

Seismic Safety Commission  
Minutes of Meeting  
March 13, 2003  
State Capitol, Room 444  
Sacramento, California

**Members Participating**

Bruce R. Clark, Chairman  
Stan Y. Moy, Vice Chair  
Andrew Adelman  
Jim Beall  
Mark Church (arr. 9:01 a.m.)  
Lucy Jones  
Lawrence T. Klein  
Don Manning  
Linden Nishinaga  
Celestine Palmer  
Donald E. Parker  
Ashok S. Patwardhan  
Daniel Shapiro

**Members Absent**

Senator Richard Alarcon/Chris Modrzejewski  
Douglas E. Mochizuki

**Staff Present**

Richard McCarthy  
Karen Cogan  
Robert Anderson  
Henry Sepulveda  
Fred Turner

**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 noted the meeting would be recessed midway through the morning to participate in the Senate Budget Committee hearing on the Commission's budget.

Chairman Clark welcomed former Commissioner Lloyd Cluff and invited him to address the Commission.

**III. DESIGNING THE TRANS ALASKA OIL PIPELINE SYSTEM (TAPS) OVER THE DENALI FAULT**

Mr. Lloyd Cluff, Pacific Gas & Electric Company, discussed the history of the Trans Alaska Pipeline System and described how the system fared in the magnitude 7.9 earthquake that occurred on November 3, 2002. He said the pipeline was first proposed in 1969, and scientists conducted a study in 1970 to identify the most appropriate route. After the 1971 earthquake in San Fernando, the projected surface fault displacement was revisited, and the final design was completed in 1974. The pipeline began operating in 1977 and is currently responsible for producing about 85 percent of Alaska's tax revenues. Mr. Cluff noted the pipeline has a capacity of 2.2 million barrels of oil per day and is averaging about 1.2 million barrels. He showed a map

depicting the route of the pipeline.

Mr. Cluff said the Trans Alaska Pipeline System crosses a number of earthquake faults, including the Denali Fault, one of the longest continental faults in the world. Because of Alaska's past history of major earthquakes, landslides, and tsunamis, pipeline engineers were especially concerned about possible zones of rupture and displacement potential. Using extensive aerial photography and geological studies, the pipeline was eventually designed to withstand up to 20 feet of lateral displacement and up to 5 feet of vertical displacement. Mr. Cluff noted the pipeline is above ground and placed on Teflon-coated shoes for about 1900 feet where it crosses the Denali Fault.

Mr. Cluff reported that the pipeline performed well in the November 3 earthquake. He said the earthquake caused a right slip of about 9 meters, a 335-kilometer rupture length, and ground shaking of about .34 g. The earthquake triggered avalanches, landslides, and liquefaction in many areas. Mr. Cluff noted the pipeline experienced an 18-foot lateral combined slip and distortion and a 2.5-foot vertical displacement. Some curved sections of the pipeline were compressed, but the actual damage matched the design projections. Mr. Cluff stated there were no cracks or leaks to the pipeline, but there was some damage at an anchor point as well as nonstructural damage at a pump station. The pipeline was shut down for 66 hours after the earthquake, and the Teflon-coated shoes were braced in some sections. Sections of pipeline that were displaced in the earthquake will be realigned.

Mr. Cluff commented that the performance of the Trans Alaska Pipeline System compares favorably with how other utility structures have performed in major earthquakes. He cited the highway system in Turkey and an aqueduct in Taiwan as examples.

Commissioner Nishinaga asked about the dimensions of the pipeline. Mr. Cluff responded that the pipeline is 48 inches in diameter with 2-inch-thick steel walls.

Commissioner Jones asked why the pipeline was designed to withstand a 20-foot offset, given the fact that 30-foot offsets had been seen in previous Alaskan earthquakes. Mr. Cluff said there was extensive debate before settling on the 20-foot offset design; the team of geologists concluded that 30 feet was the maximum offset, but the likelihood of that level of displacement was not high. He added that although designed for 20 feet, the pipeline can actually withstand 30 to 35 feet of offset. Chairman Clark commented that Caltrans' latest bridge designs take 20 to 30 feet of offset into account.

