

REPORT OF THE EXECUTIVE OFFICER  
State Allocation Board Meeting, December 10, 2008

SEISMIC MITIGATION PROGRAM UPDATE

PURPOSE OF REPORT

To present a report on the current status of the Seismic Mitigation Program.

BACKGROUND

Assembly Bill (AB) 300, Chapter 622, Statutes of 2000 required the Department of General Services to conduct an inventory to identify school buildings potentially vulnerable in a seismic event, known as the "AB 300 List".

Proposition 1D approved by the voters in November 2006 authorized up to \$199.5 million for seismic mitigation of school facilities that are the most vulnerable Category 2 buildings and pose an unacceptable risk of injury during a seismic event. The seismic mitigation regulations define the "Most Vulnerable Category 2 Buildings" and were approved by the Board in September 2007 for filing with the Office of Administrative Law (OAL). They were approved by the OAL and became effective April 30, 2008. On May 5, 2008, the Office of Public School Construction (OPSC) sent a letter to all school districts notifying them of the newly approved regulation and the ability to apply for Seismic Mitigation Program funding.

In September 2008, the Division of the State Architect (DSA) issued three letters to school districts on the Seismic Mitigation Program. The first letter was sent to school districts with facilities that had been identified on the AB 300 List. The letter requested updated information on the status of the buildings that had been identified as potentially high risk. The second and third letters were sent to all school districts and county offices of education reminding them of the availability of seismic repair or replacement funding and once again sought an update on the buildings that had been identified as potentially high risk. Districts were asked to respond with information by November 14, 2008. Approximately 25 percent of districts have responded to date. The DSA will revise the AB 300 List with this information.

In accordance with the Seismic Mitigation Program criteria, the DSA initially identified 77 facilities districts that could be eligible for funding. After outreach to the affected districts, it has been found that 17 of the 77 facilities remain potentially eligible for seismic funding. In addition, the DSA and the OPSC have identified another 20 facilities through intensive outreach efforts that may also be eligible for seismic mitigation funding. Four of these newly identified facilities were constructed prior to the Field Act.

The Field Act required facilities built prior to 1933 to be inspected and retrofitted or taken out of service in the 1970's. These retrofitted facilities were excluded from the original AB 300 List. Early retrofits on pre-1933 unreinforced masonry buildings may leave these facilities potentially vulnerable to a seismic event based on current earthquake retrofit standards. Consequently, another 83 districts have been notified that they may have facilities that qualify for seismic repair or replacement funding under the program's current eligibility criteria.

AUTHORITY

EC Section 17075.10(a) states, "A school district may apply for hardship assistance in cases of extraordinary circumstances. Extraordinary circumstances may include, but are not limited to, the need to repair, reconstruct, or replace the most vulnerable school facilities that are a Category 2 building, as defined in the report submitted pursuant to Section 17317, determined by the department to pose an unacceptable risk of injury to its occupants in the event of a seismic event."

(Continued on Page Two)

### STAFF COMMENTS

The DSA and the OPSC are continuing outreach for the Seismic Mitigation Program. Further, the DSA will continue its outreach to those school districts that have not provided information with respect to the AB 300 List and potentially eligible seismic facilities. The information that is reported from districts will allow estimates of the number of eligible facilities and potential costs to be further refined. That information will be incorporated into a revised AB 300 List which will be completed by March 31, 2009. It is anticipated that the DSA and the OPSC will present periodic reports to the Board until the final AB 300 List becomes available.

### RECOMMENDATION

Accept this report.

### BOARD ACTION

In discussing this item, the State Allocation Board accepted the report as presented. In addition, the Board requested a discussion item be brought to the February 2009 SAB meeting regarding potential reconsideration of the following:

- Funding for interim housing
- Funding for structural evaluations of the buildings
- Creation of an unfunded list
- The ground shaking criteria at 1.7g acceleration.