

Seismic Safety Commission  
Minutes of Meeting  
July 11, 2002  
State Capitol, Room 444  
Sacramento, California

**Members Participating**

Bruce R. Clark, Chairman  
Stan Y. Moy, Vice Chair  
Andrew Adelman  
Jim Beall  
Mark Church  
Lucy Jones  
Lawrence T. Klein  
Douglas E. Mochizuki (arr. 9:43 a.m.)  
Celestine Palmer  
Don Parker (arr. 9:12 a.m.)  
Ashok S. Patwardhan  
Daniel Shapiro

**Members Absent**

Senator Richard Alarcon/Chris Modrzejewski  
William L. Gates  
Linden Nishinaga

**Staff Participating**

Richard McCarthy  
Karen Cogan  
Robert Anderson  
Abby Browning  
Henry Reyes  
Henry Sepulveda  
Fred Turner  
Vince Vibat

**I. CALL TO ORDER/ROLL CALL**

The meeting of the Seismic Safety Commission was called to order by Chairman Bruce Clark at 9:00 a.m. Executive Assistant Karen Cogan called the roll and confirmed the quorum.

**II. CHAIRMAN'S REMARKS**

Chairman Clark welcomed newly appointed Commissioner Jim Beall, a Santa Clara County supervisor, representing local government.

Chairman Clark noted this meeting would feature a detailed hearing and discussion on gas shut-off valve safety.

**III. APPROVAL OF JUNE 13, 2002 MEETING MINUTES**

**ACTION:** Commissioner Daniel Shapiro made a motion, seconded by Commissioner Stan Moy, that:

*The Commission approve the minutes of the June 13 meeting as presented.*

- \* Motion carried, 10 - 0 (Commissioners Doug Mochizuki and Don Parker absent during voting).

#### IV. EXECUTIVE DIRECTOR'S REPORT

##### **Budget Status**

Executive Director Richard McCarthy noted the state had not yet approved a budget, but Department of Finance has indicated reimbursement for AB 16 costs will not be affected. He said the staff will present a budget update at the next meeting.

##### **No August Meeting**

Mr. McCarthy reminded commissioners there would be no Commission meeting in August. Chairman Clark added a teleconference meeting can be arranged if any urgent business arises before the September meeting.

##### **Staffing Update**

Mr. McCarthy said he would brief commissioners on staffing and budget issues at the September meeting.

#### V. COMMITTEE REPORTS

##### **Nominating Committee**

Commissioner Larry Klein presented the Nominating Committee's recommendation to re-elect the current chair and vice-chair, Bruce Clark and Stan Moy, respectively, for another year.

**ACTION:** Commissioner Klein made a motion, seconded by Commissioner Mark Church, that:

*The Commission elect Bruce Clark Chair and Stan Moy Vice-Chair for the 2002-2003 year.*

Commissioner Ashok Patwardhan questioned the thoroughness of the committee's deliberations. He said the committee never met or talked with other commissioners. He recommended a more in-depth consideration and broad canvassing before developing a recommendation.

**ACTION:** Commissioner Patwardhan amended the motion, and Commissioner Andrew Adelman seconded the amendment, that:

*The Commission stay its decision and direct the committee to go back to the drawing board.*

Commissioner Adelman asked for more information about the Nominating Committee's deliberations. Commissioner Klein said the Nominating Committee, chaired by Commissioner Bill Gates, consisted of himself, Commissioner Gates, and Commissioner Mochizuki.

## Meeting Minutes

Commissioner Klein pointed out other commissioners were welcome to make nominations from the floor or postpone the election until the next meeting.

Chairman Clark invited discussion on the original motion.

Commissioner Adelman said he had concerns about the process used by the Nominating Committee. He expressed his opinion the candidates' names should have been announced in advance, and he suggested continuing this item to the next meeting, pending more information from Commissioner Gates.

**ACTION:** Commissioner Adelman proposed an amendment to the amendment, and Commissioner Patwardhan seconded the amendment, that:

*The matter be continued to the next meeting, pending further information from Commissioner Gates.*

Commissioner Jim Beall questioned whether the Nominations Committee's recommendation should have been noticed as an action item on the agenda. Commissioner Adelman recommended seeking legal advice on this issue.

Commissioner Klein offered to withdraw his motion to adopt the committee's recommended slate of officers.

Chairman Clark noted the meeting minutes will reflect the Nominating Committee's report and the matter will be agendaized for the September meeting. He asked the committee to confer further with individual commissioners. Commissioner Klein said the Nominating Committee's recommendation will be announced in the agenda.

