



CITY OF OAKLAND
CITY COUNCIL

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OFFICE OF THE CITY CLERK
OAKLAND
2008 MAR -6 PM 5:30

LEGISLATIVE ANALYST REPORT

To: Council President De La Fuente and Members of the Rules Committee
From: Lupe Schoenberger, Legislative Analyst
Date: March 20, 2008

Re: BILL ANALYSIS AND RESOLUTION TO SUPPORT AND SPONSOR SB 1508 (CORBETT) RELATED TO SEISMIC SAFETY STANDARDS; CRIPPLE WALLS

SUMMARY

At the request of Councilmember Jean Quan, the City Council approved placing a bill proposal related to seismic safety on the City's state legislative agenda for 2008. Senator Ellen Corbett agreed to author the bill. Attached for the Councils review and approval is an analysis of SB 1508 (Corbett) and a resolution to support and sponsor the measure.

REQUESTED ACTION BY THE CITY COUNCIL

Adopt a resolution in support and to sponsor SB 1508 (Corbett).

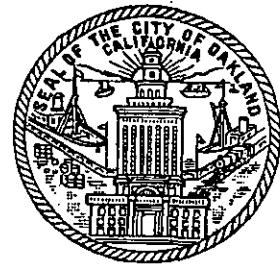
Respectfully submitted,

Lupe Schoenberger

Lupe Schoenberger
Legislative Analyst

CITY OF OAKLAND

BILL ANALYSIS



Date: March 20, 2008

Bill Number: SB 1508

Bill Author: Senator Ellen Corbett

DEPARTMENT INFORMATION

Contact: Sue Piper

Department: Council District 4 Office

Telephone: 238-7042 **FAX #** 238-6920

E-mail: spiper@oaklandnet.com

RECOMMENDED POSITION: Support and Sponsor

Summary of the Bill: This bill would require the Department of Housing & Community Development to develop guidelines and standards prior to January 1, 2010, for seismic repairs of cripple walls of residential buildings, and to publish a commentary explaining the guidelines and standards by that date. It would require the California Building Standards Commission to adopt, approve, codify and publish the guidelines and standards in the California Building Standards Code prior to July 1, 2011 and to submit them to the International Code Council on or prior to August 1, 2011.

It would also require the Contractors' State License Board to adopt a training and testing program prior to August 2, 2011 for a specialty license classification for the seismic retrofit of cripple walls and would appropriate funds from the Earthquake Loss Mitigation Fund to the Department of Housing & Community Development for the purposes of developing the seismic retrofit guidelines and standards.

Positive Factors for Oakland:

- Reinforces Oakland's Voluntary Seismic Retrofit Program by generating state-wide standards.
- Provides funding for the development of additional cripple wall standards beyond what has been done to date under Plan Set A, which currently has only been adopted for use in Northern California. (For example, we need standards for long & narrow houses, which are typical in Oakland, as well as for houses with cripple walls taller than 4 feet, etc.) The challenge Oakland and other cities have faced is the cost of generating these standards and gaining approvals by the respective professional associations, which need to be at least regional in order to be practical.
- By establishing a specialty license, the state will help cities such as Oakland ensure that contractors are qualified to do retrofit work; will improve the quality of retrofit work and will increase consumer confidence that they are getting good value for their investment.

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- All three factors are needed to increase the number of residential structures that are retrofitted in order to reduce the number of deaths and relocations that would occur in a major earthquake along the Hayward Fault. Currently, Oakland could lose 1/3 of its residential housing because of the lack of retrofitting. With the prospect of a major earthquake on the Hayward Fault occurring sooner rather than later, Oakland is in a race against the clock to avoid a major housing disaster such as occurred in New Orleans in 2006.

Negative Factors for Oakland None—this bill was introduced at the request of Oakland working collaboratively with the Association of Bay Area Governments.

PLEASE RATE THE EFFECT OF THIS MEASURE ON THE CITY OF OAKLAND:

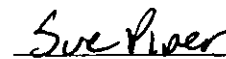
- Critical** (top priority for City lobbyist, city position required ASAP)
 Very Important (priority for City lobbyist, city position necessary)
 Somewhat Important (City position desirable if time and resources are available)
 Minimal or **None** (do not review with City Council, position not required)

Known support: Association of Bay Area Governments
Structural Engineers Association of Northern California
Local Retrofit contractors

Known Opposition:

Attach bill text and state/federal legislative committee analysis, if available.

Respectfully Submitted,



Sue Piper

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BILL NUMBER: SB 1508 INTRODUCED
BILL TEXT

INTRODUCED BY Senator Corbett

FEBRUARY 21, 2008

An act to add Section 8898 to the Government Code, relating to seismic safety standards, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 1508, as introduced, Corbett. Seismic safety standards: cripple walls.

Existing law requires the State Architect, in consultation with designated entities, to develop seismic retrofit guidelines and standards for buildings, as specified, with concrete or reinforced masonry column or wall construction. Under existing law, the California Earthquake Authority is required to establish an Earthquake Loss Mitigation Fund to provide funding for homeowners to retrofit their residences to protect against earthquake damage.

