

Kathy Claytor, Board Chair  
Ellen Stallings, Board Vice Chair  
Glyne Johnson, Board Member  
Jerald Oliver, Board Member  
Spalding Community Services District Board

*SENT VIA EMAIL*

November 22, 2025

Dear Board Members:

This letter is to draw your attention to what we believe was substantial violations of central provisions of the Ralph M. Brown Act, ones which may jeopardize the finality of the actions taken by the Spalding Community Services District (SCSD) Board.

In its open special meeting of October 23, 2025, the SCSD acted by:

- *Continually, intentionally and willfully failing to inform the public of discussions and decisions made by the SCSD board outside of a meeting.*
- *Failure to properly cure and correct a Brown Act violation while approving an invoice without proper bidding requirements, without a budget and aiding and abetting violations of Government Code 1090 committed by Board Member Jerald Oliver and Fire Chief Frank Muse.*
- *Continually, intentionally, and willfully failing to provide the public with a clear and uninterrupted remote option via zoom as required per Attorney General Opinion No. 23-1002.*
- *Failure to have an accessible parking lot for the disabled community by violating state and federal Americans with Disabilities Act (ADA) mandates.*
- *Continually, intentionally and willfully failing to have (and implement) a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal ADA of 1990, the Unruh Civil Rights Act and the California Disabled Persons Act.*

- *Continually, intentionally, and willfully not having a meeting consistent with applicable federal and state civil rights and nondiscrimination laws.*
- *Continually, intentionally, and willfully not public meetings that meet the protections and prohibitions contained in Section 202 of the ADA of 1990 (42 U.S.C. Sec. 12132) and California rules and regulations adopted within the Brown Act for disabled access.*
- *Continually, intentionally and willfully not providing appropriate notification and access to an agenda for those living with disabilities.*
- *Continually, intentionally and willfully attempting to stifle and incite retaliation for public criticism of the SCSD to include filing of ADA complaints.*

In so doing, the SCSD “acted” as defined in Govt. Code 54952.6 because:

- *A majority of the members made a collective decision.*
- *A majority of the members made a collective commitment or promise to make a positive or negative decision.*
- *A majority of the members took an actual vote when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance.*

The actions violated the Brown Act because:

- *It was taken on a matter that was not properly described in the agenda for its open special meeting of October 23, 2025, at which the action was taken, and not all the requirements specified in Government Codes §54950 and §54952.2 were satisfied. The SCSD Board Chair Kathy Claytor, Vice Chair Ellen Stallings and Board Member Oliver were working in the district office under the pretense of keeping the lights on. However, they have gone beyond this and made decisions for the entire board without public involvement, specifically making purchases without a budget or board discussion/vote. This also includes making capitol improvements to the SCSD parking lot. Furthermore, the expense authorization discussed at the April 2025 meeting has yet to be brought at a public meeting to resolve it and no one making purchases has been bonded.*

- *It was taken on a matter that was not properly described in the agenda for its open special meeting of October 23, 2025, at which the action was taken, and not all the requirements specified in Government Code §54952.2 were satisfied. Specifically, Item 7 of the agenda was to cure and correct a Brown Act violation regarding the SCSD parking lot maintenance project that was completed outside of a board meeting. There was no vote to cure and correct but a vote to approve reimbursement to Fire Chief Muse's family business for an invoice. As you should know, cure and correct action are administrative and bids are a separate process outside ratifying it. There were many issues with this in addition to distinguishing between the two. SCSD had no budget to approve this bill. None of these three invoices were actual bids. The invoice that the SCSD board approved had an invoice for the Eagle Lake RV Park and not SCSD. Furthermore, the company is not a licensed contractor. With the amount exceeding \$1,000, it violates California Business and Professions Code 7026 and Public Contract Code 20100. Board Member Oliver signed the invoice and still voted to pay the bill without recusing himself which is a Fair Political Practices Commission violation. Furthermore, Fire Chief Muse and Board Member Oliver inadequately re-stripping the parking lot involves them in the contract process on this project and is a flagrant violation of Government Code 1090 as well. Those who voted to approve the bill aided and abetted the violation of this code while the SCSD attorney Greg Maestri observed it via zoom without stepping in to correct it.*
- *It was taken on a matter that was not properly described in the agenda for its open special meeting of October 23, 2025, at which the action was taken, and not all the requirements specified in Government Code §54953 were satisfied. We direct you to Attorney General Bonta's Opinion No. 23-1002, which states that zoom is an option for its disabled constituents to join meetings remotely. However, SCSD has been unable to comply with remote participation as evidenced by it not being able to work on their own phone-in or zoom options for remote participation for those living with disabilities. This has been an ongoing issue at every meeting and SCSD attorney Maestri is on recordings having issues hearing as well. Based on this, it is believed that SCSD has intentionally, willfully and intentionally prevented Mr. LoBue from participating remotely in public meetings in violation of the Attorney General's opinion mandating it.*
- *It was taken on a matter that was not properly described in the agenda for its open special meeting of October 23, 2025, at which the action was taken, and not all the requirements specified in*