Commissioner Adelman recommended disposing of the two amendments as well as the original motion. Commissioner Klein said the amendments were moot because the underlying motion had been withdrawn. Commissioner Adelman suggested voting separately on the amendments first.

**ACTION:** Commissioner Adelman withdrew his amendment to the amendment, and Commissioner Patwardhan agreed.

**ACTION:** Commissioner Patwardhan withdrew his amendment, and Commissioner Adelman agreed.

**ACTION:** Commissioner Klein withdrew his original motion, and Commissioner Church agreed.

## VI. LEGISLATIVE REPORT

Director of Legislation Henry Sepulveda provided an update on Commission-sponsored bills. He

**July 11, 2002**

referred to the written report in the meeting packet for more details on specific bills. Mr. Sepulveda noted AB 977, the bill to replenish the Commission's earthquake investigations account, was in suspense in the Senate Appropriations Committee, but the author will request active status in August or September. Similarly, AB 2002, for USAR support, was held in the Senate Appropriations Committee, with an August 5 hearing date. Mr. Sepulveda said SB 717, the \$600 million retrofit bond, was in suspense on the Assembly side.

Mr. Sepulveda reviewed other bills of interest to the Commission. He noted the author of SB 1500, pertaining to seismic hazard mapping, accepted the Commission's proposed amendments, so the Commission's position will be neutral rather than "oppose." Mr. Sepulveda said SB 1992, regarding gas shut-off valves, was amended to require a study rather than a mandate; staff recommends a "watch" position. He reported that three bills pertaining to hospital seismic safety bonds, AB 557, AB 1156, and SB 928, were recently amended so they no longer pertain to hospitals. In addition, neutral positions are now appropriate for AB 1000 (Simitian), a design-build bill that was amended to incorporate the Commission's two amendments; and AB 2406, regarding disaster assistance. Mr. Sepulveda recommended a continued "watch" position on AB 2588, establishing a School Facilities Collaborative Implementation Advisory Committee including the Seismic Safety Commission.

Mr. Sepulveda reported that AB 2708, requiring school safety plans, and AB 16, the education bond bill, were both chaptered.

Mr. Sepulveda reviewed other bills being tracked by the Commission and positions taken previously: AB 940, adding two members to the California Earthquake Authority, "watch"; AB 1362, statewide building rehabilitation standards, "watch"; AB 1815, homeland defense, "support"; AB 2035, mobile hospitals for disaster response, "support"; AB 2046, School Safety Advisory Council, "support"; AB 2201, emergency managers in schools, "support"; AB 2233, firefighting equipment bonds, "support"; SB 27, terrorism training, "support"; SB 709, Field Act exemptions, "oppose"; SB 842, hospital seismic safety, now inactive; and SB 1350, terrorism training, "support"; and SB 1629, firefighter training, "support."

Commissioner Don Parker commented he was not happy that firefighters were removed from SB 1350. Commissioner Clark noted the bill has been amended since the Commission took a "support" position. Commissioner Parker said he was not comfortable with SB 1350 as amended. Mr. Sepulveda proposed the Commission adopt a "support if amended" position to reinsert firefighters.

Commissioner Lucy Jones asked how the Office of Emergency Medical Services role is different from that of OES. Mr. Sepulveda explained that OEMS is a separate agency dealing primarily with emergency medical services technicians. Commissioner Jones questioned the impact on earthquake safety with OES removed from the lead role. Mr. Sepulveda acknowledged that OES' role has been diminished. Commissioner Jones proposed seeking an amendment to put OES back in. Chairman Clark asked Mr. Sepulveda to check with OES to verify their interest.

Mr. Sepulveda proposed two amendments: designation of OES as lead agency, with OES'

## Meeting Minutes

concurrence, and inclusion of firefighters.

ACTION: Commissioner Mochizuki made a motion, seconded by Chairman Clark, that:

*The Commission adopt a “support if amended” position on SB 1350 as proposed.*

\* Motion carried, 12 - 0.

Commissioner Patwardhan noted that the funds from AB 2233, the bill for firefighter bonds, should be used for “brick-and-mortar” uses rather than shorter-term purposes like training. Mr. Sepulveda said the state’s past policy is to restrict bond funds to longer-term purposes.

Commissioner Patwardhan asked about the status of a federal bill introduced by Senator Feinstein, and Mr. Sepulveda responded the bill had not moved in over a year. Ms. Abby Browning added the legislation, introduced before September 11 last year, was put on hold after the terrorist attacks.

