

Seismic Safety Commission
Minutes of Meeting/Workshop
October 11, 2001
Orange County Hilton
18880 MacArthur Boulevard
Irvine, California

Members Present

Bruce R. Clark, Chairman
Stan Y. Moy, Vice Chairman
Andrew Adelman (arr. 9:30 a.m.)
William L. Gates
Lawrence T. Klein
Douglas E. Mochizuki
Ashok S. Patwardhan

Members Absent

Senator Richard Alarcon/Chris Modrzejewski
Mark Church
Linden T. Nishinaga
Daniel Shapiro

Staff Present

Richard McCarthy
Karen Cogan
Robert Anderson
Sue Celli
Henry Reyes
Henry Sepulveda
Fred Turner

I. CALL TO ORDER/ROLL CALL

The meeting and workshop of the Seismic Safety Commission was called to order by Chairman Bruce

Clark at 9:00 a.m.

II. CHAIRMAN'S REMARKS

Chairman Clark noted the Commission's September 13 meeting was canceled because of the terrorist attacks and transportation problems. He expressed sympathy for the people of New York, the victims, and their families. Chairman Clark observed that the collapse of the World Trade Center has led to some valuable lessons in terms of response and recovery that apply to earthquakes and many other types of disasters. He noted the use of urban search and rescue teams has been particularly important in the response.

Chairman Clark said the Commission will be holding a workshop session as part of the meeting to discuss the Commission's organization and its role in interacting with the Legislature and Governor.

Chairman Clark reported that SB 842, the bill to extend compliance deadlines for hospitals and the subject of the Commission's September 5 teleconference meeting, did not pass out of the Legislature, but similar measures can be expected in the coming year.

III. APPROVAL OF JULY 12 AND SEPTEMBER 5, 2001 MEETING MINUTES

Referring to the July 12 minutes, bottom of Page 12, Commissioner Klein observed that "lie safety standards" should be corrected to "**life** safety standards."

Executive Director Richard McCarthy noted Commissioner Nishinaga proposed a correction to the second sentence in the paragraph beginning at the bottom of Page 3 of the September 5 minutes. He said Commissioner Nishinaga suggests: "He pointed out the **resulting** workload entailed in case-by-case review **may prove to be problematic** for OSHPD."

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ACTION: Commissioner Patwardhan made a motion, seconded by Commissioner Mochizuki, that:

The Commission approve the minutes of the July 12 and September 5, 2001, meetings as amended.

* Motion carried, 6 - 0 (Commissioner Adelman absent during voting).

IV. REVIEW OF COMMITTEE MEMBERSHIP

Chairman Clark asked commissioners to review the old committee roster. He said he was in the process of planning new committee assignments. He suggested tabling this item to the November meeting to allow more time to discuss committee assignments with individual commissioners.

V. COMMITTEE REPORTS

Strong Motion Instrumentation Advisory Committee

Commissioner Patwardhan reported that the SMIAC meeting and workshop scheduled for September 12 was postponed, and the next scheduled meeting is November 1. He said he would have more to report at the next Commission meeting.

Ad Hoc Committee on Gas Shut-Off Valves

Commissioner Moy noted the September 11 meeting of the Gas Valve Committee was rescheduled to

October 22. He said the committee expects to complete its work by the end of January, 2002.

Planning Committee/Legislative Committee

Chairman Clark reported that the Planning and Legislative Committees met the previous day to discuss ideas for the Commission's 2002 legislative agenda. He noted other items will be covered as part of later agenda items.

VI. EXECUTIVE DIRECTOR'S REPORT

Budget Update

Mr. McCarthy said the Budget Committee had not met since the last meeting. He reported the Controller's Office eliminated the AGP position from the Commission's 2001-02, and DGS is working to rectify the error. With that position restored, he noted, the Commission can expect a year-end surplus of approximately \$7,000. He added that the budget report does not show the \$40,000 expected from OES to update the *California Earthquake Loss Reduction Plan*, the payment from PEER, or revenues from the sale of publications. Mr. McCarthy said the staff will provide a break-out of general fund and non-general fund revenues in future budget reports.

