FLORIDA BUILDING COMMISSION

FACILITATOR’S SUMMARY REPORT OF THE

JUNE 19, 2006

COMMISSION PLENARY SESSION

SUPPLEMENT TO THE JUNE 19, 2006 MINUTES

DESTIN, FLORIDA

Meeting Design & Facilitation By

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OVERVIEW OF COMMISSION’S KEY DECISIONS

MONDAY, JUNE 19, 2006

Agenda Review and Approval
The Commission voted unanimously, 15 - 0 in favor, to approve the agenda as presented. Following are the key agenda items approved for consideration:

- To Receive/Consider a Report by the University of Florida and Applied Research Associates on the Panhandle Wind Borne Debris Study.
- To Conduct a Supplemental Rule Development Workshop on the Florida Building Code.
- To Receive General Public Comment.
- To Decide on the Designation of the Wind Borne Debris Protection Region for the Florida Panhandle.

Overview of Meeting Sequence
Jeff Blair, Commission facilitator, reviewed the agenda and meeting sequence with members.

- Convene Rule Development Workshop
- ARA/UF Presentation on Panhandle Wind Borne Debris Region Study Results/Recommendations
- Clarifying Questions by Commission Members
- Overview of the Three Primary Panhandle Windborne Debris Region Options
- Public Comment
- Close of Public Comment
- Facilitated Discussion by the Commission
- Identification of Any Additional Option(s)
- Additional Public Comment on New Option(s)
- Close Rule Development Workshop
- Decision on Panhandle Windborne Debris Region Definition
Convening of Rule Development Workshop
Chairman Rodriguez explained that the June 19, 2006 Rule Development Workshop on the Florida Building Code was being convened in order to roll the Panhandle Windborne Debris Region into the Florida Building Code glitch cycle. The Chair reviewed the chronology of events leading to the June 19, 2006 rule development workshop. Following is the chronology outlined by Chairman Rodriguez:

The 2005 Florida Legislature debated whether to revise the definition of the windborne debris region along the panhandle coast from Franklin County to the Alabama border and determined further study was warranted. It directed the Florida Building Commission to review the effects of Hurricane Ivan on damage caused by windborne debris and other data, and in conjunction with building officials from the impacted areas, to develop a recommendation for consideration by the 2006 Legislature.

On September 13, 2005 the Commission conducted the first workshop which was held at the Okaloosa County Airport, for the purpose of soliciting input from local building officials and other stakeholders in the Panhandle region of the State. At the conclusion of the workshop, there was consensus for the strategy of conducting a study on the treed environment effects and historical wind data effects, in order to provide additional data for consideration in developing recommendations to the Legislature.

The Chair noted, that although the building officials from the Florida Panhandle expressed strong support for the study, most agreed that changes were not warranted at that time to the definition of the windborne debris region of the Florida Panhandle region. The local building officials’ comments ranged from most damage was related to surge and not windborne debris, to the Panhandle is a unique environment that ASCE 7 does not adequately reflect, to extra windborne debris protection should be voluntary and not mandatory, to mandatory protection will increase the cost of already unaffordable housing in the region.

Subsequent to the Panhandle workshop, at the October 2005 meeting, the Commission voted unanimously to request budgetary authority to contract with a consultant to conduct an engineering based risk assessment of hurricane windborne debris protection options for the Panhandle in order to analyze the risks, costs, and benefits of windborne debris protection for the region. The research focused on factors unique to the Panhandle region including treed areas inland of the coast, and consider historical wind data effects. The requested funding authorization was approved, and the consultant (ARA) updated the Commission at the February 2006 meeting.

At the February 2006 Commission meeting, the consultant reported that the goal of the study was to perform wind tunnel tests for houses located in treed environments characteristic of the Florida Panhandle, and to develop computer models for analysis of wind borne debris protection effects for representative Panhandle houses. The consultant subsequently updated the wind-borne debris model and conducted wind tunnel tests designed to perform hurricane simulations of the representative houses located at various positions in the Panhandle, designed to evaluate building damage and loss with and without windborne debris protection. The consultant conducted wind tunnel tests, analyzed hurricane data, and modified computer models.
At the conclusion of the Panhandle Study update provided at the February 2006 meeting, the Commission voted unanimously to recommend that the Legislature remove the Panhandle Windborne Debris Region definition from law, thereby authorizing the Commission to adopt a new definition within the Code by rule.

The Commission expressed a commitment to work with stakeholders to develop consensus on a new definition to be developed and adopted by rule into the Code, and to that end, the Commission conducted a second Panhandle region workshop on February 16, 2006, where stakeholders were presented with an update on the research project’s status and the Commission’s recommendation to the Legislature.

It should be noted that the Commission’s decision to proceed with a regional strategy, is consistent with State policy of recognizing that Florida is a diverse State geographically and climatically, and risks are not uniform throughout the State. On this basis, the Florida Building Code and National Engineering Standards consider requirements specific to different regions of the State, when and where appropriate, such as, the High Velocity Hurricane Zone (HVHZ) provisions of the Code specific to Miami-Dade and Broward counties in Southeast Florida, and variations of design wind speeds relative to proximity to Florida’s coasts. In addition, the Commission has always advised that Code should be developed by the Commission in a consensus process and not written into law.