*Government Code §54953 were satisfied. Mr. LoBue has partial paralysis of his foot which makes walking difficult for him to the point he sometimes walks with assistive devices or needs a wheelchair. The SCSD parking lot was not professionally restriped by a licensed contractor or an ADA compliance expert, and Lassen County has confirmed that it does not meet ADA compliance. So, now Mr. LoBue is completely shut out of any public meetings or community activities at the community center. He cannot even zoom or call in because that hasn't worked in over a year. All community center activities are considered non-accessible until this is corrected and compliant.*

- It was taken on a matter that was not properly described in the agenda for its open special meeting of October 23, 2025, at which the action was taken, and not all the requirements specified in Government Codes §54953(g) and §54953(h) were satisfied. The SCSD has continually failed in the past two years to show that it has and implements a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal ADA of 1990 (42 U.S.C. Sec. 12132) nor does it resolve any doubt in favor of accessibility. SCSD Board Chair Kathy Claytor finally granted the in-person meeting reasonable accommodation request on July 9, 2025, for Mr. LoBue, but has yet to grant the remote participation from December 2024 as of today's date. Furthermore, she has yet to grant Ms. Tammy LoBue's April 8, 2025, reasonable accommodation request as of today's date.*
- It was taken on a matter that was not properly described in the agenda for its open special meeting of October 23, 2025, at which the action was taken, and not all the requirements specified in Government Code §54953.2 were satisfied. The SCSD is continually, intentionally and unwilling to properly implement meeting accessibility for Mr. LoBue via his government issued screen reader. Due to this ADA non-compliance, the SCSD is not only violating the Brown Act ADA requirements, but also the California Department of Civil Rights mandates, Rule 508 of the Rehabilitation Act and the protections contained in Section 202 of the federal ADA of 1990 (42 U.S.C. Sec. 12132).*
- It was taken on a matter that was not properly described in the agenda for its open special meeting of October 23, 2025, at which the action was taken, and not all the requirements specified in Government Code §54954.1 were satisfied. Mr. LoBue has continually asked for an alternative format to access the agenda packet with a government issued screen reader, and SCSD has not*

*complied with this accommodation for over a year. A veteran should not beg his local government to adhere to his needs from his service-connected disabilities, and his caregiver should not have to continually advocate for access while facing heckling and retaliation from SCSD and its supporters. We consider this a continual and intentional violation of Mr. LoBue's civil liberties.*

