

FLORIDA BUILDING COMMISSION

FACILITATOR'S SUMMARY REPORT OF THE OCTOBER 10 - 11, 2005 COMMISSION PLENARY SESSION

SUPPLEMENT TO THE OCTOBER 10 - 11, 2005 MINUTES

ORLANDO, FLORIDA

Meeting Design & Facilitation By



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FLORIDA BUILDING COMMISSION

SUPPLEMENT TO THE OCTOBER 10 - 11, 2005 MINUTES

OVERVIEW OF COMMISSION'S KEY DECISIONS

MONDAY, OCTOBER 10, 2005

Agenda Review and Approval

The Commission voted unanimously, 20 - 0 in favor, to approve the agenda as presented. Following are the key agenda items approved for consideration:

- To Consider Regular Procedural Issues: Approval of August 23 – 24, 2005 Minutes.
- To Consider/Decide on Accessibility Waiver Applications.
- To Consider/Decide on JAPC Comments on Rule 9B-1 Amendments.
- To Consider/Decide on Legal Issues and Petitions for Declaratory Statements.
- To Consider/Decide on Approval of Products and Product Approval Entities.
- To Hear a Presentation on Central Florida Hurricane Assessments
- To Receive General Public Comment.
- To Discuss Commissioner Issues and Identify Agenda Items.

Review and Approval of the August 23 – 24, 2005, Meeting Minutes

Motion—The Commission voted unanimously, 20 - 0 in favor, to approve the August 23 - 24, 2005 minutes as amended.

Amendments to the Minutes:

On page 12 row 12 column 5; Product Approval number should be 2339 R2, and not xxxx R2 as listed.

Consideration of Accessibility Waiver Applications

The Commission reviewed and decided on the Waiver applications submitted for their consideration.

Legal Issues

Joint Administrative Procedures Committee Comments on Rule 9B-1 Amendments.

Motion—The Commission voted unanimously, 20 - 0 in favor, to proceed with rule adoption for Rule 9B-1, integrating and noticing the JAPC's comments.

Petitions For Declaratory Statements

Following are the actions taken by the Commission on petitions for declaratory statements. Jim Richmond served as legal counsel for the Commission.

Second Hearings

DCA05-DEC-113 by David G. Karins, PE, Karins Engineering Group, Inc.

Motion—The Commission voted 20 – 0 in favor, to approve their previous action on the petition.

DCA05-DEC-135 by Vipin N. Tolat, PE

Motion—The Commission voted 20 – 0 in favor, to approve their previous action on the petition.

DCA05-DEC-136 by Tim Michaels, Stoughton Homes, Inc.

Motion—The Commission voted 20 – 0 in favor, to approve their previous action on the petition.

DCA05-DEC-142 by Tim Michaels, Stoughton Homes, Inc.

Motion—The Commission voted 20 – 0 in favor, to approve their previous action on the petition.

DCA05-DEC-151 by Bill Shoolbred, Elixir Industries

Motion—The Commission voted 20 – 0 in favor, to approve their previous action on the petition.

First Hearings

DCA05-DEC-159 by Ron Lambert, Greystone of Florida, Inc.

Motion—The Commission voted unanimously, 20 – 0 in favor, to approve the POC's recommendations on the petition as presented.

DCA05-DEC-162 by Irinia Tokar, WCI Communities, Inc.

Motion—The Commission voted unanimously, 20 – 0 in favor, to approve the TAC/POC's recommendations on the petition as presented.

DCA05-DEC-170 by Charles W. Brammer, Eagles Nest Development Co. LLC

Motion—The Commission voted 13 – 6 in favor, to approve the POC's recommendations on the petition as presented.

The applicant subsequently withdrew the petition.

DCA05-DEC-173 by Thomas J. Baird, Attorney, Okeechobee County
Petition was deferred.

DCA05-DEC-174 by James E. Kelley, Jr., AIA, President, Fugleberg Koch
Motion—The Commission voted unanimously, 19 – 0 in favor, to approve the TAC/POC’s recommendations on the petition as presented.

DCA05-DEC-175 by Gene Boecker, AIA, Code Consultants, Inc.
Motion—The Commission voted unanimously, 19 – 0 in favor, to approve the TAC/POC’s recommendations on the petition as amended by the Commission.

DCA05-DEC-176 by John Herring, Chair, Florida Executive Committee, WTCA
Petition was withdrawn.

DCA05-DEC-177 by Billy Tyson, CBO, Madison County
Petition was deferred.

DCA05-DEC-178 by Paul Quintana, All American Shutters, Inc.
Motion—The Commission voted unanimously, 20 – 0 in favor, to approve the POC’s recommendations on the petition as presented.

Consideration of Applications for Product and Entity Approval

Commissioner Carson presented the committee’s recommendations for entities and Jeff Blair presented the committee’s recommendations for product approval. The results of product and entity applications are found in the Product Approval POC report included as an attachment to the minutes.

Presentation on Building Code Information System Upgrades

Presenters from Information System for Florida (ISF) reported on a package of upgrades to the Building Code Information System, and answered Commissioner’s questions.

Presentation on Central Florida Hurricane Assessments

The presentation was deferred due to the lateness of the hour.

General Public Comment

Chairman Rodriguez invited members of the public to address the Commission on any issues under the Commission’s purview.

Commission Member Comment/Issues

Chairman Rodriguez invited members of the Commission to address the Commission.

Commission Member Agenda Items

Chairman Rodriguez invited Commission members to propose issues for the Commission's next (December 2005) meeting. No Commission members offered any agenda items.

Recess

Motion—The Commission voted unanimously, 20 - 0 in favor, to recess the plenary session until 8:30 AM on October 11, 2005. The session recessed at 6:45 PM.

TUESDAY, OCTOBER 11, 2005

Agenda Review and Approval

The Commission voted unanimously, 18 - 0 in favor, to approve the agenda as presented.

Following are the key agenda items approved for consideration:

- To Consider/Decide on Chair's Discussion Issues/Recommendations.
- To Review and Update the Workplan.
- To Consider/Decide on Accessibility, Electrical, Energy, Fire, Mechanical, and Structural TAC's Reports/Recommendations.
- PA Validation Workgroup, and Panhandle Study Workgroup Reports.
- To Consider/Decide on Product Approval/Prototype Buildings/Manufactured Buildings Program, and Education Program Oversight Committees (POC's) Report/Rec's.
- To Discuss the Binding Interpretations System.
- To Conduct a Rule Adoption Hearing on Rule 9B-3.047, Florida Building Code Expedited Amendments for Water Intrusion and Roof Covering Attachment Hurricane Protections and Other Legislatively Mandated Amendments [and correlate change to conform with rationale previously accomplished In 9B-3.050]. If Requested.
- To Conduct a Supplemental Rule Hearing on Rule 9B-72, Product Approval.
- To Discuss Statutory Requirements and Rules for Staff Review of Code Amends.
- To Discuss the Private Provider Jobsite Disclosure Form and Rule Requirements.
- To Hear a Report on Hurricane Dennis.
- To Hear a Summary of the Building Code System Assessment Survey Results.
- To Consider Commission Effectiveness Assessment Survey Results.
- To Receive General Public Comment.
- To Review Committee Assignments and Issues for the Next Commission meeting—December 6 - 7, 2005 in Tampa.

Chair's Discussion Issues and Recommendations

New Member

Chairman Rodriguez noted that the Governor has appointed Nan Dean to the product manufacturers position (replacing Craig Parrino). Nan is a Professional Engineer (PE) and President of Dean Steel Buildings, Inc., of Fort Myers (Term: 9/23/05 – 7/27/07). The Chair, on behalf of the Commission, welcomed Nan to the Commission.