Update on FEMA Audit

Mr. McCarthy noted the Commission is appealing FEMA's audit findings denying \$216,184 in commissioner time and \$38,000 for printing copies of the Northridge earthquake report. He said the staff prepared an elaborate response and cover letter, which will be forwarded to Washington from FEMA's Region 9 office. Mr. McCarthy said the Commission's position is that even if those amounts

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are denied, the Seismic Safety Commission exceeded the 10 percent match requirement for the \$1.1 million total received from FEMA. Depending on FEMA's decision, Mr. McCarthy suggested it might be helpful to approach Senator Feinstein and Senator Boxer.

Mr. McCarthy said the staff is awaiting FEMA's response and will arrange a follow-up meeting with FEMA representatives if necessary.

New York Assistance

Mr. McCarthy noted the New York Legislature requested information from the Seismic Safety Commission and OES on recovery issues, and the staff compiled an extensive packet.

Budget Change Proposals (BCP's)

Mr. McCarthy said Governor Davis is requiring all state agencies to submit negative BCP's forecasting how cuts of 3 percent, 5 percent, and 10 percent would affect their programs. He noted all agencies took an across-the-board cut of 2.5 percent this year, which amounted to about \$25,000 for the Seismic Safety Commission.

Director of Legislation Henry Sepulveda reviewed the BCP's submitted to the Department of Finance for Fiscal Year 2002-03. He noted the first BCP proposes an additional \$28,000 for Commission committee operations, and the second requests \$10,000 for office relocation planning. The staff prepared three negative BCP's reflecting the impacts of 3 percent, 5 percent, and 10 percent cuts in funding. Mr. Sepulveda said all five BCP's were submitted to the Department of Finance on October 4, and a decision is expected in late November or early December when the Governor's budget is announced.

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Commissioner Gates observed that the negative BCP's prepared by the staff have enormous impacts on Commission operations, but these proposals were not reviewed or approved by the Commission. Mr. McCarthy explained that when the numbers are decided, the Commission will have an opportunity to re-evaluate where cuts would be made. He noted the September meeting was canceled and the staff had to prepare the negative BCP's on short notice. Commissioner Gates urged the staff to establish a process for the Budget Committee to review budget proposals in the future. Commissioner Patwardhan agreed. He asked if the BCP's will commit the Commission to cutting specific programs or items. Mr. Sepulveda responded that none of the cuts to specific items are locked in; he said state agencies were told the purpose of the negative BCP's was to provide an overall picture rather than a detailed plan.

New Staff Introduction

Executive Assistant Karen Cogan introduced Ms. Sue Celli, the Commission's new office manager.

Annual Report

Mr. McCarthy asked commissioners to review the draft annual report and submit comments to the staff so the document can be finalized and approved at the next meeting. He noted the annual report will be ready for distribution in January.

Resolutions Honoring Commissioners Manning and Snyder

Mr. McCarthy drew attention to the proposed resolutions honoring Commissioners Manning and Snyder for their service to the Commission.

ACTION: Commissioner Gates made a motion, seconded by Commissioner Mochizuki, that:

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The Commission approve the resolutions as proposed.

* Motion carried, 7 - 0.

VII. BART RETROFIT UPDATE

Mr. McCarthy said the BART update will be rescheduled for the November meeting. He noted BART completed its vulnerability study and is in the process of working out various issues with the PEER review panel.

VIII. LEGISLATIVE UPDATE

Mr. Sepulveda drew attention to his written report. He noted that of the seven bills sponsored by the Commission this legislative session, AB 184, technical corrections relating to retrofit tax exemptions, was approved and signed by the Governor, and AB 1118, extending the Department of Insurance's retrofit loan and grant program, is awaiting the Governor's signature. Five other bills, AB 977, SB 717, SB 629, SB 998, and AB 724, have been held in suspense because they entail funding.

Mr. Sepulveda reported on the status of other legislation of interest to the Commission. He noted SB 842 (Speier), the bill to extend the 2008 SB 1953 compliance deadline for hospitals, failed to pass and remains as a two-year bill linked to passage of AB 557, a \$2 billion bond issue. Mr. Sepulveda said the Governor vetoed AB 424 (Runner), a bill opposed by the Commission that would have allowed community colleges the option of meeting Uniform Building Code (UBC) or Field Act Standards. AB 1402 (Simitian), a bill that allows the design-build process for school construction projects over \$10 million and meeting certain conditions, was approved and signed by the Governor.

