

**HAMILTON UNIFIED SCHOOL DISTRICT  
BOARD MEETING  
AGENDA  
Hamilton High School Library  
Thursday, January 31, 2019**

---

5:30 p.m. Public session for purposes of opening the meeting only.  
5:30 p.m. Closed session to discuss closed session items listed below.  
6:30 p.m. Reconvene to open session no earlier than 6:30 p.m.

---

**1.0 OPENING BUSINESS:**

Call to order and roll call

\_\_\_\_\_ Gabriel Leal, President  
\_\_\_\_\_ Genaro Reyes

\_\_\_\_\_ Hubert "Wendall" Lower, Clerk  
\_\_\_\_\_ Ray Odom

\_\_\_\_\_ Rod Boone

**2.0 IDENTIFY CLOSED SESSION ITEMS:**

**3.0 PUBLIC COMMENT ON CLOSED SESSION ITEMS:** Public comment will be heard on any closed session items. The board may limit comments to no more than three minutes per speaker and 15 minutes per item.

**4.0 ADJOURN TO CLOSED SESSION:** To consider qualified matters.

1. Government Code Section 54957.6, Labor Negotiations. To confer with the District's Labor Negotiator, Superintendent Charles Tracy; Matt Juhl-Darlington, Attorney for District regarding HTA and CSEA negotiations.
2. Government Code Section 54957 (b), Personnel Issue. To consider the employment, evaluation, reassignment, resignation, dismissal, or discipline of a classified and certificated employees.
3. Government Code Section 54956.9, Subdivision (a), Existing litigation. Name of case: Crews v. Hamilton Unified School District, Glenn County Superior Court, Case No. 15CV01394.
4. *Conference with Real Property Negotiators.* Property: Westermann property north of Hamilton High School, approximately located at 500 Sixth Street, Hamilton City, CA 95951 (APN: 032-230-015-000). Agency Negotiator: Charles Tracy, Superintendent; Matt Juhl-Darlington, Attorney for District. Negotiating Parties: Westermann Family and Hamilton Unified School District. Under negotiation: Price and terms of payment.

*Report out action taken in closed session.*

**5.0 PUBLIC SESSION/FLAG SALUTE:**

**6.0 ADOPT THE AGENDA: (M)**

**7.0 DISCUSSION ITEMS:**

1. Hamilton Unified School District General Obligation Bond.

**8.0 PUBLIC COMMENT:** Public comment on any item of interest to the public that is within the Board's jurisdiction will be heard (agenda and non-agenda items). The Board may limit comments to no more than three minutes per speaker and 15 minutes per topic. Public comment will also be allowed on each specific action item prior to board action thereon.

**9.0 ACTION ITEMS:**

1. Resolution 18-19-107 of the Board of Trustees of the Hamilton Unified School District Certifying to the Board of Supervisors All Precedings in the November 6, 2018 General Obligation Bond Election (page 1-4).
2. Resolution 18-19-108 of the Board of Trustees of the Hamilton Unified School District to Establish a Citizens' Bond Oversight Committee for General Obligation Bonds Approved Pursuant to Propostion 39 and Related Law (page 5-7).

**10.0 PRESENTATIONS:**

1. Brown Act Training, Matt Juhl-Darlington, Attorney, Dannis Woliver Kelley

**11.0 ADJOURNMENT:**

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE  
HAMILTON UNIFIED SCHOOL DISTRICT  
CERTIFYING TO THE BOARD OF SUPERVISORS  
ALL PROCEEDINGS IN THE NOVEMBER 6, 2018  
GENERAL OBLIGATION BOND ELECTION**

**WHEREAS**, the Board of Trustees ("Board") of the Hamilton Unified School District, situated within the County of Glenn ("County"), previously adopted a resolution ordering a school bond election and authorizing necessary actions in connection therewith ("Bond Resolution") whereby an election for general obligation bonds was called and held on November 6, 2018 ("Bond Election"); and

**WHEREAS**, the Bond Resolution was duly delivered to the County Registrar of Voters; and

**WHEREAS**, the Bond Resolution was duly filed with the Clerk of the Board of Supervisors of the County; and

**WHEREAS**, notice of the Bond Election was duly given; and

**WHEREAS**, the Bond Election was duly held and conducted for the purpose of voting on a measure for the issuance of bonds of the Hamilton Unified School District in the amount of \$7.0 million, known as Measure "F" ("Bond Measure"); and

**WHEREAS**, the Board has received the Official Canvass and Statement of Results of the Bond Election ("Certificate of Election") from the County Registrar of Voters; and

**WHEREAS**, it appears from the Certificate of Election, a copy of which is attached hereto as **Exhibit "A"**, that fifty-five percent (55%) or more of the votes cast on the Bond Measure were in favor of issuing the aforementioned bonds.

