

# VENTURA COUNTY COMMUNITY COLLEGE DISTRICT



## RESOLUTION NO. 2016.05

### **BOARD OF TRUSTEES RESOLUTION DECLARING DISTRICT ADMINISTRATIVE CENTER AT 761 EAST DAILY DRIVE, CAMARILLO, IS A "NON-SCHOOL BUILDING" PURSUANT TO ED. CODE §§ 81160 (b) and (c) and CAL. CODE OF REGS tit. 24 § 4-310**

October 11, 2016

- WHEREAS, on or about April 21, 2016, the Ventura County Community College District ("District") entered into negotiations to purchase property located at 761 East Daily Drive, Camarillo, California 93010 ("Property") to relocate its District Administrative Center; and
- WHEREAS, on October 11, 2016, the District's Board of Trustees authorized the purchase of the Property to be used as the District's District Administrative Center; and
- WHEREAS, the District intends that the District Administrative Center be used exclusively for districtwide administrative office purposes, into which students are not required to enter, and for off-campus adult school, voluntary adult education courses or registered apprentice courses; and
- WHEREAS, the Field Act, Article 7, commencing with Education Code § 81130 together with Article 3 (commencing with § 17280) and Article 6 (commencing with § 17365) of Chapter 3, Part 10.5, and Article 3 (commencing with § 81050), provides that the California Department of General Services, Division of the State Architect shall supervise and approve the design and construction of any school building; and
- WHEREAS, Education Code § 81160 (b) relates to fitness of school buildings for occupancy and provides that the term "school building" "excludes any building which is used for community college district administrative buildings located on a site separate from the community college campuses of the district, and into which students are not required to enter"; and

WHEREAS, Education Code § 81160 (c) provides that "school building" "shall exclude [ ], (2) any building which is used exclusively for [...] districtwide administrative office purposes, into which pupils are not required to enter, and off-campus buildings utilized by adult schools or community colleges for voluntary adult education courses or registered apprentice courses..."

WHEREAS, Education Code § 81160 (c) further provides that "[i]f any building so excluded was not constructed in accordance with Article 7 (commencing with Section 81130) of this chapter ... there shall be posted in a conspicuous place on the building a public notice stating that such building does not meet the structural standards imposed by law for earthquake safety."

WHEREAS, section 4-310 of Title 24 of the California Code of Regulations (Cal. Code of Regs. tit. 24 § 4-310) provides: (i) that the Field Act does not apply to buildings where such buildings or structures do not provide facilities for either pupils or teachers and are not intended to be entered by them as such for school purposes. Cal. Code of Regs. tit. 24 § 4-310 also provides that the Act does not apply to district-wide administrative buildings on sites separate from school sites, which are not to be used or entered by pupils or teachers, for school purposes, and that the Board shall:

- (i) take all necessary measures and precautions to prevent such use and to prevent injuries to pupils or teachers on school grounds as a result of collapse of such buildings or structures. Any such building excluded from the provisions of these regulations shall at a minimum have a posted sign pursuant to § 81160 of the Education Code;
- (ii) "assume [ ] responsibility for employing appropriately licensed architects or registered engineers to prepare the plans and specifications[,] and for adequate inspection of the materials and work of the construction[,] to ensure compliance with [applicable building codes]"; and
- (iii) that the Division of the State Architect requires that a resolution be passed by the school board stating that the building or structure shall not be used for school purposes and that no pupils or teachers, as such, will be permitted to use or enter the said building for said purposes or be subjected to a hazard resulting from its collapse", and finally, that a copy of the resolution be submitted to the Division of the State Architect; and

WHEREAS, the Board of Trustees wishes to declare the District's Administrative Center at 761 East Daily Drive, Camarillo a "non-school building" in compliance with Education Code §§ 81160 (b) and (c) and Cal. Code of Regs tit. § 4-310.



NOW THEREFORE, BE IT RESOLVED, AND DETERMINED, BY THE BOARD OF TRUSTEES OF THE VENTURA COUNTY COMMUNITY COLLEGE DISTRICT THE FOLLOWING:

- Section 1: The foregoing recitals are true and correct.
- Section 2: The District Administrative Center at 761 East Daily Drive, Camarillo, is declared a "non-school building" pursuant to Education Code §§ 81160 (b) and (c) and Cal. Code of Regs tit. 24 § 4-310.
- Section 3: The District Administrative Center shall be used exclusively for districtwide administrative office purposes, into which students are not required to enter, and for off-campus adult school, voluntary adult education courses or registered apprentice courses, and shall not be used for instructional purposes and no students or faculty, as such, will be permitted to use or enter the property for such purposes, or be subjected to a hazard resulting from its collapse.
- Section 4: The Chancellor or designee shall ensure that any alterations to the Property for use as the District Administrative Center are designed, constructed and inspected per California Building Code requirements.
- Section 5: The Chancellor or designee shall cause to be posted a sign on the District Administrative Center stating that *"This building does not meet the structural standards imposed by the Field Act for earthquake safety for community college buildings used for student instructional purposes, but otherwise has been designed and constructed to meet all applicable California building codes."*
- Section 6: The Chancellor or designee shall send a copy of this adopted and signed Resolution to the Division of State Architect upon enactment of this Resolution and shall undertake such actions as are reasonably necessary to achieve the intent of this Resolution.
- Section 7: This Resolution shall take effect immediately upon approval by the Board of Trustees.

*[Remainder of page intentionally left blank.]*

Adopted October 11, 2016:

AYES: 4  
NOES: 0  
ABSENT: 1

Larry Kennedy  
Larry Kennedy, Chair

Stephen P. Blum, Esq.  
Stephen P. Blum, Esq., Trustee

Arturo D. Hernández  
Arturo D. Hernández, Trustee

NOT PRESENT

Bernardo M. Perez, Vice Chair

Dianne B. McKay  
Dianne B. McKay, Trustee

Bernard Luskin  
Dr. Bernard Luskin, Chancellor