Commissioner Adelman asked if the staff was aware of any proposals for new legislation regarding

school construction. He noted hot issues include whether local building officials or the Division of the State Architect (DSA) should have jurisdiction, and whether K-12 schools should be allowed to meet either UBC or Field Act standards. Mr. Sepulveda said he had not heard about any new school construction bills but promised to keep commissioners apprised.

Chairman Clark invited commissioners to indicate specific topics for possible legislation during the next session. Commissioner Adelman expressed an interest in discussing urban search and rescue teams. Mr. McCarthy noted the Commission would be spending more time discussing ideas for legislation during the afternoon workshop session.

Commissioner Patwardhan asked if the Commission should be doing anything to get bills moved from suspense. Mr. Sepulveda said it depends on the bill. He noted that in some cases, authors may have decided not to move forward because their issue has lost its urgency; other bills are placed on suspense because of their fiscal impacts. Mr. Sepulveda added that the staff plans to press forward with AB 977, the bill to replenish the Commission's emergency investigations account, and SB 717, the bond bill. Staff believes it would be wiser to wait on Senator Alarcon's bills regarding the statewide disaster recovery plan, since OES has already made a commitment to undertaking that task, and the study of storage rack safety.

Mr. Sepulveda emphasized the importance of commissioners working individually with legislators and staff to advance key legislation. Chairman Clark noted the afternoon workshop will include a discussion of legislative strategies.

IX. SB 1953 AD HOC COMMITTEE DRAFT FINDINGS

Chairman Clark introduced Mr. Roger Richter, California Healthcare Association, and invited him to address the Commission on the proposed draft findings.

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Mr. Richter stated the intention of the California Healthcare Association to provide constructive comments and work with the Commission to arrive at a satisfactory situation for the State of California and the hospital industry. He noted CHA's position is explained in more detail in the letter mailed to the Commission, and the comments are intended to help avoid ambiguity and establish feasible, workable conditions.

In particular, Mr. Richter drew attention to proposed Finding J and noted the language is deceptive regarding the relatively low costs of retrofitting. He stated that California hospitals are facing a huge infrastructure problem that will not be cheap to correct.

In Finding L, Mr. Richter pointed out the Shattuck-Hammond study was funded by the California Healthcare Foundation rather than "the hospital industry."

Referring to Finding M, Mr. Richter observed that the "significant long-term benefits" will be realized only by those hospitals that can afford to fix their problems.

Mr. Richter disputed the statement in Finding I that OSHPD "has successfully minimized delays." He noted OSHPD approval is still a very burdensome and difficult process, and he encouraged the Seismic Safety Commission to determine if separate plan review, as required by current law, is actually necessary. Mr. Richter expressed his opinion that the real root of the problem is designers not doing an adequate job. He recommended that the Commission invite Kurt Schaefer and other OSHPD staff to describe the kinds of problems they encounter in the plan review process.

In reviewing the Commission's proposed recommendations, Mr. Richter emphasized that insisting on the current SB 1953 deadline is not realistic. He predicted that 25 percent of California's hospitals will go out of business because they will be unable to meet the deadline.

Mr. Richter expressed concern about the recommendation that hospitals be required to post warnings about unsafe buildings. He objected that a posting requirement would unfairly single out certain hospitals and cause more fear among patients than benefit. Mr. Richter also noted that California and other states are increasingly moving toward use of mobile field hospitals and off-site patient housing for bioterrorism and other emergencies.

Mr. Richter questioned the Commission's recommendation that the level of risk should be the primary determinant of funding eligibility. He recommended that all hospitals in California be eligible for public funding, regardless of ownership.

Chairman Clark commented that the Commission's goal should not be to make things easy for the Legislature or any specific industry; instead, seismic safety should be of paramount importance.

Senior Staff Engineer Fred Turner noted the Seismic Safety Commission currently has a policy on posting, so the recommendation is nothing new. He clarified that the Commission supports posting along with other mitigation measures, but not posting alone. He added that building owners have a duty to disclose risks to people using their facilities.

Commissioner Klein recommended clarifying and explaining this policy as part of the posting recommendation.

Commissioner Klein questioned whether the Commission was exceeding its role by addressing issues like funding and regional coverage of hospitals. He recommended focusing more on seismic safety.

Chairman Clark observed that the purpose of the Commission's findings and recommendations is to develop positions on seismic safety issues, not propose a basis for future legislation. He noted the current problem with SB 1953 compliance gives the Commission an opportunity to re-examine progress

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since the Act was passed in 1994 and take new steps to ensure seismic safety. He added that the end result of this examination may be legislation to modify SB 1953, but developing the findings and policy is the first step.