Appointments

Chairman Rodriguez appointed Commissioner Dean to the Product Approval POC.

Chairman Rodriguez appointed Randy Shakelford to the Product Approval Validation Workgroup. The Chair noted that Randy will replace Tim Collum, who the Chair thanked for his service.

Coastal High Hazard Study Committee

Chairman Rodriguez informed the Commission that Governor Bush has issued an executive order creating the Coastal High Hazard Study Committee and the Commission has a seat on the Committee.

The purpose of the Committee is to serve as a forum for the identification, discussion and recommendation of enhanced land planning strategies and development standards that mitigation of life, safety, community infrastructure and property hazards. The Committee shall consider, evaluate and make recommendations concerning issues of importance to the protection of coastal resources. The Chair will work with DCA staff to participate in the process.

Review and Update of Commission's Workplan and Meeting Schedule

Commission Actions:

Motion—The Commission voted unanimously, 20 - 0 in favor, to approve the updated workplan and meeting schedule as presented, to reflect the Commission's priorities.

(Included as Attachment 2—Commission's Updated Workplan)

Discussion on Binding Interpretation System

Chairman Rodriguez noted that DCA, BOAF, and ISF met on two occasions to discuss the logistics for implementing the binding interpretations process, and that the process is designed to take place electronically using the BCIS.

Commission Actions:

Motion—The Commission voted unanimously, 20 - 0 in favor, to notice the revised language for rule adoption at the December meeting (for Rule 9B-3.055—Binding Interpretation).

Rule Adoption Hearing on Rule 9B-3.047, Code Amendments [and correlate change to conform with rationale previously accomplished in 9B-3.050]

Chairman Rodriguez noted that at the August 2005 meeting the Commission adopted a package of amendments and modifications for expedited code adoption (HRAC's recommendations, legislative mandates, and correlation issues) and voted to integrate and notice the approved amendments and modifications, and to file the rule with the Department of State if no hearing was requested. There was a hearing requested, and explained the Chair, "this rule adoption hearing provides an additional opportunity for public comment on the Commission's approved amendments and modifications for expedited rule adoption". The Chair clarified that Jim Richmond would open the hearing, and then the Commission would take public comment, close the hearing and, discuss with the Commission whether to make additional changes. The Chair noted, that in order to comply with the November 1, 2005 implementation date for expedited code amendments, the Commission would need to file the rule without changes. In general, unless there is a very compelling reason, the Chair indicated that the Commission should avoid additional changes at this time and effect further amendments during the glitch amendment cycle. Following public comment and Commission discussion, the Commission took the following action:

Commission Actions:

Motion—The Commission voted unanimously, 20 - 0 in favor, to proceed with rule adoption for Rule 9B-3.047.

Supplemental Rule Hearing on Rule 9B-72, Product Approval

Chairman Rodriguez stated that at the August 2005 meeting, the Commission voted unanimously to hold an additional rule adoption hearing for the purpose of taking comments on the issues identified by Arnold and Associates and the American Forest Products Association, and to establish January 1, 2006 as the effective date for the adopted changes to Rule 9B-72—the Product Approval Rule. The Chair noted that the draft rule language under consideration during the hearing, has been unanimously adopted by the Commission, and had been well vetted for over a year through the work of the Product Approval Workgroup, which also developed unanimous consensus recommendations. The Chair instructed, that the Commission should keep their focus narrow and only consider the issues identified by A & A (the Commission's administrator), DCA staff identified issues related to fee structures, resolving the equivalency of standards issues identified by APA and others, and approving the revised product approval related BCIS web screens.

Once the Commission completes this rule adoption, the Chair stated that he may decide to reconvene the PAWG and charge them to work with stakeholders to develop consensus on any additional system refinements. Following public comment and Commission discussion, the Commission took the following action:

Commission Actions:

Motion—The Commission voted unanimously, 20 - 0 in favor, to proceed with rule adoption for Rule 9B-70, integrating and noticing the approved revised rule language with approved changes related to removing the wind speed language on the revised web screens.

Discussion on Statutory Requirement for Staff Review of Code Amendments

Chairman Rodriguez informed the Commission that Florida law requires DCA staff to review Proposed Code changes for completeness prior to forwarding the proposed changes to the TAC/Commission for consideration. The purpose of the discussion is to clarify and implement a process for how staff will process the code changes prior to forwarding to them to the TAC's and ultimately the Commission, and conform the rule to statutory requirements. At the August meeting the Commission instructed staff to draft a proposal for Commission consideration.

Staff then presented a proposal that was reviewed and discussed by the Commission.

Following public comment and Commission discussion, the Commission took the following action:

Commission Actions:

Motion—The Commission voted unanimously, 20 - 0 in favor, to proceed with rule adoption and to notice the revised language, as amended by the Commission, for rule adoption at the December meeting, if a hearing is requested (9B-3050—Staff Review of Code Amendments).

Amendment:

In the last line of the proposal clarify: if the proposed amendment is not deemed sufficient by staff, it will not be considered as a proposed building code amendment in the code amendment process.

Discussion on Alternate Plan Review and Inspection Form

The Chair noted that the Alternate Plan Review and Inspection Form, is the form required in statute establishing the jobsite notification form required for private providers. The form requires specific information to be posted on a jobsite where a private provider is conducting inspections.

Following public comment and Commission discussion, the Commission took the following action:

Commission Actions:

Motion—The Commission voted unanimously, 21 - 0 in favor, to notice the revised language, as amended by the Commission, for rule adoption at the December meeting, if a hearing is requested (Rule 9B-3.053—Alternate Plan Review and Inspection Form).

Amendments:

- Add insurance policy number to the form
- Add provider license number to the form
- Add job site address to the form
- Identify the specific project within the job site (for larger projects)
- Add the e-mail address of the provider to the form
- Add the building permit number to the form
- Add a signature block of the provider to the form

Presentation on Hurricane Dennis

Rick Dixon presented a PowerPoint presentation of photos and observations related to Hurricane Dennis. Following the presentation an opportunity was provided for Commissioner questions and comments.

Update on Building Code System Assessment Survey Results

Triennial Report to the Legislature. Chairman Rodriguez noted that 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. The Florida Conflict Resolution Consortium designed a Building Code System Assessment Survey, which Jeff Blair reviewed with the Commission at the August meeting. The survey has been subsequently conducted and compiled, and the results will serve as the basis for the Building Code System Assessment Ad Hoc Committee's evaluation and development of recommendations for the Commission's consideration at the December 2005 Commission meeting. The Ad Hoc Committee will hold their first meeting following the Commission's October 2005 plenary session. They will meet again on November 16, 2005 in Orlando, and finally prior to the Commission's December plenary session in Tampa.

The Commission's recommendations on the Building Code System will be a major component of the Commission's Report to the 2006 Legislature.

Jeff Blair noted that there were 218 respondents to the on-line survey, representing the full spectrum of stakeholders. The survey results and Ad Hoc Committee agendas and reports may be found at the following weblink:

<http://consensus.fsu.edu/FBC/bcsa.html>

(Included as Attachment 3—BCSA Survey Results Summary Report)

Panhandle Hurricane Ivan Study Workshop Report

Chairman Rodriguez noted that Section 39 of SB 442 mandates that the "Commission in conjunction with local building officials, shall conduct a review of damage resulting from Hurricane Ivan and any other data to evaluate, and to make recommendations to the Legislature for any changes to, Florida's Building Code, specifically as it applies to the region from the eastern border of Franklin County to the Florida-Alabama line, and issue a report summarizing its findings and recommendations prior to the 2006 Regular Session". 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. Jeff Blair reported the highlights of the workshop including that workshop participants were asked to evaluate four possible options related to the Panhandle Windborne Debris Region definition. Following are the four options and the results of the subsequent acceptability rankings:

Option 1. No Changes, leave Panhandle WBD definition as is.

