



Gina Proctor <gproctor@utah.gov>

Corrections to EXPEDTED APPEAL to SRC-I'm denied certain public officers surety penal bonds & constitutional oaths of the Salt Lake City Municipal Corporation

1 message

Brady Eames [REDACTED]
To: Gina Proctor <gproctor@utah.gov>

Sat, Oct 20, 2018 at 5:52 AM

Dear State Records Committee,

In my Appeal, I cited an incorrect law in two paragraphs. They are corrected to read as follows (correction in bold italics):

"Under UC 63G-2-**401(5)**, Mayor Biskupski has established constructive appellate defiance and denial of my rights to access and inspect the surety penal bonds mandated under UC 10-3-819 to -825 and SLCMC Code 2.42.020 to be executed and filed by the following persons elected or appointed as the certain public officers of the SLCMC provided for under SLCMC Codes 2.05.030 and Chapter 2.08 before such persons discharge the duties and functions of such officers:"

"Under UC 63G-2-**401(5)**, Mayor Biskupski has established constructive appellate defiance and denial of my rights to access and inspect the constitutional oaths mandated under UC 10-3-827 and -828 and SLCMC Code 2.42.010 to be taken, subscribed and filed by the following persons elected or appointed as the certain public officers of the SLCMC provided for under SLCMC Codes 2.05.030 and Chapter 2.08 before such persons discharge the duties and functions of such officers:"

Sincerely,
BRADY EAMES

----- Forwarded Message -----

From: Brady Eames <ibuncle@yahoo.com>**To:** Gina Proctor <gproctor@utah.gov>

Cc: mayor@slcgov.com <mayor@slcgov.com>; james.rogers@slcgov.com <james.rogers@slcgov.com>; andrew.johnston@slcgov.com <andrew.johnston@slcgov.com>; chris.wharton@slcgov.com <chris.wharton@slcgov.com>; derek.kitchen@slcgov.com <derek.kitchen@slcgov.com>; erin.mendenhall@slcgov.com <erin.mendenhall@slcgov.com>; charlie.luke@slcgov.com <charlie.luke@slcgov.com>; amy.fowler@slcgov.com <amy.fowler@slcgov.com>; slcattorney@slcgov.com <slcattorney@slcgov.com>; slcrisk@slcgov.com <slcrisk@slcgov.com>; cindi.mansell@slcgov.com <cindi.mansell@slcgov.com>; scott.crandall@slcgov.com <scott.crandall@slcgov.com>; Bagley Steven <steven.bagley@slcgov.com>; bryan.hemsley@slcgov.com <bryan.hemsley@slcgov.com>; lisa.shaffer@slcgov.com <lisa.shaffer@slcgov.com>; askthechief@slcgov.com <askthechief@slcgov.com>; karl.lieb@slcgov.com <karl.lieb@slcgov.com>; laura.briefer@slcgov.com <laura.briefer@slcgov.com>; james.allred@slcgov.com <james.allred@slcgov.com>; bill.wyatt@slcgov.com <bill.wyatt@slcgov.com>; slcparking@slcgov.com <slcparking@slcgov.com>; mark.reberg@slcgov.com <mark.reberg@slcgov.com>; julio.garcia@slcgov.com <julio.garcia@slcgov.com>; greg.daly@slcgov.com <greg.daly@slcgov.com>; vicki.bennett@slcgov.com <vicki.bennett@slcgov.com>; lisa.burnett@slcgov.com <lisa.burnett@slcgov.com>; marybeth.thompson@slcgov.com <marybeth.thompson@slcgov.com>; Marina Scott <marina.scott@slcgov.com>

Sent: Thursday, October 18, 2018, 9:12:55 AM MDT**Subject:** EXPEDITED APPEAL to SRC-I'm denied certain public officers surety penal bonds & constitutional oaths of the Salt Lake City Municipal Corporation

Authority: UC 63G-2-403

To: Utah Department of Administrative Services-State Records Committee

Attn: Gina Proctor-Executive Secretary

From:

Brady Eames

Phone: [REDACTED]

Email address: [REDACTED]

Dear State Records Committee (SRC),

With respect to UC 76-8-203 and 10-3-826, it's an abuse of office and official neglect and misconduct if persons who are elected or appointed as certain public officers do not, before they act as such officers, perform the duties of executing and filing required surety penal bonds under UC 10-3-819 to -825 and Salt Lake City Municipal Corporation (SLCMC) Code 2.42.020 and of taking, subscribing and filing oaths under Article VI of the Constitution of the United States, Article IV-Section 10 of the Constitution of the State of Utah and SLCMC Code 2.42.010.

HISTORY AND FACTS

On September 25, 2018, I requested to access and inspect certain surety penal bonds and constitutional oaths of office executed and filed by those persons elected or appointed as certain public officers of the SLCMC. (attached)

On September 28, 2018, I clarified my request with respect to the surety penal bonds and constitutional oaths I requested. (attached)

On October 1, 2018, I was provided an initial decision made by the Recorder and certified Records Officer of the SLCMC named Cindi Mansell along with digitized records which compose a "Government Crime Policy". Such Cindi Mansell did not notify me that the surety penal bonds I requested were never executed and filed or were damaged, destroyed, lost or transferred. (attached)

On October 2, 2018, I clarified and narrowed my request with respect to the constitutional oaths I requested. (attached)

On October 5, 2018, I filed an amended expedited appeal to the Mayor of the SLCMC named Jackie Bickupski (Mayor Biskupski) that I had been constructively denied my rights to access and inspect the surety penal bonds of those persons elected and appointed as certain public officers of the SLCMC who are mandated under UC 10-3-819 to -825 and SLCMC Code 2.42.020 to execute and file such surety penal bonds. (attached)

On October 16, 2018, a person named "Patrick Leary" made an appellate decision with respect to such surety penal bonds under the pretense of acting as the "Chief Administrative Officer" of the SLCMC. (attached) According to SLCMC Code 2.08.020, such "Chief Administrative Officer" was repealed in 2010 by Ordinance 39-10 of the SLCMC. I therefore consider the appellate decision of such "Patrick Leary" to be illegal and invalid.

