TAMALPAIS UNION HIGH SCHOOL DISTRICT

RESOLUTION NO. 22-13

RESOLUTION OF THE BOARD OF TRUSTEES DELEGATING AUTHORITY TO ADVERTISE, AUCTION, AND APPROVE AND ACCEPT BIDS, PROPOSALS, AND CONTRACTS FOR THE SALE OF PERSONAL PROPERTY (Two Selmer Mark VI Alto Saxophones)

WHEREAS, Tamalpais Union High School District ("District") currently owns the personal property listed on Exhibit A hereto (collectively, the "Property");

WHEREAS, the Property of two sixty year old Selmer Mark VI Alto Saxophones has been stored in the Redwood High School Music Departments classroom and not functional and utilized for instruction;

WHEREAS, pursuant to Education Code section 17545 *et seq.*, personal property of the District may be sold for cash if it (i) is not required for school purposes, (ii) should be disposed of for purpose of replacement, (iii) and/or it is unsatisfactory or not suitable for school use;

WHEREAS, pursuant to Education Code section 17545, subdivision (a), the District's Board of Trustees (the "Board") may sell any or all of the Property by giving notice of the sale by posting or publication, and, thereafter, selling the Property to the highest responsible bidder;

WHEREAS, pursuant to Education Code section 17545, subdivision (b), the Board may alternatively sell any or all of the Property by means of a public auction conducted by employees of the District or other public agencies, or by contract with a private auction firm, and may delegate the authority to a District employee to transfer the Property to the highest responsible bidder upon completion of the auction once payment has been received by the District;

WHEREAS, pursuant to Education Code section 17546, subdivision (b), the Board may empower a District employee to sell any or all of the Property that was offered for sale pursuant to Section 17545, but for which no qualified bid was received, by private sale without advertising;

WHEREAS, pursuant to Education Code section 17604, the Board may delegate its power to contract to the District Superintendent, or to any persons that he may designate; however, no contract made pursuant to the delegation shall be valid or constitute an enforceable obligation against the District unless and until the same shall have been approved or ratified by the Board, the approval or ratification to be evidenced by a motion of the Board duly passed and adopted; and

WHEREAS, in order to facilitate the sale of the Property, the Superintendent and designees must be authorized to accept bids and/or proposals for the Property, to auction the Property, and to accept and award contracts relating to sale of the Property (any such contracts subject to ratification by the Board at a subsequent Board meeting).

NOW, THEREFORE, the Board of Trustees of the Tamalpais Union High School District hereby finds, determines, delegates, empowers, declares, authorizes, and resolves as follows:

Section 1. The above recitals are true and correct and the Board so finds and determines.

Section 2. The Board hereby finds that the Property listed on Exhibit A hereto is not required for school purposes, should be disposed of for purpose of replacement, and/or is unsatisfactory or not suitable for school use, and is appropriate for sale pursuant to Education Code section 17545 *et seq*.

Section 3. The Board hereby delegates authority to the Superintendent and designees, after proper notice, to accept bids and award contract(s) for the public sale of any or all of the Property listed on Exhibit A hereto, subject to ratification by motion of the Board at a subsequent Board meeting.

Section 4. In addition, the Board delegates to the Superintendent and designees the authority to sell any or all of the Property by public auction conducted by District employees, or by a private auction firm, and further delegates to the District Superintendent and designees the authority to transfer Property to the highest responsible bidder upon completion of the auction and payment of the bid price.

Section 5. The Board hereby empowers the Superintendent and designees to sell any remaining Property, which was offered for sale pursuant to Education Code section 17545 and Sections 3 or 4 of this Resolution, but for which no qualified bid was received, by private sale without advertising, and to accept proposals and award contracts pursuant to such private sale.

Section 6. The contract(s) approved by the Superintendent and designees, pursuant to the delegation of authority under this Resolution, shall be submitted to the Board for ratification.

Section 7. The Superintendent and designees are authorized, pursuant to this Resolution, to take any action and execute any documents that are necessary to carry out, give effect to, or comply with the terms and intent of this Resolution.

APPROVED, PASSED, AND ADOPTED by the Board of Trustees of the Tamalpais Union High School District on May 23, 2023 by the following vote:

AYES: 4 ABSENT: 1

NOES: 0 ABSTAIN: 0

TAMALPAIS UNION HIGH SCHOOL DISTRICT

By: _____
President of the Board of Trustees

ATTEST:

By: _____
Clerk of the Board of Trustees

EXHIBIT A

PERSONAL PROPERTY

Tamalpais Union High School District currently owns two sixty year old Selmer Mark VI Alto Saxophones that have been stored at Redwood High School's Music Departments Classroom and not functional and utilized for instruction.