Commissioner Jones asked if similar evaluation and design techniques were used for utility pipelines in California. Mr. Cluff stated that PG&E moved all its pipelines off the San Andreas Fault. He said all California pipelines are above-ground and are designed for a 3-meter displacement. Although there are no Teflon-coated sliders, the pipeline has a series of isolation valves to control leaks or ruptures.

Commissioners thanked Mr. Cluff for his presentation.

## **VI. EXECUTIVE DIRECTOR'S REPORT (Out of Order)**

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### **Budget Update**

Executive Director Richard McCarthy reported that the Senate Budget Committee would be considering the Commission's budget within the next hour. He said preliminary indications are that the budget will pass without any controversy, although it is being presented without a staff recommendation pro or con. He noted the budget will be heard by the Assembly Budget Committee on March 18 and is likely to be resolved in conference committee later.

Mr. McCarthy stated that the budget proposes funding the Seismic Safety Commission with funds from earthquake insurance policies rather than from the general fund. Estimating that the California Earthquake Authority (CEA) has issued 1.2 to 1.3 million policies so far, at \$1 per policy, over \$1 million would be available. Mr. McCarthy noted the Commission's proposed budget is currently only \$887,000, so the potential surplus of \$300,000 needs to be addressed. He added that the Commission would like to increase its budget to use the entire amount, so that possibility is still being considered.

Mr. McCarthy said he would be discussing specific year-end projects later in the meeting. He estimated approximately \$216,000 in uncommitted funds will be available, of which the Commission has received about \$150,000. He said the Commission is expecting approximately \$50,000 for its work on AB 16 and another \$40,000 from the Office of Emergency Services.

### **Letter to Legislators on School Safety**

Mr. McCarthy drew attention to the draft letter to legislators regarding school safety. He noted this issue came up in response to the October earthquake in Italy that killed 27 school children. The Commission discussed the fact that California's standards for public schools are higher than those for private and charter schools. Because many people assume all schools in California are safe, the Commission concluded it might be advisable to educate legislators and members of the public about the differences in standards. Mr. McCarthy welcomed comments on the proposed letter.

Commissioner Shapiro noted the Education Code requires all schools to be built to the same standards, but private schools do not undergo the same kind of rigid plan-checking and full-time inspection as Field Act schools. In addition, there is considerable variation in the amount of oversight by local jurisdictions.

Commissioner Jones pointed out that most private schools use existing buildings rather than building new ones, and current standards allow use of existing buildings without retrofitting.

Commissioner Shapiro commented that the recommendation in the draft letter should be strengthened. He suggested recommending that the legislature consider new legislation for new private schools as well as those in existing buildings. Mr. McCarthy clarified that it would be too late to introduce new legislation this year, but it may be possible to find an author willing to use an existing spot bill for this purpose.

Commissioner Jones observed that another approach might be to require private schools to disclose risks to parents during the admission process.

Commissioner Adelman said he was uncomfortable issuing the letter without having an opportunity to discuss the issue in more detail with his staff. He suggested holding this matter over to the next meeting.

Commissioner Adelman agreed that local building departments do not maintain the same level of plan checking and inspection as the Division of the State Architect, but he argued that in some cases, local building departments do better.

**V. RECESS FOR SENATE BUDGET HEARING**

At 10:07 a.m., the meeting was recessed while the Commission's budget was considered by the Senate Budget Committee. Chairman Clark reconvened the meeting at 10:28 a.m.

**VI. EXECUTIVE DIRECTOR'S REPORT (Out of Order) (Continued)**

**Letter to Legislators on School Safety (Continued)**

Commissioner Moy expressed his opinion that the Commission should inform the legislature of the potential risk posed by private schools.

Commissioner Manning agreed. He noted the difference in standards has been known for years, and it would be better to notify the legislature before a disaster rather than afterwards. He pointed out the recent deadly fires in overcrowded nightclubs in Chicago and Rhode Island could have been avoided. Commissioner Manning stated that California school children should be housed in safe schools regardless of whether the schools are public or private. He added that the Seismic Safety Commission has a responsibility to inform the legislature before a catastrophic event.