**NOW, THEREFORE**, THE BOARD OF TRUSTEES OF THE HAMILTON UNIFIED SCHOOL DISTRICT DOES HEREBY FINDS, DETERMINES, AND CERTIFIES, AS FOLLOWS:

**Section 1.** That entry be made upon the minutes of this meeting that the Bond Measure has been approved by fifty-five (55%) or more of the votes cast at the Bond Election.

**Section 2.** That all proceedings of the District in connection with the Bond Election have been accomplished according to law.

**Section 3.** That the Clerk of the Board is hereby requested to deliver, or arrange for delivery of, a copy of this Resolution to the County Superintendent of Schools who shall send a copy to the Clerk of the Board of Supervisors of the County.

**Section 4.** The provisions and terms of this Resolution shall be effective upon adoption.

**PASSED and ADOPTED** this 31st day of January, 2019 by the Hamilton Unified School District Board of Trustees, in Hamilton City, Glenn County, California.

AYES: \_\_\_\_\_  
NAYS: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_  
ABSENT: \_\_\_\_\_

APPROVED:

\_\_\_\_\_  
Gabriel Leal, Board President  
Hamilton Unified School District

Attest:

\_\_\_\_\_  
Hubert "Wendall" Lower, Board Clerk  
Hamilton Unified School District

**EXHIBIT "A"**

CERTIFICATE OF ELECTION FROM THE  
GLENN COUNTY REGISTRAR OF VOTERS

[ATTACHED]

CERTIFICATE OF COUNTY CLERK TO RESULTS OF THE CANVASS  
OF THE STATEWIDE GENERAL ELECTION RETURNS

November 6, 2018

STATE OF CALIFORNIA    }  
COUNTY OF GLENN       }  SS

I, CHARLES M. MERIAM, County Clerk of said County of Glenn, do hereby certify that pursuant to the provisions of Section 15301 of the Elections Code, I did canvass the returns of the votes cast in the Primary Election held on November 6, 2018, for elective public offices, and/or for and against each measure as submitted to the vote of the electors, and that the Statement of the Votes Cast, to which this certificate is attached, shows the whole number of votes cast for each candidate and/or for and against each measure and in each of the respective precincts therein, and that the totals of the respective columns and the totals as shown for each candidate and/or for and against each measure are full, true and correct.

WITNESS my hand and Official Seal this 21th day of November, 2018

(seal)

CHARLES M. MERIAM, Glenn County Clerk



**RESOLUTION OF THE BOARD OF TRUSTEES OF THE  
HAMILTON UNIFIED SCHOOL DISTRICT TO ESTABLISH A  
CITIZENS' BOND OVERSIGHT COMMITTEE FOR GENERAL OBLIGATION  
BONDS APPROVED PURSUANT TO PROPOSITION 39 AND RELATED LAW**

**WHEREAS**, the Hamilton Unified School District ("District") is a public school district organized and operated relative to the laws of the State of California ("State"); and

**WHEREAS**, the voters within the State approved "The Smaller Classes, Safer Schools and Financial Accountability Act" ("Proposition 39") authorizing school district general obligation bond elections upon certain terms and conditions; and

**WHEREAS**, the issuance of not to exceed \$7.0 million aggregate principal amount of general obligation bonds of the District was authorized ("Bond Authorization") by approval of the District's bond measure, known as Measure "F" ("Bond Measure"), at an election duly called and regularly conducted within the District on November 6, 2018 ("Bond Election"), pursuant to the provisions of the Proposition 39, the California Constitution and related California law, and on January 31, 2019, the results thereof were canvassed pursuant to applicable law and entered into the District's minutes; and

**WHEREAS**, applicable provisions of the California Education Code require, upon certain terms and conditions, the formation and appointment of a Citizens' Bond Oversight Committee ("Committee") for certain purposes relative to general obligation bonds approved pursuant to the provisions and requirements of Proposition 39; and

**WHEREAS**, the Board of Trustees ("Board") of the District included within the Bond Measure additional requirements and provisions applicable to the Committee of the District; and

**WHEREAS**, the Board wishes to establish a Committee and authorize the development of a policy, procedure and/or bylaws and other applicable guidelines to address the form, purpose, appointment, and related matters dealing with a Committee of the District established and appointed pursuant to applicable law and Bond Measure provisions.

