

**EL DORADO UNION HIGH SCHOOL DISTRICT
EXHIBIT**

Bylaws of the Board

**ACTIONS REQUIRING MORE
THAN A MAJORITY VOTE
E 9323.2**

Note: The following exhibit lists some of the Governing Board actions that require more than a majority vote. Other such actions may exist and may be identified in the future.

ACTIONS REQUIRING A TWO-THIRDS VOTE OF THE BOARD

1. Resolution declaring intention to sell or lease real property. (*Education Code 17466*)
(cf. 3280 - Sale, Lease, and Rental of District-Owned Real Property)
2. Resolution declaring intent of Governing Board to convey or dedicate property to the state or any political subdivision for the purposes specified in Education Code 17556. (*Education Code 17557*)
3. Resolution authorizing and directing the Board president, or any other presiding officer, secretary, or member, to execute a deed of dedication or conveyance of property to the state or a political subdivision. (*Education Code 17559*)
4. Lease for up to 3 months of school property which has a residence on it and which cannot be developed for district purposes because funds are unavailable. (*Education Code 17481*)

Note: Although a two-thirds vote and the approval of the county auditor and treasurer are required for temporary borrowing before receipt of fiscal income under Government Code 53820-53833, only a majority vote of the Board is required for temporary borrowing pursuant to Government Code 53850-53858.

5. Temporary borrowing before receipt of fiscal income, if implemented pursuant to Government Code 53820-53833. (*Government Code 53821*)
6. Upon complying with Government Code 65352.2 and Public Resources Code 21151.2, ordering city or county zoning ordinances inapplicable to a proposed use of the property by the district. (*Government Code 53094*)

(cf. 7131 - Relations with Local Agencies)
(cf. 7150 - Site Selection and Development)
(cf. 7160 - Charter School Facilities)

7. Resolution to transfer excess local funds from a deferred maintenance fund when state funds are sufficient to match local funds being held in the deferred maintenance fund. (*Education Code 17582, 17583*)
8. Resolution to issue general obligation bonds with the approval of 55% of the voters of

**ACTIONS REQUIRING MORE
THAN A MAJORITY VOTE (continued)**

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the district. (*Education Code 15266*)

(*cf. 7214 - General Obligation Bonds*)

9. Resolution of intent to issue bonds within a school facilities improvement district with the approval of 55% of the voters of the school facilities improvement district. (*Education Code 15266*)

(*cf. 7213 - School Facilities Improvement Districts*)

10. Resolution to place a parcel tax on the ballot. (*Government Code 53724*)

11. Resolution of necessity to proceed with an eminent domain action and, if the Board desires to use the property for a different use than stated in the resolution of necessity, a subsequent resolution so authorizing the different use. (*Code of Civil Procedure 1245.240, 1245.245*)

**ACTIONS REQUIRING A TWO-THIRDS VOTE OF THE BOARD MEMBERS
PRESENT AT THE MEETING**

1. Determination that there is a need to take immediate action and that the need for action came to the district's attention after the posting of the agenda. If less than two-thirds of the members are present at the meeting, a unanimous vote of all members present is required. (*Government Code 54954.2*)
2. Determination that a closed session is necessary during an emergency meeting. If less than two-thirds of the Board members are present, a unanimous vote of all members present is required. (*Government Code 54956.5*)

(*cf. 9320 - Meetings and Notices*)

(*cf. 9321 - Closed Session Purposes and Agendas*)

ACTIONS REQUIRING A FOUR-FIFTHS VOTE OF THE BOARD

1. The expenditure and transfer of necessary funds and use of district property or personnel to meet a national or local emergency created by war, military, naval or air attack or sabotage, or to provide for adequate national or local defense. (*Government Code 53790-53792*)

(*cf. 3110 - Transfer of Funds*)

2. Adoption of a resolution, between July 15 and August 30, to borrow funds of up to 25% of the estimated income and revenue to be received by the district during the current fiscal year from apportionments based on ADA for the preceding year. (*Government Code 53822-53824*)

**ACTIONS REQUIRING MORE
THAN A MAJORITY VOTE (continued)**

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3. Declaration of an emergency in order to authorize the district to include a particular brand name or product in a bid specification. (*Public Contract Code 3400*)

(*cf. 3311 - Bids*)

ACTIONS REQUIRING A UNANIMOUS VOTE OF THE BOARD

1. Resolutions authorizing and prescribing the terms of a community lease for extraction of gas. (*Education Code 17510-17511*)
2. Waiver of the competitive bid process pursuant to Public Contract Code 20111 when the board determines that an emergency exists and upon approval of the County Superintendent of Schools. (*Public Contract Code 20113*)

**ACTIONS REQUIRING A UNANIMOUS VOTE OF THE BOARD MEMBERS
PRESENT AT THE MEETING**

1. Private sale of surplus property without advertisement in order to establish that such property is not worth more than \$2,500. Disposal of surplus property in the local dump or donation to a charitable organization requires the unanimous vote of the Board members present to establish that the value of such property would not defray the cost of its sale. (*Education Code 17546*)

(*cf. 3270 - Sale and Disposal of Books, Equipment, and Supplies*)