	<i>4=acceptable</i>	<i>3= minor reservations</i>	<i>2=major reservations</i>	<i>1= not acceptable</i>
<i>Ranking 9/13/05</i>	0	10	6	17

Option 2. Conduct additional studies on treed environment effects and historical wind data affects prior to considering any changes.

	<i>4=acceptable</i>	<i>3= minor reservations</i>	<i>2=major reservations</i>	<i>1= not acceptable</i>
<i>Ranking 9/13/05</i>	14	13	4	1

Option 3. Covert to ASCE-7 definition immediately (as soon a logistically possible).

	<i>4=acceptable</i>	<i>3= minor reservations</i>	<i>2=major reservations</i>	<i>1= not acceptable</i>
<i>Ranking 9/13/05</i>	16	4	5	9

Option 4. Define the Panhandle WBD region, using a hybrid definition.

	<i>4=acceptable</i>	<i>3= minor reservations</i>	<i>2=major reservations</i>	<i>1= not acceptable</i>
<i>Ranking 9/13/05</i>	5	6	14	8

Rick Dixon then provided the Commission with a summary briefing on the overall project plan related to the Panhandle Windborne Debris Region review, and answered Commissioner questions. Based on the results of the workshop, there was consensus for the concept of conducting a study on the treed environment effects and historical wind data affects, prior to making recommendations to the Legislature regarding the existing definition and whether to recommend changes. The plan, if approved by the Commission, would be to request budgetary authority to contract with Applied Research Associates 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 would focus on factors unique to the Panhandle region including treed areas inland of the coast, and consider historical wind data affects. The preliminary results would be presented to the Commission in February of 2006, input would be solicited at a second Panhandle region workshop, and the Commission would then make recommendations to the 2006 Legislature as required by law.

At the conclusion of the overview, and following public comment and Commission discussion, the Commission took the following action:

Commission Actions:

Motion—The Commission voted unanimously, 21 - 0 in favor, to request budgetary authority to contract with Applied Research Associates to conduct an engineering based risk assessment of hurricane windborne debris protection options for the Panhandle region of the State.

(Included as Attachment 4—Florida Panhandle Windborne Debris Region Workshop Report)

Results of Commission’s Annual Effectiveness Assessment Survey

Chairman Rodriguez noted that the Commission’s effectiveness assessment survey is conducted each October, and has been the basis for enhancements to the Commission’s procedures.

Jeff Blair reviewed the survey results with the Commission.

(Included as Attachment 5—FBC Effectiveness Assessment Results)

Committee Reports and Recommendations

Accessibility TAC

Commissioner Gross presented the Committee’s report, which was accepted unanimously, 20 – 0 in favor. (See Commission Minutes for Committee report)

Commission Actions:

Motion—The Commission voted unanimously, 20 – 0 in favor, to instruct legal counsel and staff to review the legal authority for the TAC to develop a checklist to be used as a technical assistance document in accurately applying the accessibility code.

Motion—The Commission voted unanimously, 20 – 0 in favor, to authorize the TAC to engage the Education POC and the State Education Outreach Council in order to coordinate training to ensure that training programs are more consistent.

Motion—The Commission voted unanimously, 20 – 0 in favor, to authorize the TAC to identify code conflicts for the purpose of harmonizing the Building and Accessibility codes for consistency.

Education POC

Commissioner Browdy presented the Committee’s report, which was accepted unanimously, 20 – 0 in favor.

Commission Actions:

Motion—The Commission voted unanimously, 20 – 0 in favor, to approve the American Society of Landscape Architects, for American with Disability Act and Florida Access Code for Building .

Motion—The Commission voted unanimously, 20 – 0 in favor, to approve Red Vector, for the 2004 Building Structural Code.

Motion—The Commission voted unanimously, 20 – 0 in favor, to approve Red Vector, for the 2004 Plumbing/Fuel Gas Code.

Motion—The Commission voted unanimously, 20 – 0 in favor, to approve the University of Florida, for the Florida Energy Extension’s Termites in Florida.

Motion—The Commission voted unanimously, 20 – 0 in favor, to approve Gold Coast School of Construction, Inc., for Energy (approved for online delivery).

(See Commission Minutes for Committee report)

Electrical TAC

Commissioner McCombs presented the Committee's report, which was accepted unanimously, 20 – 0 in favor. *(See Commission Minutes for Committee report)*

Energy TAC

Commissioner Corn presented the Committee's report, which was accepted unanimously, 20 – 0 in favor. *(See Commission Minutes for Committee report)*

Fire TAC

Commissioner D'Andrea presented the Committee's report, which was accepted unanimously, 20 – 0 in favor. *(See Commission Minutes for Committee report)*

Hurricane Research Advisory Committee

Jeff Blair presented the Committee's report, which was accepted unanimously, 20 – 0 in favor. *(See Commission Minutes for Committee report)*

Mechanical TAC

Commissioner Bassett presented the Committee's report, which was accepted unanimously, 20 – 0 in favor. *(See Commission Minutes for Committee report)*

Structural TAC

Commissioner Kim presented the Committee's report, which was accepted unanimously, 20 – 0 in favor.

Commission Actions:

Motion—The Commission voted unanimously, 20 – 0 in favor, to require that proposed training courses be reviewed through the Commission's training course accreditation process. With the understanding that the Education POC will move the courses through the accreditation process for compliance with the code.

Motion—The Commission voted unanimously, 20 – 0 in favor, to convene subgroups for the purpose of reviewing further refinements of the proposed code changes on the subject of improving the prescriptive provisions of the FBC, Residential, Code. The following five subgroups were approved: foundations, wall covers, roofing, masonry, and wood.

(See Commission Minutes for Committee report)

Product Approval/Prototype Building/Manufactured Buildings Programs Oversight Committee (POC)

Commissioner Carson presented the Committee's report, which was accepted unanimously, 20 – 0 in favor.

Commission Actions:

Motion—The Commission voted unanimously, 20 – 0 in favor, to revise paragraph E of ARA's contract as modified and approved by the POC.

Motion—The Commission voted unanimously, 20 – 0 in favor, to initiate revocation proceedings for FL 495, 1033, 1167, 1588 & 1701. In addition, If FL 549 is not withdrawn at the request of the manufacturer, then it will also be included in the revocation proceedings.

Motion—The Commission voted unanimously, 20 – 0 in favor, to adopt the implementation dates schedule as proposed for the revised Rule 9B-72, that were modified by staff and approved by the POC.

(See Commission Minutes for Committee report)

Product Approval Validation Workgroup

Jeff Blair presented the Committee's report, which was accepted unanimously, 20 – 0 in favor.

(See Commission Minutes for Committee report)

General Public Comment

Chairman Rodriguez invited members of the public to address the Commission on any issues under the Commission's purview

Adjourn

The Commission voted unanimously, 21 – 0 in favor, to adjourn the meeting at approximately 11:35 AM.

Staff Assignments

- Prepare a binding interpretation flowchart.
- Prepare a proposal regarding options for Commission recommendations to the Legislature related to the backflow prevention assemblies inspection issue.
- Consider a Public Meeting Evaluation form.

