FLORIDA BUILDING COMMISSION

BUILDING CODE SYSTEM ASSESSMENT AD HOC

RECOMMENDATIONS

TO THE FLORIDA BUILDING COMMISSION

November 16, 2005

Orlando, Florida

Meeting Design & Facilitation By

Florida Conflict Resolution Consortium

Report By Jeff A. Blair
Florida State University

jblair@fsu.edu
http://consensus.fsu.edu

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Overview

**Triennial Report to the Legislature.** Florida Statute, Chapter 553.77(1)(b), requires the Commission to make a continual study of the Florida Building Code and related laws and on a triennial basis report findings and recommendations to the Legislature for provisions of law that should be changed. This year (2005), the Commission solicited stakeholder input in the form of an on-line survey (conducted from August through September 16, 2005), and at the December Commission meeting the Commission will consider and develop a package of recommendations for enhancements to the Florida Building Code System. The Commission’s recommendations related to this topic, will be a major component of their Report to the 2006 Legislature. In order to accomplish this in a participatory manner, Chairman Rodriguez announced on August 24, 2005, that he was appointing an Ad Hoc Committee comprised of Commissioners to meet in a facilitated process, and to develop recommendations to the Commission between October and December of 2005. The appointments to the Building Code System Assessment Ad Hoc are: Dick Browdy, Ed Carson, Nick D’Andrea, Herminio Gonzalez, Jim Goodloe, Jeff Gross, Do Kim, Randall Vann, and George Wiggins.

**Members and Representation**

<table>
<thead>
<tr>
<th>Name</th>
<th>Representation</th>
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<tbody>
<tr>
<td>Dick Browdy</td>
<td>Homebuilders</td>
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<tr>
<td>Ed Carson</td>
<td>Contractors and Manufactured Buildings</td>
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<td>Nick D’Andrea</td>
<td>Building Officials</td>
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<td>Herminio Gonzalez</td>
<td>Product Evaluation Entities</td>
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<tr>
<td>Jim Goodloe</td>
<td>State Insurance and Fire Officials</td>
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<tr>
<td>Jeff Gross</td>
<td>Architects and Building Management Industry</td>
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<td>Do Kim</td>
<td>Engineers and Insurance Industry</td>
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<tr>
<td>Randall Vann</td>
<td>Plumbing Contractors and Construction Subcontractors</td>
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<tr>
<td>George Wiggins</td>
<td>Local Government</td>
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**Meeting Schedule**

<table>
<thead>
<tr>
<th>Meeting</th>
<th>Date</th>
<th>Location</th>
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<tbody>
<tr>
<td>Meeting I</td>
<td>October 11, 2005</td>
<td>Orlando, FL</td>
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<tr>
<td>Meeting II</td>
<td>November 16, 2005</td>
<td>Orlando, FL</td>
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<tr>
<td>Meeting III</td>
<td>December 6, 2005</td>
<td>Tampa, FL</td>
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REPORT OF THE NOVEMBER 16, 2005 MEETING

Opening and Meeting Attendance
Jeff Blair, Commission Facilitator, opened the meeting at approximately 8:30 AM, and the following Ad Hoc Committee members were present:
Dick Browdy, Ed Carson, Herminio Gonzalez, Jeff Gross, Do Kim, and Randall Vann.

DCA Staff Present
Betty Stevens captured participant’s comments and took notes for the meeting.

Meeting Facilitation
The meeting was facilitated by Jeff Blair from the Florida Conflict Resolution Consortium at Florida State University. Information at: http://consensus.fsu.edu/

Project Webpage
Information on the project, including agenda packets, meeting reports, and related documents may be found at the project webpage: http://consensus.fsu.edu/FBC/bcsa.html

Agenda Review
Jeff Blair reviewed the agenda with members and the public. The agenda included the following objectives:

✓ To Review and Adopt the November 16, 2005 Agenda, and October 11, 2005 Report
✓ To Review Options Proposed for Evaluation
✓ To Identify Additional Options for Evaluation
✓ To Evaluate, Rank, and Refine Proposed Options
✓ To Consider Public Comment
✓ To Adopt Package of Recommendations for Submittal to the Commission
✓ To Identify Needed Next Steps and Agenda Items For Next Meeting

