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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SUTTER**

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SUTTER
CLERK OF THE COURT
JACKIE LASWELL Deputy

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COPY

June 10, 2022

The Honorable J.R. Thiara
Council Member City of Live Oak
9955 Live Oak Boulevard
Live Oak, CA 95953

**8/15/22
To The Attention Of:
The Honorable Presiding Judge of the Superior Court
Grand Jury**

Dear Council Member Thiara:

Enclosed is a copy of the 2021-2022 Grand Jury Final Report, pursuant to Penal Code Section 933(a) on subject: City of Live Oak: Crisis of Municipal Dysfunction that pertains to you. Pursuant to Penal Code §933.05(f) the section(s) are provided to you on behalf of the Grand Jury.

Provide your response to the Presiding Judge of the Superior Court within the time period specified in Penal Code §933(c) and include the details required by Penal Code §933.05. Please provide an original and one copy. Your response will be filed with the Court and a copy will be posted on the Court's website, www.suttercourts.com.

Please acknowledge the receipt of these documents by signing below and return in the enclosed envelope. Please retain the copy for your records.

Very truly yours,

Jackie Laswell
JACKIE LASWELL
Court Clerk/Jury Services

**As per the instructions above,
please find the duplicate enclosed responses.
Both sets have original signatures.**

J.R. Thiara
8/15/22

JL
Enc.
c:file

Receipt Date: 6/15/22
Respondent

Signed: *[Signature]*

Department: _____

Harse V S. Thiara, J.R.
Please Print Name

First-Ever Property Tax Break For 985 Home-Owners in Live Oak!

Council Member J.R. Thiara Makes History For The Benefit Of Live Oak TaxPayers

If you own a home in one of the CFD-Mello Roos Districts below, this Special Tax listed on your Property Tax Bill has been waived by the action of two Council Members for 2021/2022 Special Tax- Community Facilities District - Mello Roos

Check Your Last Property Tax Bill : TaxPayers Truly Deserve A Break Today!

CFD 2004-1 (Mello-Roos): 759 Single Family Home Subdivision Developments & Rates: If you live in Pennington Ranch 1-V, Peachtree III, Garden Glen, Sand Piper, Walnut View the Annual Tax Assessment has been \$909.67 per home since 2006. This tax assessment will not be assessed on your 2021/2022 Property Tax bill due to the action of two Council Members during the 7/21/21 Council Meeting.

CFD No. 92-1 (Mello Roos): 226 Single Family Home Subdivision Developments & Rates: If you live in America Dream Homes Phases I through V the Annual Tax Assessment ranges from \$300.00 to \$1,001.60 per home since 1992. This tax assessment will not be assessed on your 2021/2022 Property Tax bill due 2021/2022 due to the action of two Council Members during the 7/21/21 Council Meeting.

Taxpayers, be prepared to take action to defend against any feeble attempt to reverse the Action waiving the CFD Mello Roos Property Taxes for 2021/22

The Rest Of The Story....

Alaska has its' Bridge To Nowhere, and Live Oak has Well #7, a major city management debacle that was originally bid to cost taxpayers \$2.5 Million Dollars that has been in the works going on "12 years" now. The delays have cost us an additional \$1 Million, and to date, it is just sitting idle.

Many of these issues match the findings of the Sutter County Grand Jury Report released June 2020.

Council Member J.R. Thiara with the work of another Council Member and citizens have been striving to save residents money while improving community services, and the good news is, through vigilant pursuit, the citizens of Live Oak finally, have a real voice and bonafide opportunity to get all the delayed funded city improvement projects started and completed and continue fighting for lower sewer rates. Wouldn't you like to know why we pay 3 times more for Sewer Service than Chico residents?

\$300,000.00 was added to the pool budget this year without any narrative explanation. There may be cracks that are leaking and contaminating the soil with chlorinated water and nitrates. The cost to repair the pool will most likely well exceed the budgeted amount due to the age and poor condition of the pool. Wells #1 and #2 are less than 100 feet away. Why has Council not been informed about the details of these potential environmental and health hazards?