Chairman Clark thanked Mr. Sepulveda for his report.

## VII. HEARING ON GAS SAFETY COMMITTEE RECOMMENDATIONS

Commissioner Moy noted the Commission held a hearing on the subject of gas shut-off valves in October of 2000 and concluded it would be helpful to gather and disseminate more information about the available devices. With funding from PG&E and Southern California Gas, the Commission established an ad hoc committee to investigate this topic. Commissioner Moy said the committee began meeting in January of 2001 and used the American Society of Civil Engineers (ASCE) consensus-based methodology to arrive at the recommendations contained in the final report.

Commissioner Moy commented that the ad hoc committee did its best to gather broad input from a range of stakeholders representing utility companies, gas shut-off valve manufacturers, public officials, and others. He recommended the Commission adopt the committee’s recommendations after conducting the hearing.

Senior Structural Engineer Fred Turner introduced Doug Honegger, ASCE, who served as the facilitator for the ad hoc committee.

### American Society of Civil Engineers

Mr. Honegger provided an overview of the process used by the ad hoc committee and reviewed highlights of the report. He noted the committee was a large, diverse group, consisting of twenty members and five alternates. Participants used a balloting process to arrive at consensus recommendations. Mr. Honegger said the group started by identifying the general impacts of earthquakes on gas safety, and it was determined that 20 to 50 percent of post-earthquake fires were gas-related. Committee members looked at life safety and financial impacts on individuals

and identified a number of mitigation measures, including strapping water heaters, structural strengthening, shut-off valves, and other alternatives. Mr. Honegger noted the committee discussed earthquake impacts on communities and recognized the importance of preserving infrastructure and keeping large fires from spreading.

Mr. Honegger noted there was general consensus that appropriate mitigation measures need to be considered on a case-by-case basis as part of a comprehensive risk management and preparedness strategy, because systems that work well in one set of circumstances may perform poorly in others. The committee recognized that earthquakes are infrequent and unpredictable, so it is difficult to establish solid statistical evidence. Mr. Honegger added the ad hoc committee did not support a statewide mandate of gas shut-off valves because participants concluded conditions vary too much from one location to another.

Mr. Honegger reviewed the key recommendations in the ad hoc committee's report. He said the committee recommends that the Commission update the *Homeowners Guide to Earthquake Safety* and develop a similar publication for owners of multi-unit buildings; that the Division of the State Architect (DSA) continue its certification program for shut-off valves and step up testing and enforcement; that the State Fire Marshal inform local governments that loss of life in fires following earthquakes is largely limited to older multi-use residential buildings and mixed-use buildings prone to collapse and occupant entrapment; that the California Public Utilities Commission (PUC) continue its oversight role; and that the Governor's Office of Emergency Services (OES) keep the public informed and update about gas and earthquake safety and update its information consistent with the report.

Commissioner Parker questioned some of the report's assertions about conditions constituting high fire risk. Mr. Honegger said the statements were based on general observations, but the committee also recognized each community is different. He noted it might be appropriate to mandate gas shut-off valves in certain zones rather than statewide. Commissioner Moy added the Commission would be hearing more about local versus statewide mandates as part of later presentations.

Mr. Honegger said the committee limited its scope to the general classification of gas shut-off devices approved by DSA and the California Building Standards Commission, not the technical specifications of the devices. Commissioner Moy added the committee was charged with an educational mission rather than recommending a specific technology.

Commissioners congratulated Mr. Honegger and the ad hoc committee for their hard work on this difficult task.

### **Division of the State Architect**

Mr. Richard Conrad explained that DSA adopts standards for both excess flow valves and earthquake-activated valves. He noted 10 earthquake-activated valves and three excess flow valves have been certified so far. Mr. Conrad added DSA remains neutral and does not recommend a particular type or brand of valve. DSA assumes either type will function properly

## **Meeting Minutes**

if it is installed correctly; the purpose of the standard is to ensure that the approved valves operate as intended.

Commissioner Adelman asked about how testing is done. Mr. Conrad responded that manufacturers are responsible for having valves tested in laboratories to the standards set by DSA.

Commissioner Moy again noted it was not the ad hoc committee's task to delve into the standards or performance testing for the shut-off valves.

