document Prepared	August 2017
30 Public Comment Period for CEQA Document	September 2017
Prepare Final Document	October 2017
Planning Commission Approval	November 2017
Board of Supervisors Approval	November 2017

Issue and Recommendation

Until the new River Management Plan is approved and adopted, RMAC is still an advisory committee to the Board of Supervisors and the Planning Commission. Over the past several months, the majority of RMAC members have stepped down from the Committee resulting in not enough members to reach to quorum. Several meetings have been cancelled at the request of

RMAC due to a lack of a quorum or no issues to discuss. Per the resolution, the County posted notices of vacancies and received applications to fill the vacancies.

The Chief Administrative Office recommends that the Board consider filling the vacancies, noting that RMAC may be dissolved by the end of the year.

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.

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).)



DEPARTMENT OF PARKS AND RECREATION
GOLD FIELDS DISTRICT
Marshall Gold Sector
Post Office Box 265
Coloma, CA 95613
Telephone: (530) 622-3470
Facsimile: (530) 622-3472
Email: Barry.Smith@parks.ca.gov

Lisa Ann L. Mangat, Director

April 10, 2018

El Dorado County
Board of Supervisors
330 Fair Lane
Placerville, CA 95667

RE: River Management Advisory Committee (RMAC):
California State Parks Representation

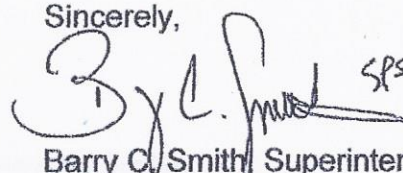
Dear Board of Supervisors:

As an agency who shares management over whitewater recreation on the South Fork of the American River, California State Parks & Recreation will no longer provide department representation on the River Management Advisory Committee.

In the future, if the committee should request it, California State Parks & Recreation is open to providing information and or guidance to the committee.

Should you have any questions or concerns, please feel free to contact me at (530) 622-3470 or Barry.Smith@parks.ca.gov.

Sincerely,

 SPS 4/10/18

Barry C. Smith, Superintendent
Marshall Gold Sector
Gold Fields District

cc: El Dorado County Parks Division