The City Manager claims he has a \$25,000.00 spending limit cap for any-one expenditure when in fact, per City Council minute records, he only has a \$12,000.00 spending limit before having to seek City Council approval. City Manager Aaron Palmer has never come to Council for approval on bills or purchases he has made over \$12,000.00. All those expenditures need to be identified. This is serious, especially considering he was allegedly hired at an unlawfully held meeting when past Mayor Bob Woten signed an illegal contract. Two weeks later the Manager, Members Bob Woten and Aleks Tica attempted to manipulate the council and gift their restaurants a 60% discount off their sewer rates. Why did they not consider helping residents first?

In 2020, the City Manager allowed the Parks Director to spend a 'record' \$1.2 million during peak COVID shut-down when the pool, parks, and cultural activities were halted. Most notably, is that this years' proposed budget for Parks, Recreation, and Culture has been reduced by approximately \$350,000. SO, Wouldn't you like to know where this unexplained \$350,000 was spent last year during the COVID shut-down, that isn't budgeted for this year?

It should also be noted that the Parks budget has increased 400% in just the past 4 years and there are no new parks or facilities. Under the direction of the City Manager Aaron Palmer, the Parks Director Luis Cibron is at least 8 Quarterly Financial Reports seriously past due for the Parks, Recreation, and Culture Departments, for the years 2019, 2020, and 2021. The staff has refused to respond to multiple requests from certain council members for these reports. Wouldn't you like to know why we pay 3 times more budgeted for Parks, Culture & Recreation Services in Live Oak than Yuba City residents and they have more facilities per capita.

What justifies 45% of City Manager Aaron Palmers' salary being paid for out of your water and sewer bill yet, what plant operations qualifications and certificates does he hold to qualify half his time being spent in the sewer. In addition, 75% to 85% of all full-time employee's wages and benefits are allocated/charged against water and sewer revenues (paid out of our bills), and this needs to be adjusted significantly. How can almost every employee work and be paid out of our water and sewer department bills? I have fought to squash multiple attempts by Staff and certain Council Members to raise our water rates by as much as 91%! To cover payroll increases and Consultants!

Why did staff spend \$2,700.00 +\$300.00 installation for an over-kill commercial sink, for a make-shift seasonal, and non-food-prep rated snack shack?

Why is the proposed budget for this year, 2021/2022, lower than the budget spent last year 2019/2020 during Peak COVID shut-down? Logically, the proposed budget should be higher this year, right?

On top of the \$267 Million Dollar error discovered, two Council Members along with Citizens have uncovered well over a half-million dollars so far in major accounting errors and unexplained expenditures.

Here are a few examples:

- Explain the \$50,000.00 for painting and striping?
- How does Staff justify spending \$70,000.00 for two garbage dumpster enclosures?
- What small 'tools and equipment for \$4,000.00 does the Administration in City Hall need to do office work?
- \$200,000.00 was approved to improve the Community Center 5 plus years ago and no work has begun.

—In the last 2 ½ years

- a \$200,000.00 over-reporting Error discovered in a Proposed Budget.
- a \$46,000.00 addition Error discovered in a Proposed Budget.
- a \$175,300.00 addition Error in a Proposed Budget.
- a \$175,000.00 Error was discovered in a Budget Recap.
- Several hundred thousand dollars were appropriated from Highway Funds for the Pennington Rd. West improvement project over 5 years ago, yet it has not started.

—The P St. Lift Station project increased from \$600,000.00 two years ago to \$2.75 Million today? Wouldn't you like to know why? How many more years is the \$4.8 million for Well #8 going to be carried in the budget?

Bottom-line, had Staff begun the budget process back in January or February as requested by two Council Members and members of the public, on multiple occasions, but with no avail, the Council and Citizens would not be in this deliberate scare tactic strategy by Staff thereby trying to force-feed a last-minute, blindly approve the budget or else, situation. City Manager Aaron Palmer, City Attorney Brant Bordsen, and Finance Director Joe Aguilar are responsible for all the very disturbing division among residents, chaos at Council Meetings, and the unlawful conduct that has been bestowed upon City Council and most importantly the real victims, you our fellow residents.