- It was taken on a matter that was not properly described in the agenda for its open special meeting of October 23, 2025, at which the action was taken, and not all the requirements specified in Government Codes §54954.2(2)(B)(ii) were satisfied. The SCSD continually, willfully and intentionally fails to provide access to its agenda to Mr. LoBue in an alternative format before the meeting. As stated in numerous cure and correct demands, the Brown Act specifically states the agenda is to be on a "platform independent and machine readable." Furthermore, the original agenda posted for this meeting did not meet ADA compliance requirements under the Brown Act because it failed to post reasonable accommodations information to the public on it. Rather than being honest about this omission on the original agenda, the SCSD tried to act like it did not amend it.*
- It was taken on a matter that was not properly described in the agenda for its open special meeting of October 23, 2025, 2025, at which the action was taken, and not all the requirements specified in Government Codes §54956 were satisfied. The original agenda was changed within the 24-hour posting requirement and no notice of the amended agenda was given until Ms. LoBue asked about it prior to the board approving its agenda during the meeting. SCSD Chair Claytor lied and stated it was not changed despite evidence to the contrary. When Vice Chair Ellen Stallings informed Ms. LoBue that they had issues making it compliant, her statement was that it's correct now. However, it was not. The agenda once again was not screen readable as Ms. LoBue found out when she returned home after the meeting. That the SCSD attempted to cover this up is unethical and devious.*
- It was taken on a matter that was not properly described in the agenda for its open special meeting of October 23, 2025, at which the action was taken, and not all the requirements specified in Government Code §54957.9 were satisfied. Chair Claytor continues to fail at maintaining decorum. Not only has she not complied with Ms. LoBue's request for reasonable accommodation to maintain decorum, but she fails to comply with an orderly meeting. SCSD volunteer Linda Hembree can be heard on video clapping when she found out Ms. LoBue resigned from the SCSD board. With the*

*Board, and specifically Chair Claytor, failing to address discriminatory conduct within their governance, they are contributing to a hostile environment and illegal retaliation. Ms. LoBue will be filing a Civil Rights complaint due to this non-compliance.*

As you are aware, the Brown Act creates specific agenda obligations for notifying the public with a “brief description” of each item to be discussed or acted upon and creates a legal remedy for illegally taken actions — namely, the judicial invalidation of them upon proper findings of fact and conclusions of law.

Pursuant to that provision (Gov. Code §54960.1), we demand that the SCSD cure and correct the illegally acted as follows:

- *As the SCSD is aware, this is the twenty-ninth brown act violation since February 2024, and our remedies have not been addressed to our satisfaction. In fact, only one of our cure and correct demands has ever been addressed at a meeting despite other cure and correct demands being addressed, which shows discriminatory and flagrant violations. We continue to demand that the SCSD Board and its staff take the current Brown Act training which includes ADA requirements. We also demand that they take current federal and state ADA training. Their attorneys also need to take this since Attorney Maestri participated in this meeting and did nothing to comply with ADA mandates.*
- *We continue to elevate this to SCSD oversight entities for enforcement of the intentional, willful and continuing violations of the Brown Act and other applicable laws.*
- *Due to the intentional, continual and willful ADA violations, the SCSD was reported to the federal and state Departments of Justice and Civil Rights Division for these ongoing violations. We have recently been informed to include any oversight entities failing to enforce these violations as well.*

As provided by Section §54960.1, you would normally have 30 days from the receipt of this demand to either cure or correct the challenged action or inform me of your decision not to do so. However, due to your non-compliance with the February 14, 2024, March 15, 2024, March 29, 2024, April 14, 2024, April 27, 2024, May 6, 2024, May 19, 2024, June 9, 2024, June 16, 2024, June 23, 2024, July 14, 2024, July 28, 2024, August 11, 2024, August 24, 2024, August 27, 2024, October 15, 2024, October 27, 2024, November 11, 2024, December 8, 2024, January 9, 2025, February 8, 2025, March 13, 2025, April 12, 2025, April 24, 2025, April 26, 2025, November 19, 2025, November 20, 2025, and November 21, 2025 cure

and correct demands, we have no choice but to continue to defer this to the Lassen County District Attorney's Office, Lassen County Supervisor One, Lassen County LafCo and the federal and state Departments of Justice, Civil Rights Division, for a remedy. This does not diminish our right to seek a judicial invalidation of the challenged action pursuant to Section §54960.1, in which case we would also ask the court to order you to pay my court costs and reasonable attorney fees in this matter, pursuant to Section §54960.5.

Respectfully submitted,

/s/ Barbara deLeon

/s/ Tammy LoBue

/s/ Ronald LoBue

cc: Allison E. Burns, Stradling Law  
Gregory Maestri, Stradling Law  
Mike Scanlan, Lassen County Board of Supervisors District 1  
Susan M. Rios, Lassen County District Attorney  
Ken Ward, SCSD Volunteer Interim General Manager  
Jennifer Stephenson, Lassen County Lafco