



State Of California

# ALFRED E. ALQUIST SEISMIC SAFETY COMMISSION



*Arnold Schwarzenegger, Governor*

Gary McGavin, AIA  
*Architectural Planning  
Chairman*

Dennis Mileti  
*Social Services  
Vice-Chair*

Lawrence Klein  
*Utilities*

Dr. Lucy Jones  
*Seismology*

Hon. Richard Alarcon  
*State Senate*

Saeed Ali  
*Senate Representative*

Hon. Mark Church  
*Local Government*

Dr. Bruce Clark  
*Geology*

Hon. Carol Liu  
*State Assembly*

Donald Manning  
*Assembly Representative*

Celestine Palmer  
*Insurance*

Daniel Shapiro  
*Structural Engineering*

Keith Wheeler  
*Emergency Services*

Jeff Sedivec  
*Fire Protection*

Arul Arulmoli  
*Soils Engineer*

Hon. Jim  
Wattenburger  
*County Government*

Andrew Adelman  
*City Building Official*

Richard McCarthy  
*Executive Director*

Seismic Safety Commission  
Minutes of Meeting and Staff Workshop  
January 11, 2007  
State Capitol, Room 444  
Sacramento, California

## Members Participating

Gary McGavin, Chair  
Dennis Mileti, Vice Chair  
Kandiah (Arul) Arulmoli  
Mark Church  
Bruce Clark  
Lawrence T. Klein  
Grace Koch  
Celestine Palmer  
Daniel Shapiro  
David Walls  
David Thorman  
Grace Koch

## Members Absent

Andrew Adelman  
Lucy Jones  
Jeff Sedivec  
James Wattenburger  
Keith Wheeler

## Staff Present

Richard McCarthy, Executive Director  
Karen Cogan, Executive Assistant  
Robert Anderson, Staff Geologist  
Henry Reyes, Staff Structural Engineer  
Larry Rillera, Director of Legislative Affairs  
Fred Turner, Senior Structural Engineer

## I. CALL TO ORDER/ROLL CALL

Commission Chairman Gary McGavin called the meeting of the Seismic Safety Commission to order at 9:33 a.m. Executive Assistant Karen Cogan called the roll and confirmed the presence of a quorum.

## II. CHAIRMAN'S REMARKS

Chairman McGavin announced that the Commission's three newest members were present: Mr. David Thorman, State Architect, Division of the State Architect (DSA); Grace Koch, Deputy Director, Office of Emergency Services (OES); and Dave Wall, Executive Director, California Building Standards Commission.

Chairman McGavin introduced Mr. Richard Wiebe, Schubert Flint Public Affairs, and invited him to make a presentation regarding federal legislation.

## **ProtectingAmerica.org Presentation**

Mr. Wiebe noted that when Mr. James Lee Witt spoke to the Commission last April, he outlined plans for a national catastrophic insurance program to protect people from devastating losses. He said approximately five out of six homes in California have no earthquake insurance, primarily because of its high costs, and insurance costs are so high because of the high costs of reinsurance.

Mr. Wiebe described HR 4366, federal legislation to create a national disaster reinsurance fund, with fund investment income going to local communities for disaster first responders. The legislation includes incentives for local jurisdictions to adopt prudent land use policies and building codes and it provides funding for consumer protection and education programs.

Mr. Wiebe noted that HR 4366 was introduced last year, and some hearings were held, but the bill did not move forward. He expressed hope that he would have more progress to report next time, now that the Democrats are in control of Congress.

Chairman McGavin thanked Mr. Wiebe for his presentation.

## **New Commissioner Introductions**

Chairman McGavin asked the new commissioners to give brief descriptions of their backgrounds and areas of interest.

Commissioner Thorman said he was currently serving as State Architect and head of the Division of the State Architect (DSA), the state agency responsible for fire and life safety, accessibility, and structural safety review of K-12 schools and community colleges. He noted that DSA is a code promulgation agency, employing approximately 250 staff in four offices.

Commissioner Koch, Deputy Director, OES, expressed OES Director Henry Renteria's regrets at being unable to attend the meeting. She gave described her background in emergency services.

Commissioner Wall said the California Building Standards Commission is the entity to which state agencies submit proposed code changes for adoption and publication. He acknowledged that the Building Standards Commission was a bit behind in its model code adoption process, but noted the Commission was meeting three times in January.