## **Governor's Office of Emergency Services**

Mr. Ed Bortugno, Senior Geologist, OES, explained that OES' role in terms of gas valve safety is providing information and educational materials to the public. As a member of the ad hoc committee, he complimented Commissioner Moy and Mr. Honegger for their patience and dedication to their difficult task. He said the committee process was accommodating and inclusive, and there were ample opportunities to discuss the issues.

Mr. Bortugno said OES has not yet taken an official position on SB 1992. He confirmed that gas shut-off valves can be a worthwhile part of a gas safety and mitigation system, but they are not a panacea. Mr. Bortugno added that simple steps like anchoring and strapping gas appliances can make a big difference.

Mr. Bortugno noted OES will update its documents after the Seismic Safety Commission's report is finalized.

Commissioner Patwardhan asked if OES felt any sense of urgency to pursuing mandating of gas shut-off valves, and Mr. Bortugno responded there was no apparent need to move quickly. He recommended the Commission adopt the ad hoc committee's report and recommendations as written.

## **California Fire Chiefs Association**

Chief John Zanzi, Sebastopol Fire Department, noted he served as a member of the ad hoc committee and found the process valuable. He said the California Fire Chiefs Association has no official recommendation or position on SB 1992 at this time. Chief Zanzi expressed support for the committee's report and recommendations and encouraged the Commission to adopt the document.

Chief Zanzi said he was still concerned with two issues: the relative effectiveness of the two types of valves, and statewide mandating. Rather than a citywide or statewide mandate, he recommended leaving mandating up to local communities because they best know their own risks. Chief Zanzi added that public education will help, and he encouraged the Seismic Safety Commission to update the *Homeowners Guide to Earthquake Safety*. He noted it might be worthwhile for the Commission to sponsor classes for building and fire officials to help educate

**July 11, 2002**

them about the gas shut-off valve devices and their pros and cons. He supported OES providing more information to local governments.

Commissioner Patwardhan invited Chief Zanzi to express his opinion as to where shut-off valves would be most appropriate. Chief Zanzi listed facilities using hazardous materials, areas prone to liquefaction, areas with older housing with poor foundations, areas with low water flows, high fire severity zones, and flood zones. He added that each city's disaster plan and emergency plan details areas of highest risk. Commissioner Moy noted Chief Zanzi's letter from January, 2002, lists a number of factors.

### **California Building Officials**

Mr. Massoud Abolhoda, City of Fremont, California Building Officials, noted that before DSA established a shut-off valve certification program, the City of Fremont considered mandating valves. In working with utility companies and manufacturers, he said, Fremont learned that both earthquake-activated and excess flow devices have flaws. For example, an earthquake-activated valve could shut off gas unnecessarily to too many customers, while excess flow valves might fail to be activated in small leaks.

Mr. Abolhoda said building officials are most concerned with the gas safety of existing buildings that are not required to anchor their foundations. He noted the existing building code assumes there will not be two disastrous events at once, but earthquakes and fires can occur together.

Commissioner Adelman asked if the City of Fremont had decided to mandate valves. Mr. Abolhoda responded that the city is awaiting the Seismic Safety Commission's report. He supported requiring valves only for high-hazard areas. Commissioner Adelman asked if other Bay Area jurisdictions required shut-off valves. Mr. Abolhoda said Contra Costa County requires either excess flow or earthquake-activated gas shut-off valves.

Mr. Abolhoda supported the ad hoc committee's recommendation that the issue of mandating should be left up to local jurisdictions. He said he found the report well balanced and inclusive.

Commissioner Parker expressed concern about inner-city homes with widow security bars. He noted all bars should have automatic releases, but they do not always work. He said using gas shut-off valves might be a way of mitigating loss of life in those areas. Mr. Abolhoda noted cities might consider requiring valves only in certain neighborhoods. He added mandating shut-off valves might help mitigate earthquake hazards, but not other fires.

As part of the educational component, Commissioner Adelman recommended the Commission consider sponsoring informational sessions at two upcoming forums, the CALBO conference in February or March, 2003, and the California Training Institute sessions in northern and southern California in October and November, 2002.

Commissioner Moy commented that even though the gas valve manufacturers engaged in a great deal of bickering during the committee meetings, they provided extremely valuable information

## **Meeting Minutes**

and input that was incorporated in the ad hoc committee's report. He expressed his appreciations to all who took part in the committee process.

### **California Association of Realtors**

Mr. Stan Wieg, California Association of Realtors (CAR), expressed his support for adoption of the report and recommendations as written. He commended Commissioner Moy and committee members for a job well done. Mr. Wieg said the CAR believes all real property is unique and there are special circumstances involved in each site. To achieve the best results and minimize disputes, all parties to a transaction should be well informed.