Committee's Meeting for the December 2005 Commission meeting

(Additional TAC's may meet depending on whether there are requests for Declaratory statements)

- Accessibility Advisory Council
- Accessibility TAC
- Education POC
- Energy TAC
- Fire TAC
- Structural TAC
- Product Approval POC
- Hurricane Research Advisory Committee (Exposure Category C)
- Product Approval Validation Workgroup
- Building Code System Assessment Ad Hoc Committee

ATTACHMENT 1

FLORIDA BUILDING COMMISSION October 10 - 11, 2005—Orlando, Florida

Meeting Evaluation Results

A 0 To 10 Rating Scale Where A 0 Means Totally Disagree And A 10 Means Totally Agree Was Utilized.

1. Please assess the overall meeting.

- 9.6 ___ The background information was very useful.
- 9.1 ___ The agenda packet was very useful.
- 9.7 ___ The objectives for the meeting were stated at the outset.
- 9.5 ___ Overall, the objectives of the meeting were fully achieved.
- 8.6 ___ Accessibility Waiver Applications.
- 9.3 ___ Requests for Declaratory Statements.
- 8.9 ___ Approval of Products and Product Approval Entities.
- 9.7 ___ Chairs Issues and Recommendations.
- 9.6 ___ Update of the Commission's Workplan and Meeting Schedule.
- 9.5 ___ TAC, POC, Committee, and Workgroup Reports and Recommendations.
- N/A ___ Presentation on Central Florida Hurricane Assessments.
- 9.4 ___ Report on Hurricane Dennis.
- 8.7 ___ Overview of Building Code System Survey Summary.
- 9.0 ___ Overview of FBC Annual Effectiveness Assessment Survey Results.
- 8.8 ___ Rule Adoption Hearing on Rule 9B-3.047, Expedited Code Adoption.
- 8.9 ___ Supplemental Rule Adoption Hearing on Rule 9B-72, Product Approval.
- 8.9 ___ Discussion on Staff Review of Code Amendments Process.
- 8.9 ___ Discussion on Binding Interpretations System Implementation.
- 8.9 ___ Discussion on Private Provider Jobsite Disclosure Form.
- 9.5 ___ Update and Report on the Panhandle Study Workshop.

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

- 9.7 ___ The members followed the direction of the Facilitator.
- 9.1 ___ The Facilitator made sure the concerns of all members were heard.
- 9.7 ___ The Facilitator helped us arrange our time well.

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

- 9.2 ___ Overall, I am very satisfied with the meeting.
- 9.7 ___ I was very satisfied with the services provided by the Facilitator.
- 9.0 ___ I am satisfied with the outcome of the meeting.

4. What progress did you make?

9.6 I know what the next steps following this meeting will be.

9.5 I know who is responsible for the next steps.

5. Commission Member Written Evaluation Comments.

- Jeff Blair is doing a fantastic job.
- Thank you for the laptops. They should be given to us since by the time we have to return them, they will be worth nothing. This is a personal computer.
- The agenda packet needs to be provided prior to the meeting.
- I suggest setting up a webpage for Commissioners' access to the Commission package. The site could be password protected and would save mailing costs, and could be updated right up to the meeting date.
- For rule change items or other recaps of meetings or issues, provide a list of bulleted points made and highlight the key decisions and/or question/s from the report or issue.
- Please provide coffee at the major committee meetings.
- I continue to object to Sunday meetings.
- Steve Bassett made a comment about our inability to give an accurate self evaluation. Perhaps we could encourage public comment related to offering constructive criticism of our performance from time to time.
- I think the suggestion for the public to have an opportunity to evaluate the meeting is a good idea and may be quite revealing.
- Too much time is spent on approval of products.

ATTACHMENT 2

COMMISSION'S UPDATED WORKPAN AND MEETING SCHEDULE

(Adopted Unanimously October 11, 2005)

MEETING DATES

2005

January 24, 25 & 26	Cmsn	Orlando	Rosen Plaza Hotel
March 14,15 & 16	Cmsn	Miami	Radisson Mart Hotel
May 9, 10 & 11	Cmsn	Orlando	Rosen Centre Hotel
June 27, 28 & 29	Cmsn	St Petersburg	St. Petersburg Hilton
August 22, 23 & 24	Cmsn	Miami	Don Shula Hotel
October 10, 11 & 12	Cmsn	Orlando	Rosen Centre Hotel
December 5,6 & 7	Cmsn	Tampa	Embassy Suites

2006

January 23, 24 & 25	TACs	Tampa	Embassy Suites
February 6 & 7	Cmsn	Orlando	
March 20,21 & 22	Cmsn	Tampa	Embassy Suites
May 8, 9 & 10	Cmsn		
July 10, 11 &12	Cmsn		
August 21-23	Cmsn	Miami	Don Shula
October 9, 10 & 11	Cmsn	Tampa	Embassy Suites
December 4, 5 & 6	TACs	Tampa	Embassy Suites
December 18 & 19	Cmsn	Orlando	

Note: Based on experience developing the 2004 FBC, TAC meetings are scheduled separately from the Commission meeting for January and December to review proposed Code amendments for the Glitch Cycle and 2007 FBC Update respectively. Commission meeting set for 2 weeks after those TAC meetings. Scheduling set to avoid a week long Commission meeting at those workplan task points and to avoid back to back week meetings.

2007

February 5, 6 & 7	Cmsn
March 26, 27 & 28	Cmsn
May 7, 8 & 9	Cmsn
June 25,26 & 27	Cmsn
August 20, 21 & 22	Cmsn
October 8, 9 & 10	Cmsn
December 3, 4 & 5	Cmsn

FLORIDA BUILDING COMMISSION 2005 WORKPLAN

(A. – H. Ranked by Commission Survey; 1 - Other Tasks)

Ranked Tasks:

A. Amend Product Approval Rule 9B-72, 2004

POC Planning Workshop	2/11/04
DEC statement and rule amendment plan approved	3/ 2/04
Rule development workshop	4/8/04
Local Product Approval Work Group approved	6/15/04
Rule adoption hearing	7/23/04
Rule amendment plan revised (roll 2 stage process into single stage process)	8/2/04
And Product Approval Work Group (expanded scope) approved	
Local Product Approval Work Group meeting	8/11/04
Local Product Approval Work Group report to Commission	8/31/04
Supplemental Rule Hearing	1/25/05
Consider Work Group Recommendations for Statutory Changes	3/15/05
Product Approval Work Group meetings	10/20/04, 1/11-12/05, 2/8-9/05, 3/28-29/05 4/25-26/05
Supplementary Rule hearing	5/10/05
Rule adoption hearing (resulting in “Notice of Proposed Change”)	6/28/05
Rule hearing on Notice of Proposed Change if requested	8/24/05
Rule effective	1/01/06

B. Review Wind Loads Design Criteria (ASCE 7)

Completed

2005 Legislature directed changes to ASCE 7 edition adoption and the interior pressure design option at the next update of the FBC and Commission review of Panhandle Windborne Debris Region, and Exposure C definition

C. Review Duplicate Provisions of Florida Building Code and Florida Fire Code

Joint Fire TAC/Fire Code Advisory Council begin identifying overlap	2/10/05
Stakeholder assessment and process recommendation complete	Feb-Apr 05
Recommendations reviewed and public input (Commission meetings)	May & Jun 05
Hire contractor to identify duplication of requirements	Sep 05
Joint Fire TAC review of duplicated requirements	11/14&15/05
Recommended amendments	12/01/05