This bill would require the Department of Housing and Community Development, in consultation with designated entities, to develop guidelines and standards prior to January 1, 2010, for seismic repairs of cripple walls of residential buildings, as defined, and to publish a commentary explaining the guidelines and standards by that date. The bill would require the California Building Standards Commission to adopt, approve, codify, and publish the guidelines and standards in the California Building Standards Code prior to July 1, 2011, and to submit them to the International Code Council on or prior to August 1, 2011. The bill would also require the Contractors' State License Board to adopt a training and testing program prior to August 1, 2011, for a specialty license classification for the seismic retrofit of cripple walls. The bill would appropriate an unspecified amount from the Earthquake Loss Mitigation Fund to the department for the purposes of developing the seismic retrofit guidelines and standards.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 8898 is added to the Government Code, to read:

8898. (a) The Department of Housing and Community Development shall develop guidelines and standards, prior to January 1, 2010, for the seismic retrofit of cripple walls of residential buildings of wood frame construction. The department shall develop these guidelines and standards in consultation with the Division of the State Architect, the California Building Standards Commission, the Contractors' State License Board, the California Council of the American Institute of Architects, the California Building Officials, the International Code Council, the Structural Engineers Association of California, the Seismic Safety Commission, the Earthquake Engineering Research Institute, the League of California Cities, the Association of Bay Area Governments, and other organizations that have previously worked on committees to develop similar retrofit

provisions.

(b) The sum of ____ dollars (\$____) is hereby appropriated from the Earthquake Loss Mitigation Fund to the Department of Housing and Community Development to complete the duties described in this section. The department may expend the money appropriated to it for the costs of retaining professionals in the engineering field to develop the guidelines and standards, as well as for travel and other necessary expenses for committee members developing and reviewing those guidelines and standards, and may retain 10 percent of the funds appropriated to it for administrative expenses relating to its duties under this section.

(c) Prior to January 1, 2010, the Department of Housing and Community Development shall publish a commentary explaining the seismic retrofit guidelines and standards and their use, and shall submit the seismic retrofit standards to the California Building Standards Commission. The department shall also make the standards available to other interested parties upon their request.

(d) Prior to July 1, 2011, the California Building Standards Commission shall adopt, approve, codify, and publish by reference in the California Building Standards Code the seismic retrofit guidelines and standards developed pursuant to this section.

(e) Prior to August 1, 2011, the California Building Standards Commission shall submit the seismic retrofit guidelines and standards to the International Code Council for consideration and adoption into model codes, as defined in Section 18916 of the Health and Safety Code.

(f) Prior to August 1, 2011, the Contractors' State License Board shall adopt by regulation a training and testing program for a specialty license classification for performing the seismic retrofit of cripple walls.

(g) The following definitions apply for purposes of this section:

(1) "In consultation with" means the meaningful and open solicitation of suggestions, ideas, and comments, and the response to these suggestions, ideas, and comments, and the opportunity to participate in meetings by the organizations named in this section. Consultation shall include consideration of what constitutes seismic deficiencies and the appropriate measures to correct the deficiencies.

(2) "Seismic retrofit for cripple walls of residential buildings of wood frame construction" means retrofitting or reconstruction of an existing building or structure to significantly reduce structural collapse due to inadequate connections between the wood frame building or structure and the foundation, inadequately braced cripple walls, and lack of connections between these cripple walls and the first floor of the building or structure.

2008 MAR -6 PM 5:22 **RESOLUTION No.** _____ **C.M.S.**

INTRODUCED BY COUNCILMEMBER JEAN QUAN

**RESOLUTION TO SUPPORT AND SPONSOR SB1508 (CORBETT)
RELATED TO SEISMIC SAFETY STANDARDS; CRIPPLE WALLS**

WHEREAS, seismic experts predict that Oakland would lose 1/3 of its housing in the event of a major Bay Area earthquake with significant loss of life and economic devastation to the City; and

WHEREAS, the seismic retrofitting Oakland's older homes could significantly reduce the loss of life and loss of housing in such an event; and

WHEREAS, Oakland has enacted seismic strengthening standards to its Municipal Code as part of the recently approved Voluntary Seismic Strengthening Program, and

WHEREAS, because these standards only apply to a limited type of residential structures, there is a pressing need to develop additional seismic retrofit standards for other types of structures with cripple walls as quickly as possible—before a major earthquake in the Bay Area occurs, and

WHEREAS, it would be most cost effective, efficient and practical if these standards were developed on a regional or statewide basis, rather than by Oakland alone, and

WHEREAS, existing law requires the State Architect, in consultation with designated entities, to develop seismic retrofit guidelines and standards for buildings, as specified, with concrete or reinforced masonry column or wall construction yet does not address standards for seismically retrofitting houses with cripple walls, which comprise a significant portion of Oakland's older residential structures; and

WHEREAS, under existing law, the California Earthquake Authority is required to establish an earthquake Loss Mitigation Fund to provide funding for homeowners to retrofit their residents to protect against earthquake damage, but has not done so to date because of liability concerns related to their status as a quasi-governmental entity; and

WHEREAS, SB 1508 would require the Department of Housing and Community Development, which does not have the same liability issues, to develop guidelines and standards for seismic repairs of cripple walls of residential buildings and publishing a commentary explaining these guidelines and standards; and

WHEREAS, SB 1508 would require the California Building Standards Commission to adopt, approve, codify and publish the guidelines and standards in the California Building Standards Code, and to submit them to the International Code Council; and

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WHEREAS, SB 1508 would also require the Contractors' State License Board to adopt a training and testing program for a specialty license classification for the seismic retrofit of cripple walls, according to these standards; and

WHEREAS, SB 1508 would appropriate an as yet unspecified amount from the Earthquake Loss Mitigation Fund to the Department of Housing and Community Development for the purpose of developing the seismic retrofit guidelines and standards; now, therefore be it

RESOLVED: the Oakland City Council supports and is a sponsor of SB 1508 (Corbett); and be it further

RESOLVED: that the City Administrator and the City's state lobbyist are directed to advocate for the City's position on SB 1508 to the State Legislature.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, REID, QUAN, KERNIGHAN and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

ITEM NO. _____

DATE: _____

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