Commissioner Church asked how disclosure of gas shut-off valves is handled now. Mr. Wieg responded that real estate agents are under an obligation to disclose all material facts pertaining to a transaction, and the presence of a gas shut-off valve would be something disclosed. He said the City of Los Angeles and some local governments require an addendum to the official disclosure statement. Mr. Wieg added that he supported disclosure rather than mandates. Commissioner Church asked if the California Association of Realtors officially opposed mandates. Mr. Wieg replied that CAR members oppose mandates; he added the organization believes bolting and other types of reinforcement may be more effective.

Commissioner Adelman noted Los Angeles requires seismic gas shut-off valves on all new buildings and large remodels prior to the close of escrow. He said this has been a particular challenge for multi-family dwellings because separate valves are required for each unit.

### **Public Comments**

Commissioner Moy noted the Seismic Safety Commission received written comments from PG&E, and he drew attention to the June 27 letter in the meeting packet.

Commissioner Moy invited comments from members of the public.

Mr. Jimmy Hershberger, Advanced Safety Technologies, thanked Commissioner Moy, Mr. Honegger, and the ad hoc committee members. He said he was pleased the report was not biased.

Mr. Alan Avis, Advanced Safety Technologies, agreed the committee's report and recommendations were fair. Mr. Avis noted everyone had a chance to provide input, and the report goes beyond seismic issues and gives much useful information. He added he would have preferred more discussion about fires. He advocated dissemination of the document as soon as possible.

Commissioner Moy noted the appendix refers to all background documents used by the committee.

Mr. Fabian Padilla, Brasscraft, a Los Angeles County valve installer, spoke in favor of seismic-

**July 11, 2002**

activated shutoff valves as a way of protecting the public. He noted utility companies lack the necessary manpower to handle manual shut-offs to customers in emergencies. He also added he was not aware of many problems due to false triggering.

Mr. Neill Anderson, Brasscraft, explained that his company manufactures excess flow valves. He enthusiastically supported the report and urged its dissemination to the public as soon as possible. Mr. Anderson said he also supported SB 1992 as a great step toward studying the issues in more detail.

Mr. Simon Davis, Brasscraft, said he served as a member of the ad hoc committee. He expressed his opinion the report and recommendations were fair and impartial. Mr. Davis said he saw SB 1992 as a step forward in protecting the people of California.

Mr. Carl Strand, Strand Earthquake Consultants, noted gas shut-off valves have been the subject of a twenty-year debate. In fact, in 1933, after the state had decided to install gas shut-off valves in schools, they were discontinued because they were found to be overly sensitive. Mr. Strand said gas companies have opposed mandating shut-off valves since the early 1980's.

Mr. Strand objected that the ad hoc committee members had been selected as part of a secretive process; he observed that gas companies were disproportionately represented. He drew attention to his draft minority report, and recommended that the Commission review his document before adopting the committee report.

Mr. Strand stated there were no studies showing excess flow valves were effective in earthquakes. In fact, he said, their installation violates the current Plumbing Code pressure drop provisions. He noted there is no consensus regarding industry standard, and some devices can be reset automatically without a safety check. Mr. Strand added he wrote a letter to DSA expressing these concerns in February, 2002, but DSA has done nothing.

Mr. Strand recommended that the Commission delay action on the committee report, take time to review his minority report, and reconsider the statement that excess flow valves can be helpful.

Commissioner Moy emphasized the ad hoc committee's task was not to endorse the effectiveness of either device; he said it was up to DSA to certify the valves. He urged Mr. Strand to pursue his concerns with DSA.

Commissioner Church recommended including Mr. Strand's document in the appendix. Mr. Strand said he intended to make a few minor revisions to his report. He noted the committee's report tends to downplay the necessity of mandating. In addition, he observed, the statistics were selectively chosen and often misused.

Commissioner Adelman asked for clarification as to whether the pressure drop provisions in the Uniform Plumbing Code apply to both seismic-activated and excess flow valves. Mr. Strand explained that some excess flow valves have large pressure losses that are not considered in designing the system; he acknowledged some seismically-activated valves had pressure drop

## **Meeting Minutes**

problems as well. He offered to leave a more detailed report with the Commission.