D. Construction Practices/Quality Assessment

Conflict Resolution Consortium conducts assessment	Sep-Dec 2004
Report on CRC	1/25/05
Public input hearings (at Commission meetings)	Mar, May & Jun 05
Conflict Resolution Consortium Final Report	10/12/05
Report to 2006 Legislature	12/07/05

E. Review the implementation of s.553.891, F.S., Alternative Plans Review and Inspections, and report to the Legislature on or before January 1, 2004:

Completed

Schedule:

Contractor hired to collect data on system operation	Jul 2003
Contractor report due	Sep 2003
Fact finding public workshop	Oct 2003
Review report to the Legislature	Nov 2003
Report submitted to Legislature by Jan 1 (recommend further study)	Jan 2004
Plan for continued study approved	1/13/04
Task Group Formed	Jan 2004
First public workshop	2/18/04
Additional recommendations to Legislature (if any)	3/ 2/04
Additional workshops and task group meetings	Apr- Jun 2004
Recommendations to Commission	8/31/04
Finalize recommendations for report to Legislature	10/19/04
Finalize Report to Legislature	12/ 8/04
Recommendations (modified) addressed in to bills	Apr-May 2005

F. Review Attic Ventilation Criteria

Hire contractor to conduct literature search and provide consulting services	12/04
Conduct issue assessment/consensus development workshop	3/14/05
Conduct second consensus workshop	5/9/05
Report to Commission	6/29/05
SB 442 requires FBC allow “unvented attics” by Nov 1, 2005	May-Jun 2005
Adoption into 2004 FBC by expedited amendment process	Jul-Oct 2005
Effective	11/1/05

G. Update Florida Energy Code Compliance Software and Develop Training Materials

Obtain match funding from US Department of Energy	FY 05/06
Software Updated for 2004 FBC	1/05
Training materials developed	FY 05/06

Other Tasks:

1. Hurricane Damage Investigations/Expedited Code Amendments

Hurricane Researchers Workshop co-sponsor with IBHS	12/6/04
Hurricane Research Advisory Committee appointed	1/26/05
Hurricane Symposium	2/11-12/05
Hurricane Research Advisory Committee meetings	3/14, 5/9, 2005
Preliminary Report to the Commission	5/10/05
Final Report to the Commission	6/29/05
Chapter 120, F.S., Rule Development Workshop	8/24/05
Chapter 120, F.S., Rule Adoption Hearing	10/12/05

2. *Conduct a Design Options Workshop (Charette) on Miniature Golf Courses*

Completed

Conduct Charette and report to the Commission 5/10/05

3. **Recommendations for Report to 2006 Legislature**

Consider preliminary recommendations to Legislature 10/12/05

Consider recommendations to Legislature 12/07/05

Finalize report to Legislature 2/08/06

4. **ICC Codes Development Participation**

Completed

Work Group Appointed 10/04

First Work Group Meeting 12/7/04

Second Work Group Meeting 3/15/05

Workgroup Preliminary Recommendations to Commission 3/16/05

Final Report to Commission 5/11/05

5. **2004 Update of the Florida Building Code:**

Completed

Phase I, Approval of Florida specific statewide and local amendments:

Amendment submittal cutoff (independent submittals) 4/18/03

Post on website (independent/base code updates/local amends) 4/23/03

TACs review and develop recommendations 6/16-18/03

TACs complete review and recommendations 7/14/03

Post TAC recommendations on website 7/25/03

Commission considers TACs recommendations and approves amends 10/13-14/03

Phase II, Consider model code changes together with all approved statewide and local amendments, draft rule changes and adopt by rule:

Administration, Fire and Structural TACs review and consult with staff
on where to integrate Florida specific amendments
into the IBC and IRC 12/03 to 1/04

Plumbing and Mechanical TACs review and consult with staff
on where to integrate Florida specific amendments into the IRC
plumbing, mechanical and fuel gas chapters 12/03 to 1/04

Rule development workshop 3/1-2/04

Rule adoption hearing 4/19-20/04

Approve change per JAPC comments but delay filing rule till 7/19 meeting 6/15/04

Authorize additional rule hearing for 8/31 meeting 7/19/04

Rule adoption hearing 8/31/04

Rule hearing on NOPC 12/7/04

Rule filed, effective date

Code implementation moved by SB 442 10/1/05

(Note: SB 442 allows use of 2001 FBC or 2004 FBC between 7/1 and 10/1)

5.1 Adopt Revised Chapter 34 for Existing Buildings

Completed

Schedule:

Draft code amendments	Completed	Dec 2002
Report to the Legislature recommended expedited adoption (<i>no bill</i>)		Dec 2002
Adopt via the 2004 FBC Update Process (see schedule above)		
Code effective		7/1/05
Code implementation moved by SB 442		10/1/05

(Note: SB 442 allows use of 2001 FBC or 2004 FBC between 7/1 and 10/1)

5.2 Appeals Procedures [98-287, LOF/ss.553.73 & .77 & 2000-141, LOF/s.120.80,FS]

Completed

Schedule: (Adopting through 2004 FBC update, see schedule above)

Effective date		7/1/05
Code implementation moved by SB 442		10/1/05

(Note: SB 442 allows use of 2001 FBC or 2004 FBC between 7/1 and 10/1)

5.3 Establish standards and criteria for foundation permits and other “specialty permits”:

(CS/CS/SB 336 & 180, 2001)

Completed

Schedule:

Develop recommendations for criteria		Feb 2003
Adopting through 2004 FBC update (see schedule above)		
Effective (2004 edition of FBC)		7/1/05
Code implementation moved by SB 442		10/1/05

(Note: SB 442 allows use of 2001 FBC or 2004 FBC between 7/1 and 10/1)

6. 2004 FBC Glitch Amendments/2006 Annual Interim Amendments:

Amendment submittal cutoff	12/1/05
Post on website (45 days minimum)	12/8/05
TAC’s consider proposals to develop recommendations	1/23-24/06
Post TAC recommendations on website (45 days min)	2/3/06
Commission considers in rule development workshop	3/21-22/06
Rule adoption hearing and filing with DOS authorized	5/9-10/06
Rule filed	5/26/06
Effective date of glitch amendments (min 3 mo after adoption)	10/1/06*

* Glitch amendments could be implemented by August 1, 2006 if Rule 9B-3.050(9) is amended to waive the 3 month delay between filing the amendments with the Secretary of State and the amendments becoming effective.

7. Update Rule Chapter 9B-3 Sections .048, .049 and .050

Completed

Rule development workshop	4/20/04
Rule adoption hearing	3/15/05
Rule effective	5/05

8. Develop Code Commentaries:

Ongoing

Plan:

Amend Rule 9B-3 to require submittal of “rationale” for proposed amendments (See task above amendment to 9B-3.050). Capture rationales for proposed amendments, declaratory statements and advisory opinions in BCIS to provide “commentary”.

9. ISO Ratings Program for Building Departments [s.553.77(1)(n),F.S.]

Ongoing: Addressed by establishment of policy on updating the FBC. ISO ratings dependent upon building codes being kept current with national standards.