Chairman Clark concurred, but questioned whether a letter would be the most effective way to communicate the message. He noted another possibility might be a white paper like the one prepared by the Commission on hospital seismic safety.

Commissioner Jones emphasized that only new private schools are required to meet the same standards under the Education Code, not existing buildings. She recommended focusing effort on retrofitting older buildings instead of new construction.

Commissioner Beall commented that the letter only recommends that legislators "be aware of this issue." He suggested saying instead that the Seismic Safety Commission intends to study the issue over the next year and develop a report with recommendations to the legislature. As a way of building credibility, he also recommended reminding legislators of the Commission's charge and explaining that the Commission previously looked at public school safety, so dealing with private schools should be the next step.

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Commissioner Adelman observed that the letter appears to contain a contradiction: the first page contains a statement that the Education Code requires all private schools to meet the same standards as public schools, but the second page indicates that private schools are not subject to the Field Act. Commissioner Shapiro noted it would be helpful to see the exact wording of the Education Code provisions. He said he believed the Education Code applied to new construction and retrofitting of existing buildings. He suggested clarifying that “safety” means seismic resistance of buildings.

Chairman Clark noted many private schools are housed in older buildings that may be rented, and oftentimes attention is not paid to seismic conditions.

Commissioner Adelman commented that the statements and implications in the letter were inconsistent with his experience working in three jurisdictions in California. He noted the Uniform Building Code requires that if a building occupancy is changed to a higher hazard occupancy, the building must be brought up to current code. He pointed out this would apply to cases where office buildings are converted to schools, because schools are considered a higher hazard occupancy. Commissioner Adelman again objected that the statement that local building departments do not maintain the same level of oversight is too far-reaching and sweeping to be accurate for all 500 jurisdictions in California. He suggested changing the statement to say, “Local building departments, even in the largest jurisdictions, are not required to follow the Field Act.”

Commissioner Church expressed his opinion that the draft letter was too weak. He noted the letter simply refers legislators to the Seismic Safety Commission for more information. He supported developing a white paper with recommendations for existing buildings.

Commissioner Jones agreed. She questioned the value of informing legislators about the risk without giving them something to do about it. She also noted it would be helpful to know more about the applicable regulations, and she asked the staff to compile pertinent code sections.

There was general consensus supporting development of a white paper with recommendations.

Mr. McCarthy asked whether the letter should be sent to inform the legislature of the Commission’s plans to develop a white paper.

Commissioner Church proposed forming a committee to study the issue and recommend a position, and then, after Commission approval, submitting the recommendation to the legislature.

Commissioner Manning emphasized the urgency of dealing with the issue. Chairman Clark agreed, but noted it will take some time and effort to study the risks and costs.

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

*The Commission refer the issue to a committee for further study and a recommendation.*

Ms. Cogan pointed out that this issue arose in response to calls and staff discussion about private

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school safety. She noted the Commission formed a committee in the 1980's to look at private schools, but nothing happened. In light of what happened in Italy and the fact that there are many California students in private and charter schools, she urged the Commission to alert the legislature. Ms. Cogan noted many legislators erroneously assume the Field Act covers all schools. She added that she liked the idea of a white paper, but believed something should be done as soon as possible.

Commissioner Church observed that with the current \$35 billion state deficit, it is unlikely the legislature will adopt any measure that requires money. He said the key issue is whether retrofitting of older buildings should be mandated, and this issue will require time to develop a well-reasoned position.

Commissioner Klein suggested sending a letter alerting legislators to the issue and promising follow-up in the form of a white paper. He noted the issue of school safety is of major importance because of the number of students currently housed in rented buildings, charter schools, and even old Field Act buildings.

Mr. McCarthy proposed revising the letter to say the Seismic Safety Commission has discussed the problem and will be looking at the issue in more detail. He offered to bring a revised version of the letter back to the Commission for approval at the April meeting. He requested assistance from commissioners.

Chairman Clark asked the staff to provide commissioners with the Education Code wording as well.

Chairman Clark proposed that Commissioners Adelman and Jones work with the staff on the wording of the letter. Commissioners Klein and Shapiro also volunteered their assistance. Chairman Clark asked Commissioner Jones to chair the group.