Commissioner Moy thanked Mr. Strand for his comments. In response to some of the allegations made in Mr. Strand's June 26 letter, Commissioner Moy remarked that Mr. Strand's was continuously disruptive and challenging during the committee's deliberations. He said the committee eventually came to consensus a statewide mandate would be overkill; he noted only ten or fifteen jurisdictions in the state currently have mandates. Commissioner Moy characterized Mr. Strand's opposition as an attempt to kill flow valves.

There were no other members of the public who wished to address the Commission, so the public hearing was closed.

### **Commissioner Discussion and Possible Action on Report Recommendations and SB 1992**

Commissioner Klein commented the Commission should work for a balanced approach, recognizing all risks cannot be removed. Instead, the focus should be on cost-effective ways to reduce or manage risks. In the case of a mandate for gas shut-off valves, Commissioner Klein noted, the risk of fires after earthquakes is relatively small, so a statewide mandate would not be a good move. He recommended approval of the report and recommendations as written.

Commissioner Adelman said the gas valve mandate in Los Angeles has been a major headache for building officials. He estimated between 50,000 and 100,000 valves have been installed so far, for a total cost of \$20,000 to \$30,000 per year. He added Los Angeles only accepts seismically-activated valves.

Commissioner Adelman expressed appreciation to Commissioner Moy and the ad hoc committee for their work. He said he would have liked to see advice on types of valves, but realized that was beyond the committee's scope. He suggested this problem was one that should be addressed in the future. Commissioner Adelman added he was comfortable with the report and supported its approval.

Commissioner Parker praised the ad hoc committee and said he totally agreed with the report and its recommendations. He expressed his opinion that gas shut-off valves have a place in critical facilities, and shut-off valves and devices should be considered for systems other than gas. He supported leaving it up to local governments to decide what requirements best meet their needs.

Commissioner Patwardhan observed that SB 1992 only calls for consideration of mandating gas shut-off valves, so it really entails no real issues for the Commission. He said he found the committee's report balanced, and he noted it addressed gas safety issues that went beyond shut-off valves. Commissioner Patwardhan supported adoption of the committee report.

Chairman Clark thanked Commissioner Moy, Commissioners Adelman and Klein, Mr. Turner, and the other staff members who worked on this issue. He said that when the Commission first considered this issue in October of 2000, there was considerable testimony about the lack of sophistication of the valves on the market, but better technology exists now. Chairman Clark

July 11, 2002

noted Japan Gas uses flow meters driven by accelerometers, combining elements of both excess flow and seismically-activated systems, and uses special software to identify problems and make decisions. He encouraged gas shut-off valve manufacturers to look into these technologies.

Chairman Clark observed that another issue that emerged in the Commission's investigation was the lack of data from gas utilities. He encouraged manufacturers to work harder to collect information demonstrating the effectiveness and reliability of devices. He noted the Seismic Safety Commission would be happy to incorporate this kind of data in future versions of the *Homeowners Guide to Earthquake Safety* so consumers have better information. Chairman Clark supported adoption of the committee's report and recommendations.

ACTION: Commissioner Moy made a motion, seconded by Commissioner Klein, that:

*The Commission adopt the final draft report of the ad hoc committee as presented.*

Mr. McCarthy noted that if adopted, the report will be published as a Seismic Safety Commission document, posted on the Web page, and made available to the public.

Commissioner Celestine Palmer asked about Mr. Strand's "minority report." Chairman Clark noted Mr. Strand's document would be part of the appendix.

\* Motion carried, 12 - 0.

At 12:09 p.m., the meeting was recessed for lunch. Chairman Clark reconvened the meeting at 1:00 p.m.

### **VIII. PROPOSED HOMEOWNER'S GUIDE TO EARTHQUAKE SAFETY GAS SAFETY INSERT**

Mr. Honegger invited commissioners to review the proposed insert for the *Homeowner's Guide to Earthquake Safety*. He said it might be possible to expand the document to two pages so the text is not so crowded.

Commissioner Shapiro commented that the text appears fairly complete. He suggested adding a statement that certain jurisdictions require shut-off valves on transfer of property.

Referring to the illustration, Chairman Clark observed the term "valve" is confusing. He suggested saying "manual valve" instead. He noted the length of pipe in the lower portion of the diagram should be longer. He also recommended advising consumers that once shut off, gas will not be available for other uses after the earthquake. Commissioner Shapiro added that people should also know it is illegal to turn the gas back on for themselves. Mr. Honegger confirmed that understanding and noted gas utilities own the main valves.