The Property Tax Break is not going to affect any operations of the City or Schools as rumored. The City has plenty of your money in hand including over \$4 million dollars surplus sewer reserves. The truth is, Citizens finally have a real opportunity to take back control of Live Oak from the Staff, who must now comply with transparency and truth. Please attend Council Meetings and write emails to the City Manager and City Council Members expressing your thoughts, concerns, and ideas. **Your Voice Matters!**

J. R. The
8/15/22

Live Oak City Manager and Mayor Barricade Themselves In City Hall To Lock-Out Council Members from Attending City Council Meeting

February 25, 2021, Sutter County, California: We will get to the headline topic in a few paragraphs but first, you should know a little history leading up to that day. The City of Live Oak Municipal Code clearly mandates that after the final Election Results are certified, the newly elected Members are then sworn in by the Sutter County Clerk/Recorder at the next Regularly Schedule City Council Meeting, which was December 2, 2020. The Municipal Code Policy further mandates that the newly seated City Council Members are to immediately thereafter, during that same meeting, select among themselves the new Mayor and Vice Mayor who are to replace the then expired terms of the past Mayor and Vice Mayor. The new term is for 1 year.

But this did not happen at all. Instead, several versions of the notice and agenda for the December 2, 2020 Council Meeting were issued to Council, which raises the question of the legality of proper Public Notice. Most notably, the selection of the new Mayor and Vice Mayor was not included on the December 2, 2020 meeting agenda as Mandated by the City Municipal Code and instead, the expired terms of the 2019/2020 Mayor and Vice Mayor were unlawfully extended two more weeks to the December 16, 2021 Council Meeting by City Manager Aaron Palmer and Past Mayor Bob Woten with the advisory of City Attorney Brant Bordsen.

Council Member J.R. Thiara was the only Council Member to protest adamantly on behalf of the Citizens however, the voting block of 3 Members railroaded the issue through while comments from Council Member J.R. Thiara were essentially being censored about the abuse of power and essentially fixing post-election actions. Technically, the newly seated City Council Members really did not even take their seats and participate in the next steps that were supposed to happen, selecting the new Mayor and Vice Mayor. The question then is, with the Mayor and Vice Mayors' terms being extended, were the terms of the previous Council Members extended as well for the period from the December 2, 2020 meeting through the December 16, 2020 Council Meeting? One thing for sure, there was no official and legal Mayor and Vice Mayor for the City of Live Oak during that delaying tactics period, at least legally.

Then came the December 16, 2020 meeting whereby the defacto self-term extended Mayor Bob Woten opened the meeting and immediately nominated his "YES" man sidekick Luis Hernandez for Mayor, and newly elected City Council Member Nancy Santana immediately 2nd the nomination. Coincidentally, Nancy Santana first time Council Member was immediately nominated for Vice Mayor. If you are angry about what you are learning here, then please first ask yourself, "who did I vote for and why?", as the ultimate responsibility for how our City is being managed is based upon whom we vote into office and trust that they will always look out for Residents interests first. Unfortunately, actions by a voting block of 3 Council Members as "Yes" people to Staff and authorizing all the mis-use of power and no transparency spending the City Manager and Attorney tell them to vote for. This is what generally happens when the Citizens vote for inexperienced Twenty Something year old, and candidates completely new to municipal government who ride high on the status they gain for themselves while literally ignoring their primary duty and loyalty to the Residents of Live Oak First and foremost. This has been clearly demonstrated multiple times over during the past several years.

Since that time, Mayor Luis Hernandez, Vice Mayor Nancy Santana, and Member Bob Woten have all have participated and sanctioned unlawful and unethical activities as they blindly validate past and present unlawful and unethical actions. Simply stated, "Staff Runs The Show"

While Council Member J.R. Thiara continues pursuing financial transparency, honesty, and for the rights of Live Oak Citizens, it is deeply disappointing that Live Oak was cited in the June 2020 Grand Jury Report as, "Live Oak City Council Runs Amok. Mayor Luis Hernandez, Vice Mayor Nancy Santana, and Member Bob Woten have demonstrated that they do not know when they are being lied to by Staff as they are voluntarily being used as Human Shields for City Manager Aaron Palmer, Finance Director Joe Aguilar, and City Attorney Brant Bordsen (resigned, but he's back!) as Staff jockeys for control of Live Oak and making up the rules as they deem fit and usually involves high paid Consultants overseeing Consultants. Staff manipulates and runs the show while these 3 Council Members shed responsibility of dealing with the real issues at hand and holding Staff accountable. There has been no Parks & Rec Financial Report in over a year as they spent nearly \$1.2 Million last year during COVID 19. "They went overbudget and that was a record spending year!"