Commissioner Patwardhan endorsed the proposed findings, recommendations, and staff analysis. He noted the major headings and issues appear to be on the mark, and appropriate solutions are identified. He added that some of the ideas presented in the recommendations are a good basis for future legislation.

Commissioner Gates agreed with Mr. Richter that Finding J needs to be reworked because the present language incorrectly implies that seismic upgrades are a minor cost factor. He suggested focusing more on the Commission's primary goal of seismic safety. He proposed rewording the finding to acknowledge the major fiscal impact but emphasize the greater importance of seismic safety.

Regarding the posting issue, Mr. McCarthy pointed out that OSHPD commissioned an inventory, which revealed that 40 percent of the state's hospitals pose collapse hazards. He asked whether the public has a right to know about these unsafe conditions. Chairman Clark noted that the problems identified by the hospitals may trigger a legal obligation for building owners to disclose risks to building occupants. He supported the posting recommendation. Commissioner Gates agreed.

Commissioner Klein commented that problems involving designers' lack of ability should be addressed by licensing boards rather than the Seismic Safety Commission. Staff Structural Engineer* Henry Reyes said OSHPD needs to address these issues internally with its consultants.

Commissioner Klein welcomed comments from other commissioners about the appropriateness of the Commission addressing financial impacts and issues beyond seismic safety.

Chairman Clark noted that hospital representatives have created the perception that the cost of seismic upgrades is a major problem in complying with SB 1953 deadlines. Because such significant amounts of money are involved, he supported not ducking the issue of financial impacts. Chairman Clark agreed that Finding J should be reworded as proposed by Commissioner Gates. Commissioner Klein suggested clarifying that seismic upgrade is merely a trigger; the larger need for hospitals to modernize is driving most of the cost. Commissioner Gates recommended deleting the word “However” from the second sentence and eliminating the fourth sentence. He noted the fiscal burdens will not be “minor”; in fact, they could be huge and extensive. Commissioners agreed to let the staff reword this section.

Commissioner Mochizuki proposed reordering some of the findings. He suggested starting the section on financial challenges with Finding M, then K, and then J as amended. Other commissioners agreed.

X. RECENT EARTHQUAKE UPDATES: NISQUALLY, WASHINGTON, AND PORTOLA, CALIFORNIA

Chief Staff Geologist* Robert Anderson and Senior Structural Engineer* Fred Turner provided updates on the recent earthquakes in Nisqually, Washington, and Portola, California.

Mr. Anderson said he and Mr. Turner participated with OES representatives in a state agency inquiry into the Nisqually earthquake. He contrasted shake maps, ground failure and damage maps, and soil maps of the Nisqually region with corresponding maps from the Northridge earthquake. He noted damage was comparatively less in Washington due to a combination of factors, including the depth of the hypocenter and the extent of mitigation already accomplished. As expected, most damage from the Nisqually earthquake occurred to older buildings in areas of poor soils.

Mr. Turner added that modern buildings were not tested in the Nisqually earthquake, but there were indications of damage to contents and nonstructural components. He reported that schools and

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hospitals received only minor structural damage and some nonstructural damage as well. Mr. Turner said the 6.8-magnitude Nisqually earthquake caused approximately 400 injuries and \$1 billion in economic losses. Although the energy expended in the earthquake was comparable to that of the Northridge earthquake, damage levels were only 5 percent of what was seen after the Northridge event.

Mr. Anderson summarized the staff's recommendations resulting from the Nisqually earthquake investigation: rely on multiple earthquake measures, uses HAZUS cost estimates with caution, expand use of trained reservists, establish mutual aid between states, develop protocols for information clearinghouses, and ensure time Seismic Safety Commission investigations of important seismic events.

Commissioner Klein asked who makes decisions regarding tying down transformers and anchorage.

Mr. Anderson responded that the Institute for Electronic and Electrical Engineers (IEEE) establishes standards, and most transformers are braced. He added the PEER Center is doing research in this area now. Commissioner Klein asked about the impact of the Nisqually earthquake on underground utilities. Mr. Anderson said there were minimal impacts. He added the 31-minute power outage affected the western grid, but it did not create a crisis.