Commissioner Parker asked if installation of gas shut-off valves requires a permit. Mr. Honegger responded that it depends on local ordinances. Commissioner Parker noted the 2002

## Meeting Minutes

cost estimates may soon become outdated, so that information will need to be updated regularly. Mr. Honegger said that was the reason the *Homeowner's Guide* refers to broad price ranges.

## California Association of Realtors

Mr. Stan Wieg, California Association of Realtors, supported approval of the proposed insert. He recommended making the information as reader-friendly as possible. Mr. Wieg added it might be helpful to have two sections, one describing the problem and one explaining how to get the appropriate corrective work done.

## Public Comments

Commissioner Moy welcomed comments from audience members on the proposed *Homeowner's Guide* insert.

Professor Robert Brady Williamson, Professor of Engineering Science, University of California, noted the ad hoc committee's report on Pages 24 and 25 indicates separate gas shut-off valves would be needed for condominiums and other multi-unit dwellings, and he suggested adding information for apartment and condo residents.

Commissioner Klein pointed out one of the report recommendations is for the Commission to develop a new guide for multi-unit buildings.

Commissioner Moy asked the staff when the new insert could be printed and distributed. Mr. McCarthy said Commission budgeted funds to print another 1,000 copies, and the printer is currently awaiting instructions. He noted it might be possible to add two pages that could be easily incorporated into the existing documents.

Mr. Turner cautioned that substantial changes to the existing document could be costly. He noted the Commission's budget was based on a one-page insert, so a two-page insert could make difference. He added that the Website edition of the *Homeowner's Guide* can be amended without incurring extra printing costs.

Mr. Carl Strand, Strand Earthquake Consultants, objected to the insert because it includes excess flow valves and inexpensive installation estimates. He noted this information constitutes a tacit endorsement for using excess flow valves for earthquake safety, but there is no evidence of their effectiveness. He reiterated his concern that excess flow valves violate UPC provisions. Mr. Strand expressed his opinion it was premature for the Commission to be recommending these devices.

Mr. Massoud Abolhoda, City of Fremont, said he shared some of Mr. Strand's concerns. He noted it is uncertain whether excess flow valves will work effectively. He cautioned against giving consumers a false sense of security because of the Commission's endorsement.

Mr. Paul Brooks, Pacific Gas & Electric Company, pointed out that the *Homeowner's Guide*

discusses valves in terms of natural gas safety, not earthquake safety. He expressed his opinion the information in the insert was accurate as presented and should be approved.

There were no other members of the public who wished to address the Commission on this issue, so Commissioner Moy closed the public comment period.

### **Commissioner Discussion and Possible Action on Insert**

Commissioner Moy recommended the Commission approve the proposed insert in concept.

**ACTION:** Commissioner Klein made a motion, seconded by Commissioner Church, that:

*The Commission approve the proposed insert to the Homeowner's Guide to Earthquake Safety as amended.*

Commissioner Klein noted the document can be amended later if necessary. He clarified his motion was to accept the insert as modified by the Commission, giving staff flexibility to work on the format and printing issues.

Chairman Clark suggested adding to the motion that the insert be included in the *Homeowner's Guide* and posted on the Commission's Web site. Commissioner Klein and Commissioner Church accepted that amendment.

\* Motion carried, 12 - 0.

### **IX. UPDATE ON AB 16 ADVISORY COMMITTEE**

Staff Structural Engineer Henry Reyes reviewed the names of the proposed members of the AB 16 Advisory Committee and recommended Commission approval. He noted the committee will be chaired by Commissioner Moy, and Commissioners Gates, Shapiro, and Adelman will represent the Seismic Safety Commission. Mr. Reyes said the other proposed members include Gini Grippner, representing the State Fire Marshal; Dennis Bellet, designee for State Architect Stephan Castellanos and representing DSA; Stephen Newsom, Department of Education; Abe Hajela, California School Boards Association; Dr. Tom Duffy, Coalition for Adequate School Housing; Gary McGavin, American Institute of Architects; John Coil, Bill Holmes, and Mike Mehrain, Structural Engineers Association of California; Sharon Gallant, Richard Phillips, and Christopher Arnold, Earthquake Engineering Research Institute; and Dave Clincy and Gin Yang-Staehlin, Community Colleges Chancellor's Office. Commissioner Moy noted backups are available if any of the designated people are unable to serve.