Chairman McGavin welcomed the new commissioners. He noted that this is the Commission's first meeting since joining the State and Consumer Services Agency as a result of the passage of SB 1278. He added that the Commission looks forward to input from the new commissioners as it grapples with the important challenges and issues ahead.

## **III. APPROVAL OF NOVEMBER 9, 2006 MEETING MINUTES**

Commissioner Celestine Palmer noted that she was listed as both present and absent; she clarified that she was present at the November 9 Commission meeting.

**ACTION:** Commissioner Kandiah Arulmoli made a motion, seconded by Commissioner Lawrence Klein, that:

*The Commission approve the minutes of the November 9 meeting as amended..*

\* Motion carried, 11 - 0.

### **III. EXECUTIVE DIRECTOR'S REPORT**

#### **February Meeting**

Mr. Richard McCarthy noted that part of the February 6 meeting will be a workshop session focusing on the Commission's priorities and options in the coming year. He drew attention to the information in the meeting packet about hotel reservations.

#### **New Direction**

Mr. McCarthy said the Commission has identified three priorities so far: 1) obtaining a secure funding source for the Seismic Safety Commission; 2) developing a research administration program; and 3) defending the Field Act.

With respect to funding, Mr. McCarthy explained that the Commission's Insurance Fund support will expire on July 1, 2009, but arrangements must be made well before then to resolve future funding. He noted it will be difficult for the Commission to leverage government grant funds without some assurances of its continued existence. For now, he stated, the Governor's proposed budget includes funding for 7.8 staff positions in 2007-08.

Mr. McCarthy said the Commission's options are to obtain a permanent General Fund support, find a new source of funds, or combine multiple sources and seek funding independent of the state. He advised that some outside organizations have already expressed willingness to contribute funds for certain projects and research, and noted that he could talk about this in more detail at the February workshop.

Mr. McCarthy reported that the Commission has received authority to spend \$2 million of the estimated \$6.4 to \$6.6 million California Research Assistance Fund (CRAF) settlement for research projects in next year's budget, including 10 percent for overhead. He said the Commission should start identifying research topics and developing memoranda of understanding with state agencies and public entities. Mr. McCarthy emphasized that the Commission needs to be a good steward of the CRAF research funds and ensure they are used to produce products of value for the state. He recommended getting the program ready to implement as soon as possible.

Mr. McCarthy noted the Commission has been working on a short report for committee consultants and legislators regarding the impact of the Field Act on school safety. He suggested providing the report first to the Education Committee, because that committee will be hearing bills related to the Field Act.

Mr. McCarthy reported that in recent discussions with officials from Los Angeles Unified School District (LAUSD), they confirmed they have no plans to propose removing their schools from Field Act jurisdiction.

Chairman McGavin asked when the Field Act report will be completed. Mr. McCarthy responded that the Commission will have the final document to approve on February 6. He proposed including a recommendation for a follow-up research project to examine the performance of Field Act buildings.

## **Budget and Contracts**

Mr. McCarthy drew attention to the budget reports in the meeting packet. He noted the staff's projections are very close to those of Contracted Fiscal Services. He suggested hiring two retired annuitants to manage the research grant program and spending some additional funds for continued maintenance and enhancement of the Web page.

## **Revised Budget Change Proposals**

Mr. McCarthy reported that the Commission's two budget change proposals were approved, and he thanked staff and commissioners who helped in that effort. He noted that the Commission's new Director of Legislative Affairs, Larry Rillera, provided invaluable assistance with the budget process. He introduced Mr. Rillera, formerly with Caltrans, and welcomed him to the Commission staff.

## **FEMA Appeal**

Mr. McCarthy advised that the Commission was still waiting to hear an exact figure that FEMA will provide to OES. He added that if the amount is somewhat less than \$206,000 range, the Commission will have no choice but to submit a budget deficiency.

## **Annual Distribution of Commission Policies**

Ms. Cogan drew attention to the summary of Commission policies in the meeting packet. She said more detailed versions of the policies are available at the Commission office. She recommended that commissioners review the Bagley-Keene synopsis of open meeting requirements.

Ms. Cogan added that she would email commissioners a link to an online ethics training course, and she urged commissioners to complete this training program.