Review of Options Worksheet and Identification of Additional Options
Jeff Blair reviewed the options worksheet with members and explained that the options were proposed at the October meeting, where members were asked to review the survey results for each of the system components and programs, and to propose options for evaluation by the Ad Hoc Committee. In addition, members of the public were offered opportunities to propose additional options for evaluation. The worksheet’s options reflected the range of options identified by members and the public. In addition, members were provided an opportunity to propose additional options during the course of the meeting. All options were evaluated and those that achieved at least a 75% favorable vote were included as consensus recommendations. Following are the consensus recommendations, separated into those that require statutory changes and those that do not. Additionally, the full range of issues evaluated, the acceptability ranking results, and comments are provided in a separate report.
BCSA Ad Hoc Committee’s Consensus Recommendations—Requiring Statutory Change

The Committee voted unanimously to recommend the following package of recommendations to the Florida Building Commission:

A. FLORIDA BUILDING CODE AND CODE DEVELOPMENT PROCESS

Seek Statutory authority for an "expedited amendment" process in Chapter 553 for glitch and correlation (including errata) amendments. The process would allow the Commission to implement expedited amendments using only the standard Chapter 120 rule development procedures.

Recommend that the Florida Legislature pass legislation that would require the Legislature to recognize the Florida Building Commission as the experts in code development, and require that all Building Code requirements be developed by the Commission.

Recommend that the Florida Building Commission seek legislative authority providing that the sizing of private sewage systems be governed by definitions provided in the Florida Building Code.

B. THE FLORIDA BUILDING COMMISSION

Recommend that the Legislature create a specific Senate and/or House committee specific to the Florida Building Code. The Commission’s “Legislative Liaison Committee” could interface with this entity.

C. LOCAL ADMINISTRATION OF THE FLORIDA BUILDING CODE

No statutory options on this System component achieved a consensus recommendation.

D. CODE COMPLIANCE AND ENFORCEMENT—EDUCATION AND TRAINING

No statutory options on this System component achieved a consensus recommendation.
E. PRODUCT APPROVAL SYSTEM

Supports the POC’s effort related to the development and implementation of an accelerated revocation process for noncompliant product approvals, and supports recommending any required legislative changes necessary to implement the POC’s final recommendation.

F. BUILDING CODE INFORMATION SYSTEM

No statutory options on this System component achieved a consensus recommendation.

G. MANUFACTURED BUILDINGS PROGRAM

No statutory options on this System component achieved a consensus recommendation.

H. PROTOTYPE BUILDINGS PROGRAM

No statutory options on this System component achieved a consensus recommendation.

I. PRIVATE PROVIDER SYSTEM

No statutory options on this System component achieved a consensus recommendation.
BCSA Ad Hoc Committee’s Consensus Recommendations—Not Requiring Statutory Change

A. FLORIDA BUILDING CODE AND CODE DEVELOPMENT PROCESS

Initiate a collaborative process between the Florida Building Commission and the Division of State Fire Marshal to develop a coordinated code development/adoption schedule between the FBC and the FFPC (codes), that once implemented would provide sufficient time and strict deadlines to keep the Codes on the same adoption schedule.

B. THE FLORIDA BUILDING COMMISSION

Recommends that the Chair appoint a “Legislative Liaison Committee” comprised of Commissioners, who would serve to ensure that the legislative agenda of the Commission is directly represented. The Committee will decide on the best format for creating/serveing as a liaison between the FBC and Florida Legislature. The Committee recommends that any rule changes required to implement this recommendation be initiated.

A special Commissioner weblink should be implemented and maintained to provide Commissioners with all Commission relevant updated and draft documents, as well as communications related to travel and other logistical issues. This Commissioner web access venue should be reviewed by DCA to ensure no laws are violated through the implementation of this recommendation.

An effort should be initiated to review and establish strict deadlines for adding agenda items to the web posted agenda for TAC meetings (this should be more than 7 days).

An effort should be initiated to review and evaluate Commission meeting locations to ensure that the Commission meet in all regions of the State based on reasonable schedule. (This would include on average: Orlando, Miami, Tampa, North East Florida, and the Panhandle).
C. LOCAL ADMINISTRATION OF THE FLORIDA BUILDING CODE

The Commission should prioritize the issue and conducted an assessment to survey local building officials on their needs regarding administration of the Code (i.e., training and education needs, staffing, funding, etc.).

The Commission recommends and encourages the development of training and education on the Code for job site supervisors and specialty subcontractors and tradesman who participate in the construction of the structure.

The Commission recommends and encourages BOAF to provide training and educational seminars related to binding interpretations.

Recommend that the FBC’s Code Administration TAC be convened to take a proactive approach to reviewing and developing recommendations related to Code administration.