**ACTION:** Commissioner Adelman made a motion, seconded by Commissioner Mochizuki, that:

*The Commission approve the members as recommended.*

## Meeting Minutes

Commissioner Patwardhan asked whether the advisory committee should have earth sciences representatives as well. Commissioner Jones noted the engineering process was the major issue. Chairman Clark concurred, and noted AB 16 deals with engineering and design issues. Commissioner Moy added that all committee meetings will be open to members of the public, and experts will be invited to provide their input.

\* Motion carried, 11 - 0 (Commissioner Church absent during voting).

Mr. Dennis Bellet, Division of the State Architect, discussed the code requirements applicable to existing buildings being converted to school use. He noted DSA certification is needed to verify that construction meets current code requirements and is consistent with the approved design. The earthquake safety standard for schools is no collapse, but possibly some minor structural damage. Mr. Bellet said the standard is determined by the ICBO and other code development entities. Commissioner Shapiro added that DSA also imposes its own requirements, which are more conservative for schools than for other buildings.

Commissioner Jones asked if older schools built to previous standards are required to be retrofitted to current code. Mr. Bellet stated all schools must conform with current code, but there is some flexibility as to reinforcing and other details. He noted the rules are interpreted in regulations, but without much detail. He said all converted buildings will require DSA certification.

Mr. Turner said AB 16 requires DSA to develop emergency regulations by April, 2003, if conversion is deemed feasible, which means the regulation-writing process needs to occur in tandem with the advisory committee's work.

Mr. Turner noted Commissioner Palmer asked about Field Act exemptions at the last meeting, and he drew attention to the summary provided in the meeting packet. Mr. Bellet noted charter schools and temporary use buildings are exempt.

Commissioner Beall supported Field Act standards for support services as well, such as childcare centers and infirmaries. Mr. Bellet clarified that the Field Act applies to buildings occupied by students or teachers. He noted this would include buildings used for other purposes during evenings and after-school hours. Commissioner Beall commented that with the pressure to reduce class size, it is likely more schools will be considering converting existing buildings.

Commissioner Jones asked about daycare services. Mr. Bellet responded that daycare centers on school campuses are generally self-regulated by the school district. He added these facilities are not under Field Act or local jurisdiction. Chairman Clark noted the Department of Social Services has some regulatory authority over daycare centers. Commissioner Beall clarified that the Department of Social Services deals only with licensing issues, not health and safety or building concerns.

Chairman Clark commented there have been many efforts over the years to add exemptions, and the trend has been to exclude rather than include more structures. He added that attempts to

strengthen the Field Act always meet with strong opposition.

Commissioner Palmer asked whether leased buildings are exempt from the Field Act. Mr. Bellet explained that leased buildings are tricky because of the varying standards under which they may have been built. He noted even some buildings constructed after 1990 may not meet the Field Act.

Commissioner Adelman clarified that charter schools are exempt from both the Field Act and from DSA approval. Mr. Bellet noted off-campus school administration buildings are also exempt from the Field Act. Such buildings need to meet state building code standards, but no DSA approval is required. Commissioner Adelman said Los Angeles has its own requirements for charter schools. Mr. Bellet stated charter schools come to DSA only for access compliance; he added he was not aware of what aspects local jurisdictions reviewed. Commissioner Adelman recommended that DSA focus on a global approach by working closely with local jurisdictions.

Commissioner Shapiro asked how Los Angeles handles charter schools in existing buildings. Commissioner Adelman said he knew charter schools were required to comply with access and other requirements, but not all Field Act provisions. He added he would check with his staff and find out.

Mr. McCarthy noted the Commission currently has no spending authority for AB 16 activities, but the Department of Finance promised to assist with reimbursement. He commented that the state's anticipated budget deficit of \$24 billion may result in further cutbacks, necessitating a readjustment of the committee's schedule and priorities accordingly.

Mr. Reyes said the AB 16 Advisory Committee will need to hold about five meetings in order to finish its work by November and provide a final report to the Commission in December.

## **X. MISCELLANEOUS/GOOD OF THE MEETING**

Chairman Clark noted *Robert's Rules of Order* indicates all amendments are automatically withdrawn if a motion is withdrawn, so the Commission did not need to vote separately to withdraw the amendments to the motion to accept the Nominating Committee's recommendation. He added the correct procedure would have been to vote to approve the withdrawal of the motion.

## **XI. ADJOURNMENT**

There being no further business, it was moved and seconded that the meeting be adjourned. The meeting was adjourned at 2:20 p.m.

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Karen Cogan  
Executive Assistant

## Meeting Minutes

Approved by:

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Richard McCarthy  
Executive Director