Commissioner Mochizuki asked if Washington has a strong motion instrumentation program. Mr. Anderson answered that Washington participates in a Pacific Northwest seismic network similar to California's TriNet. Chairman Clark asked how many strong motion instruments produced the data that resulted in the maps. Mr. Anderson said he could find out and report back.

Mr. Anderson showed ground motion maps and discussed the 5.5-magnitude earthquake that occurred near Portola, California, in Plumas County. He noted the earthquake produced about one fourth of the ground motion levels experienced in the Napa earthquake last fall. He said damage was minor, primarily because of the sparse population and short duration of the earthquake. Mr. Anderson said he would find out how many strong motion instruments were used to produce data for those shake maps as

well.

XI. COMMISSION WEB PAGE UPDATE

Mr. Anderson reported that significant progress has been made on the Commission's Web site, and most of the changes necessary to meet state formatting guidelines have been completed. The \$25,000 contract with San Diego State Foundation has been extended through June, 2002, and Mr. Anderson estimated the work is about 80 percent complete. Mr. Anderson showed a draft of the new Web site's format and appearance. He said all remaining conversion tasks will be completed by the end of October.

Mr. Anderson said the Commission's Web site now has one gigabyte of space available, quadrupling its previous memory capacity. He noted four Proposition 122 publications have been posted on the Web site, and he welcomed suggestions from commissioners as to which other documents should be published online. He added that the staff hopes to publish a list of frequently asked questions, and he invited ideas for those topics as well.

Chairman Clark asked when the new Web site will be up and running. Mr. Anderson noted the Governor's Office will review and approve the site for formatting. He suggested the Commission approve the final version at the November 8 Commission meeting or authorize running the site as soon as approved by the Governor's Office. Chairman Clark urged the staff to try to complete the work by the end of October, submit it to the Governor's Office for review, and demonstrate the site at the November Commission meeting. He suggested running the site as soon as it is approved by the Governor's Office, and other commissioners concurred.

XII. WORKSHOP SESSION: LEGISLATIVE OBJECTIVES AND COMMISSION ROLE

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Mr. McCarthy noted the Seismic Safety Commission has the ability to sponsor, support or oppose, or comment on pending legislation, but the workload entailed for each course of action varies. For example, commissioners should be available to testify at legislative hearings regarding bills the Commission supports and opposes. Chairman Clark suggested the Commission sponsor only a few bills. He said several commissioners should be available to assist the staff and testify on issues within their areas of expertise.

Chairman Clark invited commissioners and staff to identify specific areas of interest for possible upcoming legislation.

Mr. McCarthy said new issues likely to come before the Legislature include bond funding, school preparedness, and expansion of USAR capabilities.

Mr. Sepulveda reviewed Commission-sponsored legislation being carried over to the next legislative session. He noted these bills and their topics include: AB 724 (Corbett), school earthquake preparedness; AB 977 (Alquist), replenishing the emergency investigations account; SB 629 (Alarcon), storage rack safety studies; SB 717 (Speier), the seismic safety bond bill; and SB 998 (Alarcon), statewide disaster recovery plan.

In terms of new legislative issues, Mr. Sepulveda suggested the Commission consider sponsoring legislation to provide funding and enhance USAR programs with additional personnel training, incentives for local jurisdictions, and development of small first-response teams. He said another key area for Commission leadership might be implementation of SB 1953, the Hospital Seismic Safety Act, based on the Commission's findings and recommendations.

Commissioner Adelman suggested polling each commissioner about his time and availability to work on

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legislation. Commissioners Klein, Patwardhan, Gates, and Moy indicated they would be available one or two days per month and could travel easily to Sacramento from the Bay Area. Commissioner Mochizuki indicated he would also be available one or two days per month. He added that his specific areas of interest and expertise were fire service issues and USAR. Chairman Clark said he planned to devote more time to Commission activities and could devote a few days each month. Commissioner Adelman stated he had limited time and found it very difficult to travel.

Chairman Clark asked each commissioner to identify topics and issues of particular interest.