Commissioner Church amended his motion to add that the Commission will be considering an alert letter at the April meeting.

\* Motion carried, 13 - 0.

### **Response to Apartment Association of Greater Los Angeles**

Mr. McCarthy drew attention to the February 25 letter in the meeting packet from the Apartment Association of Orange County requesting that the Commission intercede with the Public Utility Commission to reconsider a decision to cease permitting installation of gas shutoff valves on the gas company side of the meter. He noted this appears to be a local rather than a statewide issue.

Commissioner Moy drew attention to the March 4 response letter drafted by the staff. He agreed that the dispute was a local issue.

Mr. Fred Turner recommended that the Commission approve the proposed letter. He noted Mr. Ron Caudle and Mr. Mark Minor, Southern California Gas Company, were present to answer

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questions.

Commissioner Klein commented that the tone of the letter appeared curt. He suggested softening the wording and advising the Apartment Association to obtain So Cal Gas' position in writing and then follow up with the PUC.

Commissioner Adelman expressed his opinion that the issue has statewide impact. He explained that before the PUC decision, gas shutoff valves could be installed on either the utility side or the customer side of the meter. The PUC decision leaves it up to local utilities to decide where the valve is installed, and So Cal Gas is refusing to allow shutoff valves on the utility company side of the meter. Commissioner Adelman noted that besides creating a huge cost burden on building owners, this position could have a detrimental effect on seismic safety. Using the example of a 50-unit apartment building, he explained that the cost of a single shutoff valve on the utility side of the meter was \$300, while installing valves for each unit would cost \$15,000. He pointed out that having multiple connections for individual valves increased the potential for leaks in the gas lines. Commissioner Adelman said So Cal Gas' decision is creating a substantial disincentive to installing valves.

Commissioner Nishinaga noted the Commission discussed this matter a few months ago and sympathized with the plight of building owners. He asked for more explanation of the gas company's rationale for refusing to allow valves on the company side of the meter.

Mr. Ron Caudle, Southern California Gas Company, stated that the company's decision is due to concerns about legal issues and liability.

Commissioner Adelman clarified that the PUC decision does not prevent valve installation on the utility side; that decision is left up to the local utility company.

Commissioner Moy stated that the Ad Hoc Committee on Gas Valve Safety looked at excess flow valves and shake-triggered valves and determined there were different needs for different areas of California and different building types, including high-risk older buildings, mobile homes, and commercial uses. In considering whether valves should be mandated statewide, the committee concluded it should be up to local jurisdictions to decide whether gas shutoff valves should be mandated.

Chairman Clark noted the City of Los Angeles and a few other jurisdictions mandate gas shutoff valves. He expressed his opinion that this was a local issue. He pointed out that the Seismic Safety Commission report did not recommend installation of gas shutoff valves because of the questionable cost-benefit ratio.

Mr. Turner added that the ad hoc committee concluded that other measures may be more cost-effective, such as training for manual shutoff, forming neighborhood watch groups, and general education. He said the staff recommends that this dispute be resolved between local gas companies and stakeholders.

Chairman Clark asked Commissioner Moy if the draft response letter was consistent with the

committee's report. Commissioner Moy confirmed that the committee considered this a local issue.

Commissioner Jones recommended looking for ways of resolving So Cal Gas' liability concerns; she suggested that local jurisdictions consider a mechanism to absolve utility companies from liability. Commissioner Adelman responded that Los Angeles has considered that possibility, but So Cal Gas is firm in its position. Mr. Turner added that liability stems from federal law, so there is little that local jurisdictions can do to circumvent it.

Commissioner Manning observed that Los Angeles is in a difficult situation now. He noted installing, maintaining, and resetting shutoff valves could become huge problems.

Commissioner Jones noted the dispute could be considered a state issue because the installation of multiple valves and multiple connections creates a worse hazard than what previously existed.

Chairman Clark pointed out the Commission's report is less than two years old. He recommended either responding in a manner consistent with the report or revisiting the report's findings.

Commissioner Klein recommended that the City of Los Angeles rethink its ordinance. He added that he was opposed to mandating valves all along because of their questionable benefits. He expressed his opinion that the current situation was not the Seismic Safety Commission's problem.