## **February Meeting Plans**

Mr. McCarthy asked commissioners interested in attending the Earthquake Engineering Research Institute (EERI) conference in Los Angeles to let the staff know so one registration fee can be submitted.

## **Website Update**

Mr. McCarthy commented that he was very impressed with recent Website activity and enhancements.

Mr. Anderson noted the Commission has had a Website since 2000 and has been tracking hits since 2004. He reported that the Website had 2.66 million hits in 2006, and said there is typically a spike in activity after major earthquakes and tsunamis.

Mr. Anderson described recent enhancements, including the RSS link for people to subscribe to receive message alerts and the drop-down menu for earthquakes. He noted there have been many hits on the *Homeowner's Guide to Earthquake Safety* (HOG).

Chairman McGavin thanked Mr. Anderson for his work on the Website.

## **V. COMMITTEE REPORTS**

### **PEER Center Review Committee**

Commissioner Arulmoli reported that the Pacific Earthquake Engineering Research (PEER) Center Review Committee expects to have a draft report for the Commission to review at the February meeting. The report should be ready to release by the end of March.

Mr. McCarthy explained that the Commission is required by statute to review the activities of the PEER Center to determine that the center is meeting the needs of the state and producing products of value, and to report to the Governor and Legislature. He said that as part of its report, the committee will tie the PEER Center's products to specific initiatives in the *California Earthquake Loss Reduction Plan* (CELRP).

Mr. McCarthy stated that the PEER Center currently receives approximately \$2 million per year from the state, plus an \$2 million from the National Science Foundation (NSF) and private sources. Commissioner Arulmoli added that the ten-year funding arrangement with NSF ends in July of 2007.

### **Earthquake Grant Research Program**

Commissioner Bruce Clark proposed forming an ad hoc committee to establish priorities and procedures for administration of CRAF research grant funds. He drew attention to the draft criteria provided in the meeting packet. He said the committee can meet during the first week of February in conjunction with the EERI conference in Los Angeles.

Commissioner Clark proposed that the committee consist of himself, Commissioner Jones, and Commissioner Mileti. Chairman McGavin asked Commissioner Mileti to chair the group.

Chairman McGavin recommended inviting outsiders to join the committee. He encouraged Commissioner Mileti to think of some possibilities before the February meeting. Commissioner Koch noted that OES Director Renteria might be interested in joining.

### **Field Act White Paper**

Commissioner Dan Shapiro observed that the Seismic Safety Commission has been defending the Field Act for years against attempts to eliminate, modify, and weaken its provisions, in spite of the Field Act's demonstrated effectiveness and safety over the past 75 years. He noted that at one of the Field Act hearings, architect Art Ross made the point very eloquently that there is nothing wrong with the Field Act, but there is a problem with the way it is being implemented by DSA. Commissioner Shapiro emphasized that this is the area that needs work.

Chairman McGavin invited the Commission's consultant, Mr. Bob Olson, and Mr. Henry Reyes to discuss the draft Field Act report.

Mr. Bob Olson said he envisioned producing a 10- to 12-page report, and he drew attention to the question-and-answer format of his draft document. He noted the emphasis is on policy, with sources for additional information.

Mr. Olson requested Commission direction as to whether the Landers project should figure so prominently in the report, given Chairman McGavin's involvement as its architect of record.

Chairman McGavin recommended using Landers as an example, noting it is a major Field Act success story. He said this new school suffered only cosmetic damage, but houses within a short distance suffered significant damage.

Chairman McGavin recalled that in response to a previous attack on the Field Act in the 1990's, the Commission talked to legislators and issued a report, and that feedback from report recipients was that the document was too long and had too much bibliography information. He recommended developing a brief Executive Summary for the beginning of the report highlighting certain bulleted items.

Commissioner Shapiro stressed the importance of making the point that implementation of the Field Act needs to be improved. He recommended focusing more attention on the problems architects and engineers, school boards, and contractors have in working with DSA.

Referring to the last sentence in the first paragraph under "History" on Page 1, Commissioner Shapiro recommended saying, "Nevertheless, the Commission recognizes that improvements **in implementation** are needed . . ."

