



State Of California



# ALFRED E. ALQUIST SEISMIC SAFETY COMMISSION

Arnold Schwarzenegger, Governor

Alfred E. Alquist Seismic Safety Commission  
Minutes of Teleconference Meeting  
March 8, 2007  
1755 Creekside Oaks Drive, Suite 100, Sacramento, California

Gary McGavin, AIA  
Architectural Planning  
Chairman  
Dennis Mileti  
Social Services  
Vice Chair  
Lawrence Klein  
Utilities  
Dr. Lucy Jones  
Seismology  
Hon. Elaine Alquist  
State Senate  
Senate Representative  
Hon. Mark Church  
County Supervisor  
Local Government  
Dr. Bruce Clark  
Geology  
Hon. Sam Blakeslee  
State Assembly  
Assembly Representative  
Celestine Palmer  
Insurance  
Daniel Shapiro  
Structural Engineering  
Keith Wheeler  
Emergency Services  
Fire Protection  
Arul Arulmoli  
Soils Engineer  
Hon. Jim Wattenburger  
County Government  
Andrew Adelman  
City Building Official  
Henry Renteria  
Office of Emergency  
Services  
David Thorman  
State Architect  
Dave Walls  
Building Standards  
Commission  
Richard McCarthy  
Executive Director

## Members Participating

Gary McGavin, Chair  
Dennis Mileti, Vice Chair  
Andrew Adelman (joined at 10:07 a.m.)  
Kandiah (Arul) Arulmoli  
Bruce Clark  
Mark Church  
Lucy Jones  
Lawrence T. Klein  
Grace Koch  
Daniel Shapiro  
David Thorman  
David Walls (joined at 10:20 a.m.)  
Keith Wheeler

## Members Absent

Senator Elaine Alquist  
Assemblymember Sam Blakeslee  
Celestine Palmer  
James Wattenburger

## Staff Participating

Richard McCarthy, Executive Director  
Karen Cogan, Executive Assistant  
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 10:03 a.m. Executive Assistant Karen Cogan called the roll and confirmed the presence of a quorum.

## II. CHAIRMAN'S REMARKS

Chairman McGavin announced the appointment of two new commissioners, Senator Elaine Alquist and Assemblymember Sam Blakeslee, and welcomed them to the Commission. He reported that Commissioner Jeff Sedivec had resigned.

Chairman McGavin congratulated Commissioner Dennis Mileti for receiving the U.S. Army's Outstanding Civilian Service Award for his work on the Hurricane Katrina review panel and the interagency task force.

Chairman McGavin proposed appointing Chris Poland, Chris Rojahn, and Bill Petak to the Research Committee. Commissioner Mileti noted that Kathleen Webb should also be added.

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

*The Commission approve appointment of the committee members as proposed.*

\* Motion carried, 11 - 0 (Commissioners Andrew Adelman and David Wall absent during voting).

### **III. APPROVAL OF FEBRUARY 6, 2007 MEETING MINUTES**

Chairman McGavin noted the names of Mr. Bill Petak and Mr. Chris Rojahn were misspelled in the first section of the Item X. workshop summary. He recommended specifying that these individuals had been proposed for the Research Committee.

**ACTION:** Commissioner Mileti made a motion, seconded by Commissioner Jones, that:

*The Commission approve the minutes of the February 6 meeting as amended.*

Commissioner Kandiah Arulmoli drew attention to the last paragraph in the “Earthquake Grant Research Program - Topics” section of Item X and questioned whether the reference to “CEC” should actually be “CEA.” Chairman McGavin said he thought “CEA” was correct.

Commissioner Dan Shapiro noted the second paragraph on the next-to-last page refers to a letter from the Commission to the Legislature, and he asked if the letter had been sent after the last meeting. Chairman McGavin reported that the letter was drafted immediately after the February 6 Commission meeting and faxed the next morning to the staff.

Director of Legislative Affairs Larry Rillera advised that he hand-delivered the letter to the Legislature and the committee staff. Commissioner Shapiro requested that the staff provide commissioners with a copy of the letter.

\* Motion carried, 11 - 0 - 1 (Commissioner Adelman abstaining, Commissioner David Walls absent during voting).

### **IV. EXECUTIVE DIRECTOR’S REPORT**

#### **Budget**

Executive Director Richard McCarthy said he asked Contracted Fiscal Services and the staff to estimate end-of-the-year budget reserves, and their projected figures match well. He advised that the Commission will probably have a small amount available for Web page enhancements and other items.

#### **FEMA Appeal**

Mr. McCarthy reported that he briefed the Secretary of the State and Consumer Services Agency and her staff last week on the status of the Commission’s Federal Emergency Management Agency (FEMA) appeal. He said FEMA has identified several numbers, and their latest determination was that the

Commission owes about \$185,000. FEMA claims about \$142,000 represents undocumented expenses, but the staff has records on many of these items. Mr. McCarthy stated that Commissioner Grace Koch and the Office of Emergency Services (OES) are working with FEMA to determine the exact amount that needs to be repaid.

Commissioner Koch thanked Mr. McCarthy and the Commission staff for their efforts. She said she contacted Nancy Ward, with FEMA's Region 9, to enlist her support. Commissioner Koch indicated that OES will submit an appeal to FEMA. She noted that there is a good chance the amount can be reduced if the Commission provides documentation to substantiate the expenses. She expressed her opinion that the Commission has a good case.