Commissioner Nishinaga stated that his primary concern, however we get involved with this issue, is that of overall public safety.

Commissioner Shapiro said the response letter correctly states the Commission's position. Referring to the end of the second sentence, he suggested changing "statewide impact" to "statewide application." He also recommended adding a statement clarifying that the issue did not have statewide application because of differing exposure throughout the state as well as the variety and age of structures. Commissioner Shapiro expressed his opinion that the Seismic Safety Commission could not settle the argument. He noted the dispute needs to be resolved by the local governments, utility companies, and the PUC.

Commissioner Adelman noted he was a member of the Ad Hoc Committee on Gas Valve Safety. He said he recalled that although the committee did not take a position recommending valves, the committee did recognize that valves have some benefit; the question was how much benefit versus their cost. Commissioner Adelman added that PG&E representatives testified about the limited number of gas-related fires after earthquakes.

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

*The Commission continue this matter to the next meeting to allow time for commissioners to review the report from the Ad Hoc Committee on Gas Valve Safety.*

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Mr. Turner asked if the Commission wanted to invite apartment association representatives to take part in the discussion at the next meeting. Chairman Clark questioned the value of reopening the debate. Mr. Turner noted a side issue involves multi-unit valves in apartment buildings. Chairman Clark said the Commission already discussed that issue. Commissioner Klein recommended not reopening the discussion, and Commissioner Moy agreed.

Commissioner Adelman explained that he wanted to continue the matter to the next meeting to allow more time to review the committee's report and the verbiage in the response letter.

- \* Motion failed, 4 - 7 - 1 (Commissioners Adelman, Nishinaga, Palmer, and Parker in favor; Commissioner Jones abstaining; all others opposed.)

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

*The Commission send the proposed letter as modified.*

Mr. Turner clarified that the modifications include changing "impact" to "application" and adding a statement about the significant differences in risks and vulnerabilities throughout the state.

Commissioner Adelman asked to see a copy of the revised letter before it is sent.

Chairman Clark proposed adding a concluding sentence saying the Seismic Safety Commission decided to take no position on the PUC decision.

Commissioner Shapiro noted the PUC already took a position and issued a decision, and the Commission could not reverse that decision. He noted it is up to the utilities and the stakeholders to deal with the situation.

Commissioner Adelman observed that the last sentence in the first paragraph appears to be giving legal advice, and he recommended that the Commission refrain from that kind of recommendation. Mr. Turner stated that course of action was recommended by the PUC. Chairman Clark proposed striking that sentence and substituting the statement that the Commission was not taking any action. Commissioner Adelman recommended bringing the revised letter back to the Commission for approval at the April meeting.

Commissioners Klein and Church accepted the modifications proposed.

- \* Motion carried, 12 - 0 (Commissioner Beall absent during voting).

## Year-End Projects

Mr. McCarthy noted the Commission was polled at the last meeting regarding preferences for year-end projects. He discussed the list of possible projects and estimated costs. Mr. McCarthy recommended proceeding with the nonstructural retrofit of the Commission office, funding for

two interns, simplifying and translating the *Homeowner's Guide to Earthquake Safety* into Spanish, Web page enhancements, support for the CEA's cost-benefit study and mitigation CD, and the Northridge earthquake video. He added that he would have more details on some of the other projects at the April meeting.

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

*The Commission authorize the staff to proceed as recommended.*

\* Motion carried, 11 - 0 (Commissioners Beall and Church absent during voting).

Commissioner Klein observed that the recommended projects total \$222,000. Mr. McCarthy said some of the estimates are rough, and the staff will make adjustments as necessary.

#### **Letter to Congress Supporting EERI Earthquake Research Plan**

Chairman Clark said the Earthquake Engineering Research Institute (EERI) is requesting the Commission's support for its research plan to ensure rapid development and deployment of leading-edge research to create safer and more resilient communities in the U.S. The plan calls for a budget of \$379 million per year over the next 20 years. Chairman Clark noted the meeting packet includes the cover letter from EERI and an executive summary of the plan. He recommended that the Commission approve the draft letter to Congress supporting the plan.