Commissioner Koch commented that tying the Field Act to individual legislators' areas of concern is a good way to entice them to read the document. She suggested mentioning the fortunate timing of past major earthquakes in Long Beach, Northridge, and Loma Prieta, and warning that such events during school hours would cause much more damage.

Chairman McGavin thanked Mr. Olson for the update.

## **California Earthquake Loss Reduction Plan Update**

Commissioner Clark noted it was time for the five-year update of the *California Earthquake Loss Reduction Plan* (CELRP), which was last updated in 2001 and 2002. He suggested keeping the same format as the last version, with initiatives grouped by element.

Chairman McGavin thanked Commissioner Clark for his report.

## **VI. LEGISLATIVE REPORT**

Mr. Larry Rillera gave a brief description of his legislative and budget background with Caltrans and local governments. He said he looked forward to working with the Commission to promote legislation that improves seismic safety.

Mr. Rillera directed the Commission's attention to AB 38, a bill that proposes moving the Office of Homeland Security (OHS) under OES.

Chairman McGavin thanked Mr. Rillera for the update.

## **VII. YOGYAKARTA EARTHQUAKE EMERGENCY MEDICAL RESPONSE AND MILITARY MEDICAL RESPONSE AFTER DISASTERS**

Mr. Anderson introduced Captain Dennis E. Amundson, M.D., U.S. Navy, a cardio-pulmonary specialist who established a Navy medical response team and provided medical services after the 6.2 earthquake in Java in May of 2006. He invited Captain Amundson to discuss his experiences.

Captain Amundson gave a brief description of his medical career with the Navy and his experience responding to medical emergencies in Iraq and Afghanistan. He noted the U.S. has embarked on a program of "health diplomacy" as a way of improving relationships with foreign countries and providing necessary medical services, an approach that is likely to continue in response to foreign and domestic medical crises.

Captain Amundson described how the U.S. Navy provided a 16-day medical response to the Yogyakarta earthquake, an event that resulted in 5,100 deaths, 3,100 casualties, 212,000 households disrupted, and 430,000 people displaced. He said the Navy deployed staff and medical equipment to a soccer field to dispense first aid. Captain Amundson stated that one limitation on the Navy's response was the host nation's acceptance of medical assistance only, and no air support was allowed.

Captain Amundson talked about what he observed in Java. He said he was surprised that most transportation problems were cleared up within 72 hours of the earthquake. He noted that people with the most serious injuries sought aid first, and the types of injuries included facial lacerations and spinal injuries from collapsed walls. He added that extremity injuries, infections, and tetanus patients were seen later, as well as fractures and wounds that had been overlooked at first.

Captain Amundson reported that as a result of its Java response, the U.S. Navy learned important lessons in planning, communications, interacting with host nations, and managing chaos. To improve planning, he recommended focusing on policy and not planning too much. He emphasized the importance of knowing about the background and situation, and knowing who to listen to. In the area of communication, Captain Amundson stressed the need for redundancy. To facilitate working with host nations, he suggested using local resources and working with service groups to plan medical missions. Captain Amundson conceded that he had no solution to how to manage the inevitable chaos after a disaster. He supported development of a robust Department of Defense humanitarian program to provide foreign and domestic aid.

Chairman McGavin thanked Captain Amundson for his presentation.

## **VIII. COMMISSION'S ANNUAL REPORT TO GOVERNOR AND LEGISLATURE**

Ms. Cogan directed attention to the draft annual report under Tab I of the meeting packet. She noted the Commission is required to report annually to the Governor and Legislature on its accomplishments. She reviewed some of the highlights of the Commission's 2006 activities, including SB 1278, reports and publications, meetings and presentations, and ongoing activities. She welcomed additional comments from commissioners.

Commissioner Klein drew attention to the heading on Page 8, "California Research Assistance Fund is Awarded to the Commission," and suggested changing "Awarded" to "Entrusted."

**ACTION:** Commissioner Klein made a motion, seconded by Commissioner Church, to approve the annual report with that change.

\* Motion carried, 11 - 0.

**X. PUBLIC COMMENT**

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

**XI. MISCELLANEOUS & GOOD OF MEETING**

There were no other items brought to the Commission's attention.

**XII. ADJOURN**

There being no further business, the meeting was adjourned at 11:58 a.m.

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Sue Celli  
Office Manager

Approved by:

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Richard McCarthy  
Executive Director