### **Earthquake Research Grant Program**

Mr. McCarthy said the Attorney General's office is negotiating a settlement agreement for release of the California Research Assistance Fund (CRAF) to the Commission. The Attorney General's staff met with the Internal Revenue Service (IRS), and it is likely the IRS will agree with the Franchise Tax Board that no tax is due on the settlement. Mr. McCarthy noted the balance of the fund is about \$6.7 million, and a settlement agreement may be reached sometime in April. He added that he wrote a letter to the receiver reporting that a special deposit fund has been established and that the Commission has spending authority.

Mr. McCarthy noted the CRAF funds can be spent only for earthquake research and education programs, plus no more than 10 percent for the Commission's overhead costs. He said the Research Committee met on March 6 to prioritize research topics and make recommendations for the Commission's consideration at the April meeting. Mr. McCarthy reported that one retired annuitant has expressed interest in working on contracts and interagency agreements for the program, and Agency staff will be contacting the Franchise Tax Board about providing additional contracting assistance.

### **Review of State's Enhanced Multi-Hazard Mitigation Plan**

Senior Structural Engineer Fred Turner recommended that the Commission form an ad hoc committee to review the State's enhanced Multi-Hazard Mitigation Plan, currently being updated by OES. He suggested appointing Commissioner Mileti and former Commissioner Don Parker to review and comment on the draft plan by mid-April, and provide a briefing at the April meeting.

Commissioner Koch expressed support for this activity.

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

*The Commission appoint Commissioner Mileti and Chief Don Parker to serve as an ad hoc committee to review and comment on the state's enhanced Multi-Hazard Mitigation Plan as proposed.*

\* Motion carried, 13 - 0.

## V. COMMITTEE REPORTS

### Field Act White Paper

Staff Structural Engineer Henry Reyes said the latest version of the Field Act report incorporates comments made by commissioners and others. He recommended that the Commission review and approve the report in concept.

Mr. Reyes noted that the list of commissioners will be updated to replace Senator Alarcon with Senator Alquist and Assemblymember Liu with Assemblymember Blakeslee.

**ACTION:** Commissioner Shapiro made a motion, seconded by Commissioner Jones, that:

*The Commission approve the proposed revisions to the Field Act report.*

\* Motion carried, 12 - 1 (Commissioner Adelman opposed.)

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

*The Commission authorize the staff to finalize the report and submit it to the Legislature and Governor.*

\* Motion carried, 13 - 0.

### Pacific Earthquake Engineering Research (PEER) Review Report

Commissioner Arulmoli said the revised report in the meeting packet incorporates some comments and PEER's findings.

Mr. Turner proposed two more revisions: After the last paragraph on Page 2, he recommended indicating that three previous reports have been issued about prior years' reviews of the PEER Center and provide a Website reference. On Page 4, Table 1, he noted that the vertical axis should be labeled "PEER Research Topics."

Referring to the last sentence on Page 6, Commissioner Mileti noted that Table 2 is described as showing losses "from past California earthquakes," but Table 2 on Page 7 includes the Kobe earthquake. He recommended either deleting the Kobe earthquake from that table or changing the Page 6 description of the table. Commissioner Arulmoli suggested deleting the word "California" from the last sentence on Page 6.

Commissioner Arulmoli said this report covers the PEER Center's activities in Years 7 through 9, and he asked if there will be another report covering Year 10. He expressed support for producing a final report or stating that the Year 7 through 9 report will be the last. Commissioner Arulmoli estimated that the cost of producing this report was approximately \$50,000; he asked if CRAF funds could be used to pay for a final review report.

Mr. McCarthy pointed out that the Seismic Safety Commission does not yet have a stable permanent funding source. He proposed saying that the Commission intends to issue a final report if funds are available. He said that if there are no funds from PEER, the CRAF funds might be a potential source.

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

*The Commission approve the PEER Review report as proposed.*

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

Commissioner Shapiro commented that the purpose of the Commission's periodic review of the PEER Center's activities is to assure the Legislature that funds are being spent wisely. He noted that the last three reports confirm the PEER Center's value and recommend continued funding. He questioned the need to issue a final report saying basically the same thing. Commissioner Shapiro suggested indicating that this is the last report and recommend that the state consider increasing its funding.

Commissioner Arulmoli noted that it might be helpful to provide a final listing of PEER's accomplishments after the last year of National Science Foundation funding. Commissioner Mileti suggested waiting to see if the Legislature increases PEER funding, and issuing another report if funding is not provided. Commissioner Clark expressed support for this approach, and other commissioners agreed.

## **VI. LEGISLATIVE REPORT**

Mr. Larry Rillera provided a summary of pending legislation of interest to the Commission. He requested that the Commission appoint two commissioners to join the Legislative Advisory Committee.

Commissioner Koch said she would send Mr. Rillera a list of bills OES is tracking. She noted that over 2800 bills had been introduced as of the previous week, and about six appear to deal with seismic issues.

Commissioner Arulmoli said the PEER Review Committee recommends that the state allocate future bond funds for earthquake research. Mr. Rillera responded that he would work with authors and sponsors of bond legislation to include an earthquake research component.

**ACTION:** No action required.

## **VII. PUBLIC COMMENT**

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

## **VIII. MISCELLANEOUS & GOOD OF MEETING**

Commissioner Clark noted that the University of California has launched a new initiative regarding identification of earthquakes and other hazards, led by Mr. John Rundle of UC Davis. He said individual campuses will participate and funding will be administered through the presidents' offices.

## IX. ADJOURN

There being no further business, the meeting was adjourned at 11:49 a.m.

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Sue Celli  
Office Manager

Approved by:

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Richard McCarthy  
Executive Director