

Opinion: EDC supervisors suspend First Amendment

By Larry Weitzman

An inconspicuous item on the Dec. 5 El Dorado County Board of Supervisors agenda removed the most important amendment of our precious Bill of Rights from public board meetings. The item number was 35 and the BOS voted 5-0 to approve the item.

While some may argue that the Second Amendment, the right to keep and bear arms, is more important as it provides the protection of all other amendments, the First Amendment (note it was the First Amendment for a reason) provides for freedom of speech, expression and the press. In reality, the founders and framers were not talking about pornography, but political speech. And speech at BOS meetings is exactly that, political speech and all of it needs protection.



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But the BOS decided with item 35 that they would limit speech at meetings from the public. Kind of like modern-day liberals, progressives, socialists and other left wingers who talk of the protection of speech as long as they agree with the speech. As has been demonstrated in recent events, it is the left that tries to prevent speech from people they don't agree with. Both true conservatives and true liberals believe in Patrick Henry ("Give me liberty or give me death") and the words of Elizabeth Beatrice Hall who wrote in her work titled"

Friends of Voltaire": "I disapprove of what you say, but I will defend to the death of your right to say it." Our board appears not to believe in those immortal words.

Item 35 says the BOS will limit all public comments during public forum and as to individual agenda items to three minutes or less which is not much of a change from before, except organizations will no longer get five minutes and be limited to three minutes. That is of little concern. What is the concern being that all public comment whether it be during public forum or an individual agenda item will be limited to a total of 20 minutes. While it provides the BOS the discretion of extending the time to speak, it's the BOS which gets to decide which speech they want to hear, which is not free speech, but controlled speech.

In addition, 20 minutes means six and two-thirds speakers. Who decides who gets to speak? The BOS? Who lines up first? Think of the injuries to speakers in their race to the public podium. What that means is that some individuals will have their free speech rights curtailed or suspended. That is not America and certainly not the First Amendment. This new measure borders on totalitarianism. And this is part of the good governance manual and the result of the four extremely expensive "public" meetings?

During the hearing, Supervisor Brian Veerkamp said, "The purpose (of time limits) is to provide better government, but is it perfect? No." Well if it is not perfect, then fix it. Duh! Veerkamp needs a history, reading and comprehension lesson, perhaps a re-education camp. "Under both Acts (Brown and Bagley-Keene) a body must provide an opportunity for members of the public to directly address each agenda item under consideration by the body either before or during the body's discussion. Cal. Gov't Code §§ 11125.7(a)."

Veerkamp went on to say, "Board meetings are to be held in public, but are not public meetings" meaning while the public

can watch and listen, they are not entitled to speak. Veerkamp clearly doesn't understand the California Code, the Brown Act and its various amendments. The public has an absolute right to participate at public meetings. That is why they are called public meetings and the operative word in the quote above is "must." The board has very little discretion except as to reasonable individual time limits to prevent personal filibusters.

Not one board member stood up to correct Veerkamp, including the two board members who are up for reelection, Sue Novasel and Mike Ranalli. In fact, Novasel said almost nothing during the entire discussion. Didn't she claim to have studied good governance? Maybe she can sleep with her eyes open and appear to be alert while in a meditative trance.

But Ranalli in a stroke of brilliance not to be outdone by the stupidity of Veerkamp said, "This document (and public comment limitation) clarify how we conduct business and we do have the flexibility to allow the public to speak." Thank you so much King Ranalli. When was Ranalli appointed king and the authority to determine who he will allow to comment on public business, what business they can comment on and what they can say about it? The law even says, "Under the Brown Act, the right to comment includes the right to comment on matters to be considered by the body in closed session."

Ranalli didn't stop shooting his mouth off (he must love to hear himself talk) as he went on by saying it's OK "to set limits on those days when we have other public business to discuss and the limiting depends on what the topic is."

Earth to Ranalli, when you took this job and begged us for our votes, you didn't mention time limits on the conduct of government business. Good government is not like football, with four 15-minute quarters and even the NFL eventually put in overtime rules. It's more like baseball, it's over when it's over, no matter how many innings are required. When it

comes to government, we are a government of the people, by the people and for the people. Ranalli wants government by Ranalli.

If Ranalli wants the power to govern, he must accept the responsibility of the public's participation. If he listened more carefully, he might learn something. He certainly learns nothing while listening to himself, but the public sure learns about Ranalli.

What makes matters worse is our county counsel, Mike Ciccozzi, said this limiting of public participation is legal and appeared to be all for it. It helps Ciccozzi keep the board under his influence while lobbying for a new \$250,000 a year four-year contract. Without Ciccozzi, maybe some potholes could get filled.

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