Commissioner Adelman responded that his primary interests as a building official involved codes, seismic and structural provisions, emergency response, and politics. He said he was also interested in USAR issues. Commissioner Klein noted his expertise lies in utility infrastructure and emergency planning and response. Commissioner Patwardhan identified mitigation and incentives as his primary passions. Commissioner Mochizuki said his key concern was getting the information in the *California Earthquake Loss Reduction Plan* to local jurisdictions. He added that legislative topics of particular interest include school preparedness, storage rack safety, and USAR. Commissioner Gates said he was primarily interested in the legislative and political process rather than specific items. Commissioner Moy identified gas shut-off valves as a particular concern. He noted other interests include building safety and public awareness. Chairman Clark stated he had spent the last 25 years researching earthquake hazards, so implementation of research findings was his chief interest.

Chairman Clark asked commissioners to submit other ideas for new legislation to the staff within the next 30 to 60 days.

Mr. Turner recommended that the Commission try to stay ahead of the curve and anticipate emerging issues in advance. He noted that retrofitting schools is likely to be one such topic. Mr. Turner said AB 300, passed in 1999, mandated an inventory of early Field Act schools, approximately 9,000 buildings

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in California. DSA will be releasing a report at year-end that will identify specific buildings for further seismic evaluation. Mr. Turner noted that in five years, this issue could become as controversial as the current hospital seismic safety program.

Mr. Anderson said there are a number of aspects of USAR that need to be fleshed out in legislation. He noted the recent rescue efforts in New York City underscore the importance of having the proper resources to fit the situation, ranging from light teams to heavy equipment. Mr. Anderson recommended proposing legislation to develop a universally applicable emergency assessment toolkit to help emergency responders use U.S. Army technology to identify deformations and ensure better deployment of resources. He noted USAR teams are beginning to use buildings slated for demolition as sites for training a practice, and legislation might be helpful in that area. He said another ongoing need is refresher training.

Chairman Clark commented that the increased attention on USAR in the next six months will give the Seismic Safety Commission an opportunity to work with legislators to ensure that USAR teams are provided with state-of-the-art equipment, such as GIS and GPS systems.

Mr. Sepulveda noted that another issue likely to come up soon is the mobile hospital unit concept mentioned earlier by Mr. Richter. He said OSHPD is currently looking at the feasibility of deploying mobile units, and the Commission might want to develop a position on this issue.

In terms of research implementation, Mr. Anderson noted NASA and USGS developed a remote sensing platform that was used to monitor asbestos emissions during rescue operations at the World Trade Center. He added this tool can be used to detect gases and chemical leaks as well.

Mr. McCarthy said the Commission is sometimes approached by other state agencies about sponsoring legislation the agencies themselves may not advocate, and he suggested the Commission consider

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adopting a policy of requiring internal department approval first. Mr. McCarthy noted the Commission has carried legislation for two years regarding the statewide disaster recovery plan, but the Governor vetoed the measure because it was not designated as a priority in OES' BCP. OES has decided to move forward with the plan this year without waiting for a funding source through legislation.

Chairman Clark proposed discussing the mix of work between committees and the Commission and the frequency of meetings. He noted the current schedule calls for ten meetings per year, with no meetings in August or December. He suggested considering a schedule of six Commission meeting per year, with more work done by committees. Commissioner Klein asked whether the number of committees should be expanded. Chairman Clark noted it might be most efficient to keep a few standing committees and use ad hoc committees to deal with specific issues, such as gas shut-off valves and SB 1953 compliance.

Commissioner Moy commented that full agendas could result in more productive meetings. He suggested planning to meet less than ten times per year, and only when Commission action is required.

Commissioner Adelman spoke in favor of ten meetings, as provided in the current schedule. He recommended giving discretion to the chairman to cancel meetings when agendas are not full. Commissioner Adelman asked the Commission to consider meeting on the third Thursday of each month rather than the second Thursday.

Mr. McCarthy noted the Commission's legislative workload is heaviest between March and September, so meetings should be scheduled to provide for the most efficient use of commissioners' time. He asked whether commissioners preferred to continue including informational presentations on agendas in addition to action items. Mr. McCarthy added that he would like to see Commission meetings result in a concrete product such as a series of findings.

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Commissioner Adelman said he found the informational presentations at Commission meetings valuable, and other commissioners agreed. He suggested planning working lunches so Commission meetings can be adjourned in the early afternoon. He recommended aiming for about eight meetings per year.

Chairman Clark expressed his preference for full-day meetings, maybe including afternoon workshops or committee sessions. He recommended starting with the current 10-meeting calendar and canceling meetings as necessary.