At the conclusion of the 2006 Legislative session, SB 1774 passed and the Panhandle Windborne Debris Region exemption was removed from law, and the Commission, as requested, was authorized to designate the Panhandle Windborne Debris Region based on the ARA modeling. The Commission was also authorized to use only Chapter 120 requirements for rule adoption, and the rule must take effect no later than May 31, 2007.

Chairman Rodriguez explained, that since the Panhandle Windborne Debris Region designation is an important regional issue, and the Commission has always been committed to providing access to those most impacted by an issue, the Commission was conducting the special one-day Commission meeting in the Panhandle region.

The Chair informed the Commission that the process for implementing the definition will be as follows:

- The special one-day Commission meeting convened to conduct a supplemental rule development workshop on Code amendments, where the Commission will receive the final report by ARA on “end to end” results of the study, and decide on the designation of the wind borne debris region for the Panhandle. This will integrate the wind borne debris region designation into the current 2006 Code amendment process.
- The Commission will then conduct a supplemental rule development workshop at the July 11, 2006 meeting.
- The final hearing on the 2006 amendments will be conducted at the August 23, 2006 Commission meeting in Miami Lakes.
The Chair concluded the chronology by noting, at the March 2006 meeting, Dr. Larry Twisdale and Dr. Peter Vickery provided the Commission with an overview of results from Phase I of the Study, the Wind Tunnel Test.

At the May meeting Dr. Larry Twisdale and Dr. Kurt Gurley updated the Commission on additional results regarding the Study and answered member’s questions.

At the June 19, 2006 meeting, Dr. Larry Twisdale and Dr. Kurt Gurley presented their final report and recommendations, responded to clarifying questions, and then public comment was taken by the Commission. At the conclusion of public comment, the Commission participated in a facilitated discussion and made a decision on the Panhandle Windborne Debris Region definition.

**Public Comment**

Jeff Blair explained the process used for public comment as follows:

- Facilitator will serve as the moderator.
- Facilitator will review each option.
- One person speaks at a time.
- Limit your comment and be concise.
- Do not read lengthy prepared statements; Summarize and submit complete comment text for the record.
- Offer new points or state agreement with previous speakers; Please do not repeat what has been stated.
- The FBC wants to hear all viewpoints, but not repeats of the same views.
- Facilitator will assist with process and groundrules.
- For each of the three options, Proponents of proposed option will speak first.
- Opponents of proposed option will follow proponents.
- Each side (proponent/opponent) will be allowed one counterpoint opportunity.

**Facilitated Decision Process for Panhandle Wind Borne Debris Region Designation**

**Recap and Next Steps**

Chairman Rodriguez explained that when the Commission adopted the windborne debris region in the 2001 Florida Building Code, ASCE 7 was mandated for areas of the state not within the HVHZ, and the Legislature, a political body, made a political decision to exempt the Florida Panhandle from ASCE 7 and instead define the Panhandle Windborne Debris Region as 1 mile from the coast.

The Governor and the Commission’s legislative supporters have always advocated that Code related technical decisions should be made by the Commission and not the Legislature. At the Commission’s request, the Legislature removed the Panhandle Windborne Debris Region definition from law, and authorized the Commission to develop the windborne debris region designation for the Panhandle consistent with the results of the science based engineering study contracted with ARA by the Commission.
The Chair noted that the Commission now has the results of the study and the most up-to-date science available in which to make an informed technical decision. The Commission’s mandate is to make technical and not political decisions. The Chair noted that the Commission is a technical body and should, as they have done consistently in the development, implementation, and maintenance of the Code and related programs, make the best science based decisions possible.

The Chair explained that the science from ARA’s study indicates, that windborne debris designations in ASCE 7 does not account for the strong wind shielding effects of tress, and the Commission should be prepared to take the lead in implementing the best science based technical decision possible.

The following process was used by the Commission:

**COMMISSION DISCUSSION PROCESS**

- Overview of proposed options.
- Identification of new option(s) (if any).
- General discussion with Commission on the options.
- Initial ranking of options.
- Identification of Commissioner’s reservations regarding the options.
- Refinements proposed to existing option(s) to an enhance option’s acceptability.
- Second ranking of option(s) if any Commissioner(s) wishes to change their ranking based on the discussion.
- Motions will be considered after all options are evaluated.

**Commission Decision on the Panhandle Windborne Debris Region Designation**

Following a review of the options, found on the next page of this report, the Commission made the following decision:

**Commission Actions:**

**Motion**—The Commission voted, 12 – 3 in favor, to adopt the 130 mph contour as the Windborne Debris Region designation in the Panhandle, including all areas within 1500 feet of the Inland Bays that are not within the 130 mph contour.