10. Florida Building Code System Review and Triennial Report to the Legislature

Florida Conflict Resolution Consortium On-line Survey	Aug & Sept 2005
On-line Survey due date	Sept. 9, 2005
Present preliminary survey results to Commission	October 2005
Convene Workgroup	Aug 2005
Public input hearing	Aug 2005
Workgroup meetings	10/11/05 11/16/05
Workgroup’s recommendations to the Commission	12/07/05
Commission recommendations to Legislature (first triennial report)	See Task 3

11. Revise Rule 9B-3.004 to Allow Alternates for Committee Members

Rule development workshop	12/06/05
Rule adoption hearing	2/7/06
Rule effective	3/06

12. 2007 Update to the Florida Building Code

Design of Update Process	Aug-Dec 05
Recommendation to Legislature in Commission Report on Triennial Building Code System Review	Jan 06
2006 International Codes published and available to the public	2/1/06
2006 International Codes with currently adopted Florida amendments available to public on website	5/1/06
Joint Fire TAC/Fire Code Advisory Council review of I Codes changes to FFPC conducted	4/06-7/06
Proposed amendments to the 2006 I Codes with Florida amendments due date	8/1/06
Proposed amendments posted to the Web by (45 day min before TAC review)	8/15/06
Commission selects 2006 I Codes as foundation for 2007 FBC	8/23/06

(Note: 2006 I Codes must be available to public for 6 months prior to selection)
 TACs review proposed Florida amendments, current Florida amendments and current Local amendments and make recommendations at Commission August meeting 12/4-6/06

12/20/06 TAC recommendations posted to web (45 day min before Commission review)
 Commission considers TAC recommendations on proposed amendments via a Rule Development Workshop at its December meeting 2/6-7/07
 Rule Adoption Hearing at the Commission’s January 2007 meeting 3/27&28/07
 File Rule adopting the 2007 FBC 5/1/07
 Printed Codes available to the public 7/1/07
 Code implemented 1/1/08

(Note: SB 442 requires Code documents to be made available to the public 6 months before implementation. To save time final publishing of documents must begin at least when the rule is filed and before the official rule challenge period expires. Initiation of publishing to begin prior to filing of the rule. Experience with development of the 2004 FBC was the publishing of codebooks took more than six months. The time frame allotted in this plan is three months which is roughly consistent with the time required for the ICC to develop its on code books after final adoption.)

13. Expedited Code Amendments (See Task 1 and 2005 Legislature Directed Tasks)
Adopt IRC non-vented attic criteria by November 1, 2005
Review and amend if necessary roof panel sheathing requirements
Amend to address water intrusion and roof covering attachment requirements

Rule development workshop 8/24/05
 Rule adoption hearing 10/12/05
 Amendments effective 11/1/05

14. Panhandle Hurricane Ivan Study

Workshop to review studies 9/13/05
 Hire contractor to develop technical input 10/05
 Meeting with Panhandle Building Officials 1/06
 Commission considers recommendation in public hearing 2/07/06
 Report to the Legislature 2/06

15. Exposure Category C Study

Assign to Hurricane Research Advisory Committee 8/24/05
 Committee meeting 10/11/05
 Recommendations to Commission 12/07/05
 Report to the Legislature See Task 3

16. Product Approval Single Validation Entity Study	
Appoint workgroup	6/29/05
Workgroup meetings	8/22/05
	10/05
Recommendations to Commission	12/07/05
17. Private Provider Jobsite Notice Form	
Rule development workshop	8/24/05
Rule adoption hearing	12/07/05
Amendments effective	1/01/06
18. Rules for Appeal of Building Official Decision /Binding Interpretation	
Rule development workshop	8/24/05
Rule adoption hearing	12/07/05
Amendments effective	1/1/06
* Includes development of form to petition the appeal	
19. Standards for Hospice Facilities	
Standards development by ACHA	Jul-Nov 2005
Pursue implementation via Task 6 “Glitch Amendment” cycle	12/05- 8/06

2005 Legislature Directed Tasks

Florida Building Code Amendments:

Expedited Code Amendment

- Shall by November 1, 2005, adopt the ICC provisions for ventless attic spaces. [Section 33 SB 442]
- Shall by November 1, 2005, recognize all alarms complying with UL 2017 for the pool alarm option compliance with swimming pool safety requirements of chapter 515 , F.S. [Section 32 SB 442]
- Shall consider how to address water intrusion and roof-covering-attachment weaknesses. [Section 34 SB 442]
- Shall **review** Modifications 569 and 570 adopted October 14, 2003 to IBC and repeal, modify or leave the same but 569 and 570 cannot go into effect until the review (leave the same) or rulemaking (modify or repeal) are completed. [Section 48 SB 442]

2004 FBC Glitch Amendments (2006 Annual Amendment to 2004 FBC)

- Shall amend the 2004 FBC to allow use of the area under mezzanines to be included in the calculation of total floor area when determining the maximum allowable mezzanine area in sprinklered S2 occupancies of Type III

construction. Retroactive to the adoption of the 2001 FBC. [Section 44 SB 442]

- Shall modify Table 1014.1 of 2004 FBC maximum occupancy loads for R occupancies. [Section 46 SB 442]
- Shall amend section 1014.1.2 of 2004 FBC to exempt R1 and R2 occupancies from required distance between exits under certain conditions. [Section 46 SB 442]

2007 Florida Building Code Update

- Eliminate the “interior pressure design” option for buildings in the wind-borne debris regions consistent with the IBC and IRC.

Special Studies:

- Together with building officials from the area, review Hurricane Ivan damage and other data for the region from Franklin County to the Alabama border and issue a report of findings and recommendations to the Governor and 2006 Legislature. [Section 39 SB 442]
- Evaluate the definition of exposure category C and make recommendations to the Governor and 2006 Legislature. [Section 41 SB 442]
- Study the recommendation that the State be served by a single validation entity for state product approval. [Section 45 SB 442]

Other Tasks:

- Develop a form by rule that is posted on a construction site and identifies all private providers that will be conducting inspections and their contact information. [Section 11 SB 442/ 553.791(4)(c)]
- Develop a form by rule for use on the Building Code Information System for petitioning for review of local building official decisions. [Section 9 SB 442/ s.553.775(3)(c)2.]
- Add design and construction related facility licensing requirements for Hospice Facilities. [HB 189]

ATTACHMENT 3

FLORIDA BUILDING CODE SYSTEM ASSESSMENT

SURVEY RESULTS SUMMARY

REPORT TO THE FLORIDA BUILDING COMMISSION



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This document is available in alternate formats upon request to Dept. of Community Affairs,
Codes & Standards, 2555 Shumard Oak Blvd., Tallahassee, FL 32399, (850) 487-1824.

BUILDING CODE SYSTEM ASSESSMENT SURVEY SURVEY RESULTS SUMMARY

The survey ran from August 3, 2005 (first response received) through September 17, 2005.

There were 218 respondents to the survey.

Respondents represent the following segments of the System/Industry:

- IT professionals
- Threshold inspectors
- Building officials (plans examiners, inspectors, administrators)
- Fire officials
- General contractors
- Building contractors
- Residential contractors
- Commission members
- DCA staff
- Local government code enforcement
- Architects
- Landscape architects
- Product and material manufacturers
- Product suppliers
- Truss manufacturer
- Training providers
- Specification writer
- Engineers (structural, mechanical, environmental, electrical)
- Plumbing contractor
- Electrical contractors
- Low voltage contractor
- Mechanical contractors
- Fire alarm contractor
- Roofing contractors
- Licensing administrators
- Attorneys
- Property/Home owners (consumers/citizens)
- Private providers
- Fence and deck contractor
- Home designers and drafting services
- Interior decorator
- Insurance industry
- Researchers
- Construction supervisors and project managers
- Association representatives
- Lobbyists

- Developers
- Local government representatives

Overview of Survey Design

The survey was arranged to solicit input on the five key components of the Building Code System: the Code, the Commission, administration of the Code, compliance and enforcement (education), and product approval. In addition, comments were solicited for four key Building Code System programs: the Building Code Information System, the Manufactured Buildings Program, the Prototype Buildings Program, and the Private Provider System.