Commissioner Klein observed that an August meeting might be beneficial because of the end of the legislative session, and he suggested considering eleven meetings per year. Chairman Clark noted it might be better to cancel the June or July meeting instead. Mr. Sepulveda recommended skipping January and July, when legislative activity is least.

Chairman Clark said that by January, he hoped to have topics identified in advance for the eight to ten meetings in the calendar year.

Mr. McCarthy suggested considering holding Sacramento Commission meetings in the afternoon to allow time for commissioners to visit legislators in the morning. Chairman Clark supported that idea. He said he will work with Commissioner Gates and the staff to identify ways of making Commission meetings more productive.

Mr. Turner suggested devoting a short time at each meeting for training commissioners and staff on specific issues.

Commissioner Patwardhan noted that if time and money is limited, it might be better to use Commission and staff resources for committees. With this kind of structure, he noted, six Commission meetings per year would be adequate.

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Chairman Clark proposed starting with the existing 10-meeting calendar, and planning to devote every third or fourth meeting to committee work. Commissioner Patwardhan supported that idea.

Mr. Sepulveda noted commissioners receive a small stipend for attending Commission meetings, but stipends are not available for committee participation.

Commissioners discussed holding meetings on other days of the week and other weeks in the month. Mr. Turner noted changing the days and weeks could affect the meeting room availability in the State Capitol. Chairman Clark asked the staff to check on room availability and report back. Commissioner Moy supported holding meetings at different locations around the state. After some discussion, commissioners agreed Thursdays were the best days for Commission meetings.

Chairman Clark said he would come back with a proposed schedule at the next meeting.

Mr. Sepulveda reviewed the various steps a bill takes in becoming law. He encouraged commissioners to talk with legislators individually. He noted the new legislative session begins in January or February, but personal contacts are helpful any time.

Commissioner Patwardhan asked about the timetable for introducing bills. Mr. Sepulveda responded that bills are introduced in February. He said ideas for legislation can be conveyed by the staff to potential authors, and then the proposal goes to legislative counsel for drafting in statutory language.

Commissioners discussed the relationship between the Seismic Safety Commission and the Governor's Office. Mr. Sepulveda said the Governor's Office occasionally contacts the Commission for input on specific issues, but unsolicited advice is generally not well received. Commissioner Patwardhan expressed his opinion that the Commission should exercise its authority to advise the Governor on issues

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regarding seismic safety. Mr. Sepulveda said the Commission sends the Governor's Office reports on all bills with positions. Commissioner Mochizuki added that the staff works closely with OES on an ongoing basis as well.

Commissioner Patwardhan recommended taking a more active role in advising the Governor regarding the use of earthquake hazard mitigation funds. Mr. McCarthy responded that the progress report document will help in that respect; he added OES will be assisting with the cost-benefit analysis to support mitigation.

Mr. McCarthy explained that the Seismic Safety Commission is a unique, independent entity modeled after the Little Hoover Commission. Unlike most other state agencies, the Commission is not under a larger department or division of the state government. Mr. McCarthy noted there was an effort several years ago to make the Commission part of the Department of Consumer Affairs. Although this may have given the Commission greater influence with the Governor and Department of Finance, independent positions on legislation are not allowed.

Mr. McCarthy said the November Commission meeting will feature a workshop session on the Commission's work plan and agenda for the year. He noted the progress report document will require considerable time and effort, as will updating the cost-benefit study on mitigation. Mr. McCarthy referred commissioners to the annual report for a more detailed list of Seismic Safety Commission staff activities.

Commissioner Mochizuki recommended placing a high priority on disseminating information from the *California Earthquake Loss Reduction Plan* to local jurisdictions. He noted this information would be extremely helpful in making land use decisions, but there needs to be some vehicle for encouraging local jurisdictions to follow the *Plan's* recommendations. Mr. McCarthy said OES and FEMA are considering requiring local governments to develop mitigation plans as a condition for disaster funding

eligibility. He noted the Commission's plan could be used as a good model.

XIII. GOOD OF THE MEETING

There were no items brought to the Commission's attention for the good of the meeting.

XIV. ADJOURNMENT

There being no further business, the meeting was adjourned at 2:08 p.m. in memory of the emergency response workers who lost their lives trying to rescue victims of the terrorist attacks.

Karen Cogan

Executive Assistant

Approved by:

Richard McCarthy

Executive Director