**Motion**—The Commission voted unanimously, 15 - 0 in favor to adopt the Panhandle Windborne Debris Region designation, and to integrate the definition into the 2006 supplement to the Florida Building Code.
PANHANDLE WINDBORNE DEBRIS REGION DESIGNATION OPTIONS EVALUATION RESULTS

During the meeting, Commissioners were asked to consider/develop and rank options, and following discussions and refinements, may be asked to do additional rankings of the options as refined. Commissioners should be prepared to offer specific refinements to address their reservations. A four-point ranking scale will be used, and in general, 4’s and 3’s indicate support and 2’s and 1’s indicate opposition to the option. A 75% threshold of 4’s and 3’s will be required for an affirmative decision. The following scale will be utilized for the ranking exercise(s):

<table>
<thead>
<tr>
<th>Acceptability Ranking Scale</th>
<th>4 = acceptable, I agree</th>
<th>3 = acceptable, I agree with minor reservations</th>
<th>2 = not acceptable, I don’t agree unless major reservations addressed</th>
<th>1 = not acceptable</th>
</tr>
</thead>
</table>

PHASE 1: PANHANDLE ADJUSTMENT FOR 2007—OPTIONS

Option A

Status Quo—Adopt the designation currently found in the Code.
“From the eastern border of Franklin County to the Florida-Alabama line, only land within 1 mile of the coast shall be subject to the windborne-debris requirements adopted by the Commission”.

<table>
<thead>
<tr>
<th>Initial Ranking 6/19/06</th>
<th>4=acceptable</th>
<th>3= minor reservations</th>
<th>2= major reservations</th>
<th>1= not acceptable</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>0</td>
<td>0</td>
<td>7</td>
<td>8</td>
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Members Comments and Reservations (6/19/06):
• This was a political decision, and not based on science.

Option B

Adopt the current ASCE-7 120 mph WBD region, regardless of the terrain.
This option is in effect for the rest of the State, per the Florida Building Code.

<table>
<thead>
<tr>
<th>Initial Ranking 6/19/06</th>
<th>4=acceptable</th>
<th>3= minor reservations</th>
<th>2= major reservations</th>
<th>1= not acceptable</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>5</td>
<td>7</td>
<td>2</td>
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</table>

Members Comments and Reservations (6/19/06):
• This option does not provide adjustments for terrain.
Option C
Adopt the 130 mph contour as the WBD region in the Panhandle. Including all areas within 1500 feet of the Inland Bays that are not within the 130 mph contour.

<table>
<thead>
<tr>
<th></th>
<th>4=acceptable</th>
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<th>2= major reservations</th>
<th>1= not acceptable</th>
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<tbody>
<tr>
<td>Initial Ranking</td>
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</tr>
<tr>
<td></td>
<td>4</td>
<td>8</td>
<td>3</td>
<td>0</td>
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Members Comments and Reservations (6/19/06):
- Making the decision today will allow for comments through out the process. More chances will be available for comments during rule development.
- Terrain issue is considered and I will support this option.
- Do not see why deferring decision is a problem.
- It is important that Florida be the leader on this issue. Need to take into consideration the terrain issue.
- The tree environment has an effect including terrain, this variation and change will continue in the long run.
- More time to study and review is needed.
- Feel that the public needs to be given more time to consider the study and additional feedback available to us.
- Between 120 and 130 there will be no protection. The code will continue to have an exception for the Panhandle based on the study.

Option D
Defer decision until the July Commission meeting.

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<tr>
<th></th>
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<th>2= major reservations</th>
<th>1= not acceptable</th>
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<tr>
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<td></td>
<td>7</td>
<td>2</td>
<td>4</td>
<td>2</td>
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Members Comments and Reservations (6/19/06):
- Proposed code changes will be subject to comments.
- There will be plenty of opportunity for additional public comment, and there is no need for a delay.
ATTACHMENT 1
MEETING EVALUATION RESULTS
June 19, 2006—Destin, Florida

Average rank using a 0 to 10 scale, where 0 means totally disagree and 10 means totally agree.

1. Please assess the overall meeting.

7.25  The background information was very useful.
8.41  The agenda packet was very useful.
9.75  The objectives for the meeting were stated at the outset.
9.33  Overall, the objectives of the meeting were fully achieved.
9.09  Panhandle Windborne Debris Region Study Final Report.
8.72  Decision on the Designation of the Wind Borne Debris Protection Region for the Florida Panhandle.

2. Please tell us how well the Facilitator helped the participants engage in the meeting.

9.83  The members followed the direction of the Facilitator.
9.91  The Facilitator made sure the concerns of all members were heard.
9.83  The Facilitator helped us arrange our time well.
9.75  Participant input was documented accurately.

3. What is your level of satisfaction with the meeting?

9.00  Overall, I am very satisfied with the meeting.
9.83  I was very satisfied with the services provided by the Facilitator.
8.33  I am satisfied with the outcome of the meeting.

4. What progress did you make?

9.33  I know what the next steps following this meeting will be.
8.91  I know who is responsible for the next steps.

5. Member’s Written Evaluation Comments.

- Excellent meeting: Well run! Very productive! Congratulations!
- ARA’s report needed to be kept within the scheduled timelines.