On October 17, 2018, I narrowed my request with respect to both surety penal bonds and constitutional oaths. (attached)

On October 17, 2018, Cindi Mansell emailed me another initial decision with respect to my request and attached only the surety penal bonds executed by the Finance Director, Treasurer and Deputy Treasurer of the SLCMC along with only the constitutional oaths of office subscribed by the Mayor, Chief of Staff, Deputy Chief of Staff, Council members and Director of the Department of Finance of the SLCMC. (attached)

APPEAL I

Under UC 63G-2-204(5), Mayor Biskupski has established constructive appellate defiance and denial of my rights to access and inspect the surety penal bonds mandated under UC 10-3-819 to -825 and SLCMC Code 2.42.020 to be executed and filed by the following persons elected or appointed as the certain public officers of the SLCMC provided for under SLCMC Codes 2.05.030 and Chapter 2.08 before such persons discharge the duties and functions of such officers:

- (1) Jacqueline Biskupski as Mayor,
- (2) James Rogers as Councilman-District 1,
- (3) Andrew Johnston as Councilman-District 2,
- (4) Chris Wharton as Councilman-District 3,
- (5) Derek Kitchen as Councilman-District 4,
- (6) Erin Mendenhall as Councilwoman-District 5,
- (7) Charlie Luke as Councilman-District 6,
- (8) Amy Fowler as Councilwoman-District 7,
- (9) Margaret Plane as Attorney,
- (10) Rusty Vetter as Deputy Attorney,
- (11) Cindi Mansell as Recorder,
- (12) Scott Crandall as Deputy Recorder,
- (13) Steven Bagley as Deputy Treasurer (I was only provided "Continuation Certificate"),
- (14) Bryan Hemsley as Chief Procurement Officer,
- (15) Lisa Shaffer as Public Services Director,
- (16) Mike Brown as Chief of Police,
- (17) Karl Lieb as Fire Chief,
- (18) Laura Briefer as Public Utilities Director,
- (19) James Allred as License Supervisor,
- (20) Bill Wyatt as Executive Director of Airports,
- (21) Unknown Parking Enforcement Hearing Examiner,
and
- (22) Unknown Bail Commissioners.

It's unknown how many other persons appointed as certain public officers of the SLCMC are required to execute and file surety penal bonds since the Executive Orders of the Mayor of the SLCMC published in <http://www.slclinfobase.com/PPAREO/#!WordDocuments/executiveorders.htm> do not specify the titles of such officers.

I hereby appeal Mayor Biskupski constructively denying me my rights to access and inspect the surety penal bonds executed and filed by the above named persons and seek the relief of a hearing with respect to such statutory violations.

APPEAL II

Under UC 63G-2-204(5), Mayor Biskupski has established constructive appellate defiance and denial of my rights to access and inspect the constitutional oaths mandated under UC 10-3-827 and -828 and SLCMC Code 2.42.010 to be taken, subscribed and filed by the following persons elected or appointed as the certain public officers of the SLCMC provided for under SLCMC Codes 2.05.030 and Chapter 2.08 before such persons discharge the duties and functions of such officers:

- (1) Margaret Plane as Attorney,
- (2) Mike Brown as Chief of Police,
- (3) Karl Lieb as Fire Chief,
- (4) Lisa Shaffer as Public Services Director,
- (5) Laura Briefer as Public Utilities Director,
- (6) James Allred as License Supervisor,
- (7) Bill Wyatt as Executive Director of Airports,
- (8) Mike Reberg as Community and Neighborhoods Director,
- (9) Bryan Hemsley as Chief Procurement Officer,
- (10) Julio Garcia as Human Resources Director,
- (11) Greg Daly as Information Management Services Director/Chief Information Officer,
- (12) Vicki Bennett as Sustainability Department Director,
- (13) Jackie Biskupski as Redevelopment Agency Director,
- (14) Lisa Burnett as 911 Communications Bureau Director,
- (15) Marina Scott as Treasurer,
- (16) Cindi Mansell as Recorder,
- (17) Matthew Cassel as Engineer,
- (18) Unknown Peace Officer,
- and
- (19) Unknown Firefighters

According to the Executive Orders of the Mayor of the SLCMC issued on January 7, 2008 and on November 10, 2010 and published in <http://www.slcfobase.com/PPAREO/#!WordDocuments/executiveorders.htm>, all persons the Mayor of the SLCMC appoints as certain public officers are in "*positions of trust or unique responsibility*" and shall take and subscribe constitutional oaths before such persons discharge the duties and functions of such officers. Referring to <http://www.slc.gov>, it's impossible for me to determine which of such other persons are appointed by the Mayor of the SLCMC.

Irregardless, Article VI of the Constitution of the United States and Article IV-Section 10 of the Constitution of the State of Utah mandate that all persons who are elected or appointed as certain public officers of the SLCMC take, subscribe and file constitutional oaths of office. I expect to access and inspect all the oaths of all such persons.

I hereby appeal Mayor Biskupski constructively denying me my rights to access and inspect the oaths of office taken and subscribed by the above named persons and by all other persons appointed by the Mayor of the SLCMC who are not named above. I seek the relief of a hearing with respect to such constitutional violations.

Respectfully appealed,
BRADY EAMES