D. CODE COMPLIANCE AND ENFORCEMENT—EDUCATION AND TRAINING

Commission encourages and recommends the development of training and education opportunities for job site supervisors and subcontractors who participate in the construction of the structure.

Commission encourages and recommends enhanced opportunities related to coordination and cross-training between building and fire officials on the respective codes.

E. PRODUCT APPROVAL SYSTEM

The Ad Hoc voted unanimously that all recommendations related to Product Approval, are directed toward the POC and related Workgroups, and are offered to support existing efforts.

The Committee recommends that the POC develop a streamlined Commission Product Approval review process with consent agendas.

The Committee supports the POC’s and PAVWG’s determination that validation includes a technical review.
The Committee recommends to the POC that Quality assurance program inspections should be conducted every two years (instead of annually).

Recommends that the POC in collaboration with the system administrator, develop checklists indicating what information is required for application submittal and validation.

Recommends that the POC develop a process with specific criteria, for disciplining A & E validators and evaluators and notify the appropriate boards, regarding those that continue to have problems with their submittals (i.e., a three strike system). A similar process for certification agencies should be developed related to notifying accreditors.

Recommendation supporting POC/PAVWG’s efforts related to identifying and standardizing which compliance options may be selected for the different product categories.

Recommendation supporting POC/PAVWG’s efforts related to the development of clear and consistent criteria for each compliance method, with a fill-in-the-blank as-you-go application to facilitate.

Recommendation of support for POC’s efforts related to labeling products with the product approval number.

Recommendation of support regarding POC working to require uniformity of information posted to the website for all compliance methods used for product approval.

Committee supports efforts developed educating the public on the product approval system and website.

F. BUILDING CODE INFORMATION SYSTEM

Recommend that the Education POC implement a campaign to make the public and all system participants aware of the BCIS and the information contained within the site.

Recommend to DCA that they simplify the web pages by removing the DCA information wrapped around each of the pages.
G. MANUFACTURED BUILDINGS PROGRAM

Recommend that the PA POC prioritize efforts to review and develop enhancements related to the system designed to ensure that alterations and attachments to approved buildings are required to comply with the Code.

Support PA POC’s existing efforts to design the system to identify and resolve problems related to the program and the product.

Support efforts by the Education POC to implement an education and training program/campaign to clarify and publicize the roles and responsibilities of the various system participants (i.e., permitting, inspection, installation, etc.).

Recommend that the Product Approval POC work with the Budget Committee to develop a list of approved uses for the fees collected from the program (i.e., training on the program).

H. PROTOTYPE BUILDINGS PROGRAM

No options achieved consensus, and there are no recommendations.

I. PRIVATE PROVIDER SYSTEM

No options achieved consensus, and there are no recommendations.
ATTACHMENT 1

MEETING EVALUATION RESULTS

BUILDING CODE SYSTEM ASSESSMENT AD HOC—MEETING II

November 16, 2005—Orlando, Florida

INSTRUCTIONS: Please Use a 0 to 10 Rating Scale Where a 0 Means Totally Disagree and a 10 Means Totally Agree. Please Place Your Numeric Rating in the Space to the Left of Each Question.

1. Please assess the overall meeting.
   10 The background information was very useful.
   10 The agenda packet was very useful.
   10 The objectives for the meeting were stated at the outset.
   10 Overall, the objectives of the meeting were fully achieved.
   10 Identification of Additional Options for Evaluation.
   10 Evaluation, Ranking, and Refinement of Proposed Options.
   10 Adoption of Package of Recommendations for Submittal to the Commission.

2. Please tell us how well the Facilitator helped the participants engage in the meeting.
   10 The members followed the direction of the Facilitator.
   10 The Facilitator made sure the concerns of all members were heard.
   10 The Facilitator helped us arrange our time well.
   10 Participant input was documented accurately.

3. What is your level of satisfaction with the meeting?
   10 Overall, I am very satisfied with the meeting.
   10 I was very satisfied with the services provided by the Facilitator.
   10 I am satisfied with the outcome of the meeting.
   10 Participant input was documented accurately.

4. What progress did you make?
   10 I know what the next steps following this meeting will be.
   10 I know who is responsible for the next steps.

5. Member’s Comments.
   • The meeting was very well handled. Jeff continues to be an outstanding facilitator.
   • I’ll grade the meeting all 10’s. How often do we cover thirty pages and get out early without any fussing?