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

*The Commission authorize the staff to send the letter of support as proposed.*

\* Motion carried, 11 - 0 (Commissioners Beall and Church absent during voting).

Mr. McCarthy drew attention to the latest agenda for the Disaster-Resistant Conference in San Jose on April 21 through 23. He noted the Commission meeting will be held at 2:00 p.m. on Wednesday, April 23, in the Press Room at the Fairmont Hotel. Mr. McCarthy added that the Commission will be releasing the new map of shaking hazards in California at a press conference.

Mr. McCarthy said that as a co-sponsor of the conference, the Seismic Safety Commission is invited to attend the luncheon session. He noted the Commission meeting agenda will feature a presentation by former Commissioner Frannie Winslow on the World Trade Center, a presentation on the California Earthquake Authority by Elaine Bush, and a discussion of the Hetch Hetchy capital program.

#### **IV. APPROVAL OF FEBRUARY 13, 2003 MEETING MINUTES (Out of Order)**

ACTION: Commissioner Nishinaga made a motion, seconded by Commissioner Manning, that:

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*The Commission approve the minutes of the February 13 meeting.*

Commissioner Palmer pointed out a minor typographical in the next-to-last paragraph on Page 11: she noted “Commissioner Johnson” should be changed to “Commissioner Jones.”

\* Motion carried, 11 - 0 (Commissioners Beall and Church absent during voting).

## **VII. COMMITTEE REPORTS**

### **Education and Outreach Committee**

Commissioner Palmer reported that the Education and Outreach Committee held an organizational meeting and drafted a committee description. She said that she, Commissioners Beall, Church, Parker, and Patwardhan attended, and Commissioner Parker has agreed to serve as committee chair. Commissioner Palmer said the committee identified the following tasks: dissemination of information to the legislature and members of the public, production of printed materials, development of a statewide promotional plan, establishment of a speakers bureau, participation in seismic safety events, creating public service announcements, and providing media training for commissioners. She welcomed suggestions for other activities.

Mr. McCarthy said the Planning Commission discussing assigning this committee with responsibility for Web page enhancements and overseeing development of the Northridge earthquake video.

Commissioner Parker noted the committee discussed plans for providing training to staff and commissioners who want to participate in multi-agency information centers.

### **Committee Assignments**

Chairman Clark said he would review changes to committee rosters at the next meeting. He asked Ms. Cogan to add the new ad hoc committee on private school safety and send commissioners updated rosters.

### **Commission Reappointments**

Chairman Clark encouraged commissioners whose terms are expiring in May to reapply to the Governor’s Office by sending an updated résumé and a letter expressing interest in continuing to serve on the Commission.

Commissioner Nishinaga asked which commissioners were up for reappointment. Ms. Cogan responded that the terms are indicated on the latest Commission roster. Mr. McCarthy said the terms of Commissioners Church, Clark, Klein, Mochizuki, Moy, Palmer, Patwardhan, and Shapiro will expire on May 15. He added that if no action is taken by the Governor’s Office to reappoint or replace them, they can continue to serve for 60 days, or until July 15.

Commissioner Patwardhan announced that he did not intend to seek reappointment due to other

commitments. He said he enjoyed his last three years on the Commission and appreciated the support of the staff and fellow commissioners.

Chairman Clark thanked Commissioner Patwardhan for his service and contributions to the Commission and wished him well.

### **BART Retrofit Oversight Committee**

Commissioner Shapiro stated that he has been acting as the Commission's liaison with BART in overseeing their retrofit efforts. He noted when BART first approached the Commission for help, the Commission recommended that BART establish a peer review panel to evaluate its plans and then come back to the Commission for support. Commissioner Shapiro said the peer review panel is still working, with the next meeting scheduled in a week or so. He noted the peer review panel has some disputes with BART regarding the cost-effectiveness of some of its retrofit proposals, but a final report will be issued soon.

### **PEER Review Committee**

Commissioner Shapiro commented there had been little feedback in response to the PEER Review Committee's report. Mr. McCarthy noted there was a reception and display when the report was forwarded to the legislature. He welcomed suggestions from commissioners as to how to publicize the report. Commissioner Shapiro recommended using the report as a vehicle for communicating with legislators. He suggested sending small groups of commissioners to visit key legislators. Mr. McCarthy noted the Commission's new map, the *Homeowner's Guide to Earthquake Safety*, and the *California Loss Reduction Plan* might be other good tools to foster dialogue.