Adjourned Council Meeting they even barricaded themselves in City Hall during the unlawfully scheduled City Council Meeting of February 19, 2021 that was called a rescheduled Adjourned Meeting from

How do you reschedule a Regularly Scheduled City Council Meeting when no meeting was ever called to order in the first place? This is exactly what happened on February 17, 2021 at approximately 6:25 pm. after City Manager Aaron Palmer came out of a closed door meeting with Attorney Bordsen, Mayor Hernandez, and Sheriff Lt. Hungrige and cancelled the meeting for a lack of a quorum and made mention of rescheduling the meeting and went back into the pier private meeting. HOWEVER, there actually was a quorum waiting to attend in person and via ZOOM. What were they colluding about as they held their closed door meeting that they continued having after the 6pm meeting scheduled start time. The Mayor never presided nor called a meeting to order and thus no roll call was taken and there was no meeting held to be Adjourned or rescheduled lawfully. But, City Manager Aaron Palmer made up his own laws and rules with the Advisory of Attorney Brant Bordsen and at 8pm that evening, Council received a Notice of Adjourned Meeting due to a lack of a quorum which is false, and re-scheduled an Adjourned Meeting for Friday February 19, 2021.

Council Member J.R. Thiara went to City Hall to attend and protest the holding of the unlawfully called Council Meeting but City Manager Aaron Palmer, City Attorney Brant Bordsen, Sutter County Sheriff Lt. Craig Hungrige, Mayor Luis Hernandez and other Staff had all doors locked barricading themselves in as they refused to unlock the doors and allow Member J.R. Thiara in to attend the unlawfully scheduled meeting. Their objective of Barricading themselves and locking out Council Members from attending the meeting at City Hall was to keep Members from being able to speak freely, as opposed to being continuously censored by Mute Button on ZOOM attendance. Major violations of State Statues and Federal Laws. They even had blackout shades drawn on the entry doors, as they all simply ignored Council Member J.R. Thiara's knocking and verbal requests to be let in to attend and protest the conducting of an unlawful City Council, even crawling through bushes to knock on the windows next to where they were sitting and standing. "What are they so desperately trying to hide from Council and the Public?" "The Truth?"

This same crew has committed multiple serious violations of State Statute, Federal Laws in violating Council Members' and Citizens' 1st Amendment-Free Speech and 14th Amendment-Due Process Rights in their continued attempts to manipulate and violate City Council through their pre-meditated and unlawful actions as documented by the records.

There is a deeply rooted disease eating away and wasting all of the hard earned money we contribute to taxes and fees to the City of Live Oak as they cannot even get pre-approved projects started, nor can they get projects finished that have been going on over 11 years now and millions of dollars combined now in cost overruns. Then there are the hundreds of thousands of dollars budget and accounting errors. Interestingly though, pay increases for new positions and titles being created, payroll, benefits, allowances are always correct and never missed or delayed.

It is now common knowledge among other City and County Officials and the Public that the only Vaccine to Cure this very sad state of affairs possible, is for Citizens to exercises our rights and pursue the right to vote on Dis-Incorporation or not. According to the numbers, by eliminating the extra costly layer of the management money eating machine, Sutter County can then come in and manage our City much more efficiently, as they already provide Live Oak very low cost Fire and Police Services, and current employees can simply go to work for the County. Sutter County runs a tight and efficient budget, unlike the City Finance Director Joe Aguilar, who has made multiple egregious accounting errors, that certain Council Members simply ignore and overlook. "Unless it affects them or their businesses"

There is nothing substantial going on here in Live Oak to justify the over \$1 million in total compensation pay to the top 6 Staff Members. Here is an idea, dis-incorporation will eliminate these unnecessary "middleman commission gate" positions with absurd total compensation, and who then hire \$200 per hour or higher Consultants and Lawyers to justify their mis-information, lies, over-spending, and basically do their work for them, Perhaps then, our water bills could go back to being paid through the high property taxes we already pay, just like it used to be included in our property, essentially Free. "What a concept!" "Eliminate unnecessary costs and save money!"

The reality is that Staff runs the show and if you question them, you are unlawfully alienated, and most recently, the removal of the Planning Commission Chairperson by the same 3 Council Members, for no justifiable cause other than, staff and they did not agree with his opinions expressed on Facebook about Live Oak business and City Council affairs. "Are we going back to the "17th Century Spanish Inquisition period?"

All Ethics have been thrown out the window and run over again and again.....

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J. R. L.
8/15/22