**NOW, THEREFORE**, THE BOARD OF TRUSTEES OF THE HAMILTON UNIFIED SCHOOL DISTRICT HEREBY RESOLVES, DETERMINES, AND ORDERS, AS FOLLOWS:

**Section 1.** The foregoing recitals are true and correct and are hereby incorporated by this reference.

**Section 2.** The Board hereby authorizes the Superintendent, or the Superintendent's designee, to explore the development or refinement of Board policies, administrative regulations and/or Committee bylaws and guidelines, as may be required (collectively, "Policy and Procedure").

**Section 3.** The Board hereby establishes the Committee and will appoint persons to the Committee pursuant to State law and Bond Measure provisions, and the Policy and Procedure, within the time period required by State law and as set forth in the Policy and Procedure to be adopted.

**Section 4.** The Committee members shall serve for a term of two (2) years without compensation and at the end of the first term, it is contemplated that one half (1/2) of the members' terms may be staggered. Members of the Committee may be appointed by the Board, in its discretion, for no more than three (3) consecutive terms as specified by applicable law.

**Section 5.** The Board hereby authorizes the Superintendent, or the Superintendent's designee, to advertise for and solicit candidates for consideration of appointment to the Committee, review applications submitted to the District for Committee membership and make recommendations to the Board to assist the Board in appointing Committee members. The Board also delegates to the Superintendent, and/or the Superintendent's designee, to assist the Board in implementing other provisions, sections, terms, and sub-sections of this Resolution.

**Section 6.** The purpose of the Committee shall be to actively review and inform the public regarding the expenditure of Bond Measure proceeds and the Committee shall convene for specific purposes limited to providing oversight for such bond proceeds expenditures, including providing oversight for the following:

- (a) To ensure that Bond Measure proceeds are expended only for the purposes described in paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution; and
- (b) To ensure that no Bond Measure proceeds are used for any teacher or administrative salaries or other school operating expenses. The Committee shall also have the power to review and provide comments to the Board on Bond Measure expenditure plans, Bond Measure-related staffing and consultants, and the District's deferred maintenance plan, provided that the Committee shall be advisory only, and shall not replace or impede the activity of elected Board members.

**Section 7.** In furtherance of its specifically enumerated purposes, the Committee may engage in any of the following activities relating solely and exclusively to the expenditure of Bond Measure proceeds:

- (a) Receive and review copies of the annual, independent financial audits performed by an independent consultant selected the District.
- (b) Receive and review copies of the annual, independent performance audits performed by an independent consultant selected by the District.
- (c) Inspect school facilities and grounds to ensure that Bond Measure revenues are expended in compliance with applicable law.
- (d) Receive and review copies of any deferred maintenance proposals or plan developed by the District.

- (e) Review efforts of District to maximize Bond Measure revenues by implementing cost-saving measures.

**Section 8.** The Committee shall meet on a regular basis, at such times and places as shall be specified by the Committee. All Committee proceedings shall be open to the public and notice to the public shall be subject to the provisions of the Ralph M. Brown Act in Government Code section 54950 et seq.

**Section 9.** All members of the Committee shall not be, or have, any conflict of interest in the matters which they review.

**Section 10.** The Board hereby reserves the right to amend its direction to the Committee in order to comply with changes occurring in State law or rulings and determinations made by State courts or the California Fair Political Practices Commission.

**Section 11.** The provisions and terms of this Resolution shall be effective upon adoption.

**PASSED and ADOPTED** this 31st day of January, 2019 by the Hamilton Unified School District Board of Trustees, in Hamilton City, Glenn County, California.

AYES: \_\_\_\_\_  
NAYS: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_  
ABSENT: \_\_\_\_\_

APPROVED:

\_\_\_\_\_  
Gabriel Leal, Board President  
Hamilton Unified School District

Attest:

\_\_\_\_\_  
Hubert "Wendall" Lower, Board Clerk  
Hamilton Unified School District