Commissioner Nishinaga said dissemination was discussed at the March 3 kickoff meeting, which featured presentations from the director, deputy directors, and the outreach and public relations coordinators. Participants suggested making a presentation to the legislature to accompany the report. Commissioner Nishinaga noted a second meeting will be held at Cal Tech on May 1.

Commissioner Nishinaga added that PEER is in the process of adding staff people to handle Web site and email functions, so it may be possible to establish an email database to enhance communications.

## **VIII. LEGISLATIVE REPORT**

Director of Legislation Henry Sepulveda drew attention to the written report in the meeting packet and offered to answer questions.

Commissioner Moy asked about AB 86 (Daucher). Mr. Sepulveda said this bill, introduced in February, authorizes creation of "home rule" school districts for charter schools under certain conditions. He noted the Field Act would apply to such schools.

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Chairman Clark asked Mr. Sepulveda to review bills on which Commission positions were being recommended.

Mr. Sepulveda recommended support for AB 28 (Pavley), a bill directing OES to develop a program for state and local fire service agencies to acquire hazardous materials equipment using federal funds. He also recommended support for AB 225 (Frommer), directing the Division of the State Architect and the Department of Education to create a checklist to provide guidance to school districts in evaluating potential use of existing buildings as schools.

Mr. Sepulveda noted SB 242 (Knight) would allow community college buildings used jointly for UC and CSU classes to be built to Uniform Building Code standards rather than the Field Act. He recommended that the Commission oppose this bill. Mr. McCarthy commented that the governor vetoed this proposal last year.

Mr. Sepulveda recommended that the Commission support SB 351 (Ducheny), which allocates federal funds for emergency services along the California-Mexico border, and SB 605 (McPherson), requiring public safety radio communication equipment purchases to comply with national standards.

Mr. Sepulveda recommended that the Commission oppose SB 1014 (Aanestad), a bill that would suspend SB 1953 provisions regarding seismic retrofitting of hospitals until funds are available.

Commissioner Shapiro added that the Legislative Advisory Committee also recommends opposing AB 699 (Lieber), which would create a new Board of Registered Construction Inspectors to regulate inspectors for schools and hospitals.

ACTION: Commissioner Jones made a motion, seconded by Commissioner Manning, that:

*The Commission adopt the positions recommended by the staff and committee.*

\* Motion carried, 11 - 0 (Commissioners Beall and Church absent during voting).

Mr. Sepulveda noted the Commission may need to ask individual commissioners to testify regarding three Commission-sponsored bills that were introduced: AB 1066 (Liu), a general obligation bond act to fund retrofit of local government essential services buildings; AB 1753 (Corbett), applying the same design-build contracting rules to K-12 school construction as those applicable to community colleges; and AB 1756 (Liu), requiring strapping of water heaters in rental units.

Mr. Sepulveda thanked commissioners for participating in the budget hearing earlier that day and said he would keep the Commission informed of new developments. He noted the Commission's budget will be heard by the Assembly Budget Committee at 1:30 p.m. on March 18.

Mr. McCarthy commented that it is unlikely the state budget will be approved by July 1 this year, and the Commission needs to consider this when looking at its total workload for the

coming months. He noted that supporting and opposing bills takes time, and the Commission took on a new issue at this meeting in terms of private school safety.

Commissioner Nishinaga noted it would be helpful for the staff to let the Commission know how much time and work will be entailed for each projects it undertakes.

**IX. MISCELLANEOUS - PUBLIC COMMENT PERIOD**

There were no members of the public who wished to address the Commission.

**X. GOOD OF THE MEETING**

Ms. Cogan said she would contact individual commissioners for help in manning the booth at the April conference.

**XI. ADJOURNMENT**

There being no further business, a motion was made and seconded that the meeting be adjourned. The meeting was adjourned at 12:30 p.m.

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Karen Cogan  
Executive Assistant

Approved by:

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Richard McCarthy  
Executive Director