

Board of Trustees Agenda Item

Board Meeting Date: March 7, 2011

Title of Item:

Board Resolution on Use of District Office Building and Annex

Background and Analysis:

The District Office Building and Annex (buildings D120 and D140) will be renovated as Measure E Project #419, as presented to the Board on January 19, 2010. Buildings used for administrative “non-school” functions, such as these, are not subject to full review by the Division of the State Architect (DSA). The only review required by DSA for this project is for access (ADA) compliance.

However, as part of that review DSA requires that the Board of Trustees pass a resolution stating that the buildings will not be used for school purposes and that no pupils or teachers, as such, will be permitted to use the buildings. A full summary of the code requirements is provided in the attached Memorandum from the project architect, Cody Anderson Wasney.

The proposed resolution has no effect on current or planned building uses, and its intent is to meet the code requirement. If the buildings were to be used for non-administrative school uses they would require full DSA review, which would lead to extensive alterations to meet the Education Code’s Field Act requirements.

Recommendation: Charles Allen, Executive Director of Facilities, Operations & Construction Management recommends that the Board adopt the attached Resolution.

Submitted by:	Charles Allen - Executive Director, Facilities, Operations & Construction Management (x6150)
Additional Contact Names:	Art Heinrich- Director, Bond Program Management (x6295)
Is backup provided?	Yes

Foothill – De Anza Community College District
Board of Trustees

USE OF DISTRICT OFFICE BUILDING AND ANNEX
RESOLUTION # 2011-08

WHEREAS, the District plans to renovate the existing District Office Building and the adjacent Annex on the Foothill College Campus, and;

WHEREAS, the District intends to continue to use those buildings for administrative functions;

NOW, THEREFORE, the District Board adopts the following resolution:

“The District Board finds that (1) those buildings shall not be used for school purposes and (2) no pupils or teachers, as such, will be permitted to enter or use those buildings for said purposes or be subjected to a hazard resulting from their collapse, and (3) the entrances of those buildings will be posted with signs conforming to the requirements of Sections 17368 and 81165 of the California Education Code.”

AYES

Linda M. Thor, Ed.D., Chancellor and
Secretary to the Board of Trustees

NOES

ABSTENTIONS

Date

MEMORANDUM

DATE: January 28, 2011
PROJECT NAME: Foothill - De Anza Community College District: District Office Building and Annex
PROJECT No.: Building Renovations
SUBJECT: 09020
DISTRIBUTION: Board Resolution for non-school building use
BY: Todd Wright / Art Heinrich
Scott Smithwick

MEMORANDUM:

The existing District Office building (also referred to as the DOB) and the existing Annex building are structures that are used for District administrative purposes and are classified as “non-school” buildings. As such, they are not subject to the full review of DSA according to the 2007 California Administrative Code, Title 24, Part 1, Chapter 4, Group 1 - Safety of Construction of Public Schools, section 4-310 (see below). The only required review by DSA is for access compliance only. We have submitted these projects to DSA for access compliance review and the review is in process.

DSA Application Numbers:

- District Office Annex: 01-111812
- District Office Building: 01-111813

For the cases of construction of or rehabilitation of non-school buildings, DSA requires that the Board of Trustees perform the following:

“4-310. School garages, warehouses, storage and similar buildings, dwellings for employees and miscellaneous structures. The Act does not apply to buildings or structures constructed by a school district for the purpose of, and used solely for housing, buses and minor mechanical equipment or for nonschool use 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. Similarly, the Act does not apply to dwellings for employees or 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.

Buildings or structures of this nature may be constructed by the school board on its own responsibility without first submitting plans and specifications to DSA, but such buildings or structures shall never be used for school purposes. It shall be the responsibility of the school board to 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 be posted with a sign pursuant to Sections 17368 and 81165 of the Education Code.

In authorizing and completing the design and construction of district-owned buildings as described in this section, the school board assumes 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 construction to

ensure compliance with the provisions of Parts 2, 3, 4, 5, 6, 7 and 12, Title 24, C.C.R., as adopted by the Building Standards Commission.

For these cases DSA 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. A copy of the resolution shall be submitted to the DSA.”

The board resolution to be passed for both these buildings shall include language that is compliant with the above code excerpt and shall state the requirement for the posting of signs at the entrances to each building.