For each of the five components and four programs, respondents were asked to evaluate how well they were functioning on a 5-point scale, where 5 corresponds to very well and 4 through 1 for progressively less well. In addition, for each of the components and programs evaluated, respondents were requested to identify what is working well and what is not working well, and to offer their specific recommendations for enhancements.

SUMMARY OF SURVEY RESULTS

FLORIDA BUILDING CODE SYSTEM

(3.4 Average)

How has the Florida Building Code System functioned generally since implementation of the 2001 Florida Building Code—from your perspective, on balance how well have the goals of the System been achieved? (Scored 3.4 out of a possible 5.0)

On balance, what is working well with the Building Code System?

Cooperation and communication between system stakeholders/interest groups.

- Cooperation and communication between building and fire officials.
- The process has made an effort to be inclusive.
- There is attention given to the general needs of the public.
- Good staff.
- Commission conducts regularly scheduled and open meetings.
- Education of all of the stakeholders.
- Information is made available and in a timely manner.
- Online access to codes, products, and other system information.
- Having a uniform state-wide building code.
- Uniformity of interpretation and enforcement between jurisdictions.
- Limiting the need for local amendments adds to uniformity and consistency.
- Local building officials and other can participate in code development at the State level.
- Better built environment under the new Code.
- Wind load standards and material standards have improved the overall design, inspection, and construction quality within the State.

- Better hurricane protections such as uplift requirements, documented by the research conducted after the hurricanes of 2004 and 2005.
- Products are manufactured to higher standards to comply with the building code requirements.
- Product approval is accomplished in a reasonable time-frame.
- Ability to get non-binding interpretations and declaratory statements.
- Code is easier to use (i.e., Code is organized into chapters).

On balance, what is not working well with the Building Code System?

- Unenforceability of an enormous amount of legislation and rules.
- The fragmentation resulting from local government amendments.
- Inconsistency of interpretation and enforcement between local jurisdictions.
- Allowing local amendments to the Code.
- Conflicts between the building code and the life safety code and the fire codes, and no clear guidance for building officials for resolutions.
- Special interest groups continue to do an end run around the Florida Building Commission to the Florida Legislature. The Florida Legislature should leave the technical code amendment issues to the Commission.
- Florida specific amendments continue to grow in number and move the document away from the core national code text.
- Not keeping up with the latest standards.
- Constant delays in the code adoption process.
- The Code adoption process is too slow and cumbersome.
- There is no ability for the Commission or the SFMO to adopt an interim amendment to the Code in order to address critical issues.
- Need to communicate Code changes better.
- Not enough training is being offered to keep up with Code changes.
- Too much regulation and bureaucracy in the system.
- Product approval system and listings. Need to streamline and better integrate the HVHZ.
- Website is difficult to navigate, especially for product approvals.
- Timelines and communication problems.
- Lack of funding and training for local building inspectors.
- Contractors don't know and/or understand the Code.
- Coordination with professional licensing boards on education requirements.
- Permitting process is too complex, requiring too much paper work, and takes too long.
- Lack of integration of the HVHZ requirements.
- Need more definitive wind-borne debris boundaries.
- Lack of enforcement for unlicensed contractors.
- Lack of training and qualified inspectors in the State.
- Making decision for political instead of consensus and technical reasons.
- The process for comment on proposed code amendments needs improvement.

Your general recommendations for enhancing the Building Code System.

- Adopt a fixed schedule that can be met for the code adoption process. Include the appropriate time for appeals.
- Create an "interim amendment" process in the 553 that bypasses chapter 120 for critical code changes that should not wait until the next cycle.
- Don't allow local amendments and require uniform interpretation and enforcement of the Code.
- DCA should have more funding and staff to administer the system and enforce/ensure compliance.
- Better communication and dissemination regarding the Commission's work and Code changes should be prioritized and implemented.
- Encourage public participation and communicate to the public.
- Consider mandatory education to ensure proper enforcement of the Code.
- Require all construction professionals (design, build, and inspection functions) to take mandatory code classes in order to enforce, build and design Florida projects.
- Require training and licensure for construction supervisors.
- Require local jurisdictions to be responsible for their reviews and inspections.
- Require mandatory performance standards for local jurisdictions with State oversight and authority to enforce. Require accredited training program for plans examiners and inspectors.
- Commission should participate in code development at the national level, and adopt the I-Codes with as little modification as possible.
- Resolve conflicts between FBC and FFPC.
- Don't allow registered contractors to build in windborne-debris regions where there are special requirements.
- The system needs to be made more user friendly.
- Code language should be understandable to non-lawyers,
- Adopt a sunset provision for ALL Florida specific amendments to the Florida Building Code.
- Standardize all forms used between jurisdictions.
- Adopt the most stringent standards in the State for the entire State, and create a uniform code.
- The HVHZ should be expanded to include all coastal counties in the State.
- Provide a code commentary section for each code.
- Remove political influences.
- The Commission structure and representation should be evaluated.

FLORIDA BUILDING CODE AND CODE DEVELOPMENT PROCESS (3.2 Average)

***How well is the Florida Building Code and Code development process working?
(Scored 3.2 out of a possible 5.0)***

What is working well with the Florida Building Code and Code the development process?

- Communication between all segments of the system.
- Opportunity to provide input through the TAC process.

- Plenty of opportunity to participate in the code development process.
- Full spectrum of participation including the public.
- Process is clear, open, inclusive, and deliberative.
- The process is consensus oriented.
- Facilitated workgroup process used to build consensus.
- Amendments are made for Florida specific needs and conditions.
- Code amendments are made based on available information.
- Any interested party may submit proposed code amendments.
- Movement toward uniformity and consistency.
- The Code has improved the integrity of the built environment.
- Committees are focused and working well together.
- When there are problems they are addressed.
- Expedited process to allow quick code amendments to respond to hurricane damage observations.
- Elimination of local variations.
- Binding and non-binding interpretation process.

What is not working well with the Florida Building Code and the Code development process?

- Reduced number of active and participating members.
- Not enough time provided to TAC's for consideration. Tight timelines.
- Transition from 2001 to 2004 took too long and the process should be streamlined.
- Special interest groups continue to do an end run around the Florida Building Commission to the Florida Legislature. The Florida Legislature needs to leave the technical code amendment issues to the Commission.
- The process has become politicized, and consensus products get revised by the legislators.
- Interest groups should participate in the Commission's process and not use the legislative process.
- Special interest groups come unprepared, fail to participate, and then attack the process and work products.
- Florida specific amendments continue to grow in number and move the document away from the core national code text.
- Constant delays in the code adoption process.
- There is no ability for the Commission or the SFMO to adopt an interim amendment to the code in order to address critical issues.
- Time requirement for development and implementation is too long.
- Code document is unwieldy and difficult to maneuver.
- Code changes made based on emotional and political, and not technical reasons.
- Lack of attention paid to rulemaking procedures and confusion on language under consideration.
- Lack of knowledge, proper interpretation, and education on code requirements.
- FBC being based on the ICC.
- Lagging behind the ICC process.
- Most of the code development has been done before comments are taken.

- There is not enough time allowed for public to review proposed amendments.
- Staff is burdened with an unrealistic work load.
- Declaratory statement process takes too long for the petitioner to get results.

What are your specific recommendations to enhance the Florida Building Code and the Code development process

- Adopt a fixed schedule that can be met for the code adoption process. Include the appropriate time for appeals under Chapter 120.
- Create an "interim amendment" process in the 553 that bypasses chapter 120 for critical code changes that should not wait until the next cycle.
- Create a special streamlined code adoption process for glitch and correlation issues.
- When the base code is modified there should be an explanatory commentary.
- Mandatory education on the code.
- More training for all users and aspects of the code.
- More dissemination of information and make system more user-friendly.
- Keep amendment to Florida specific.
- Adopt a sunset provision for ALL Florida specific amendments to the Florida Building Code.
- Adopt statutory language which spells out that building code changes cannot be done thru Florida Law but instead must be deferred to the Commission process.
- Windborne debris region definition should be applied consistently throughout the State.
- Simplification of code language/wording is needed.
- Develop a process for posting proposed code amendments and provide time for review and consideration.
- The Commission should be a part of the development process at the National level to represent Florida and the Florida specific concerns.
- Implement and mandate training and education for administrators, plans reviewers, and inspectors.

FLORIDA BUILDING COMMISSION (3.3 Average)

***How well is the Florida Building Commission functioning?
(Scored 3.3 out of a possible 5.0)***

What is working well with the Florida Building Commission?

- The Commission is doing a good job of managing a myriad of complex tasks ranging from code development, product approval, declaratory statements, to building consensus with varying competing interests.
- A great deal is accomplished at each meeting.
- A good cross representation of stakeholders representing the full range of interests.
- They seek input on issues under consideration, and this survey is an example.
- Dedicated group focused on the big picture and important issues.
- Thorough and thoughtful evaluation of issue and options.
- Facilitated meetings are key to success.
- Consensus-building and a good process.
- Regularly scheduled well organized meetings, with an open and inclusive process.

- Developed and maintain a better and stronger building code.

What is not working well with the Florida Building Commission?

- Need better dissemination of information to the public.
- Ensuring adequate training courses are developed and available.
- Understaffed and resourced, and forced to do too much in too short a time frame.
- Due to staffing and time issues can not deal with all of the issues that need to be addressed.
- Commission should focus on big picture and defer discussion to committees.
- Lack of communication, and self-serving interests.
- Too bureaucratic in size and scope.
- Code changes occur too often.
- Members seem uninformed and rely on the work of TAC's without adequate evaluation.
- Structure of the meeting limits input and discussion and serves special interests.
- Influences and control by legislatures, lobbyists, and special interest groups.
- Should rely on national code and standards development.
- Code change process should be more responsive to public debate, and the information should be available sooner.
- Not enforcing and overseeing local jurisdictions.
- Not enough power to enforce.

What are your specific recommendations to enhance the functioning of the Florida Building Commission?

- Should meet more frequently.
- More debate and analysis of technical amendments should occur (i.e., the ICC process).
- More time should be allowed on the agenda to discuss and evaluate issues in greater detail, and with more public input.
- Important information about the Code and Commission decisions should be readily available on the website. Be sure that information and agendas that are on the website are the material and agenda that will be discussed at the meeting.
- On-line information.
- Commission positions should be appointed by their respective interest groups.
- Provide and stick to term-limits for members.
- Need to evaluate the representation, size, and structure of membership, and include interests that are not represented.
- Consider an elected chair with a limited term, and having an alternate chair.
- Need to meet more often in other parts of the State.
- Ensure that process and decisions have the general good of consumers at heart.
- Eliminate political and special interests altering consensus decisions.
- Limit scope and authority to Florida specific amendments to the ICC.
- More focus on training and education is needed.
- Have un-facilitated meetings with massive public input including determining what is on the agenda.

- Processes should not be created and used without prior review.
- Formal process to address the Commission and receive feedback from them.
- Chair's issues should be listed on the agenda.
- Seek authority to oversee and control local jurisdictions enforcement and interpretation of the Code.

LOCAL ADMINISTRATION OF THE FLORIDA BUILDING CODE (3.0 Average)

***How well is the local administration of the Florida Building Code functioning?
(Scored 3.0 out of a possible 5.0)***

What is working well with the local administration of the Code?

- Implementation.
- Accessibility.
- Education and outreach efforts.
- The State-wide Code has forced jurisdictions to communicate with each other.
- Local jurisdictions efforts to provide education.
- Enforcement is becoming more consistent.
- Building officials are better educated and more professional.
- Jurisdictions are more aware of Code changes.
- Timely and thorough inspections.
- Appropriate documentation is now required.
- Smaller jurisdictions are improving and becoming more professional.
- Very good cooperation between Building and Fire Departments.
- Good cooperation and communication through BOAF.
- Locals still have the ability to make decisions.
- Binding interpretations by the Commission to ensure fairness and consistency.

What is not working well with the local administration of the Code?

- Local amendments should be absolutely necessary and require a high threshold for making changes, such as life-safety issues.
- There is a wide variance in the competency and capability of local departments to interpret the code and attain uniform enforcement. There is a lack of technical competency of many of the enforcement personnel from plans reviewers to inspectors.
- Time pressure that is placed upon inspectors. They often are not given sufficient time to properly perform each inspection.
- Lack of funding, staffing, and training of local building departments and personnel.
- No liability/responsibility or consequences for local jurisdictions who are not properly enforcing the Code.
- Takes too long to get building permits.
- Inconsistent enforcement and interpretation of the Code.

- Lack of understanding of the product approval process.
- Lack of dissemination of accurate information.
- State laws that hamper local jurisdictions (i.e., windborne debris region definitions).
- Local political manipulation.
- Unreasonable and arbitrary enforcement of the Code.
- Plans processing time and lack of supervision.

What are your specific recommendations to enhance the local administration of the Code?

- More education and outreach is needed.
- Implement a standardized permitting process.
- Authority for oversight of local building authorities should be sought by the Commission with ability to ensure and enforce compliance with all provisions of the Code and law.
- Audit the competency of the local building authorities and require appropriate certification of their inspectors.
- Make local building authorities liable for errors and omissions on inspections performed, and force them to carry liability insurance.
- Eliminate local administration and implement a standardized process.
- Improve coordination, cooperation, and communication across jurisdictions.
- Provide power for local jurisdictions to enforce licensing law violations.
- A better and more timely appeal process should be developed.
- Review required inspections to ensure that all needed aspects are covered.

CODE COMPLIANCE AND ENFORCEMENT THROUGH EDUCATION AND TRAINING

(3.0Average)

***How well is code compliance and enforcement through education and training working?
(Scored 3.0 out of a possible 5.0)***

What is working well with code compliance and enforcement?

- Improved knowledge of the Code by design, enforcement, and construction professionals.
- Local Building Officials understanding how to implement and educate plan reviewers and inspectors, and enforcing the code.
- Higher standards of construction.
- Training and continuing education is being required and tracked.
- Having the Code on-line.
- Training is available at the local level, and is of a higher quality.
- Has helped to discipline licensed individuals who do not comply with the Code.
- The Florida Building Code and Commission have increased emphasis on, and opportunities for continuing education and training related to building codes.

- Educational courses are being developed, and more information is reaching the building industry.
- Offering advanced training courses for design professionals.
- Private trainers/providers have created a workable clearinghouse for education and training.

- The various associations (building officials, trades, etc.) are doing a good job of promoting understanding of the Code by educating code officials, contractors, and design professionals on the various code requirements and practices.
- The emphasis on education in order to have an informed industry is the key to minimizing the need for punitive enforcement.
- More consistent enforcement of the Code due to education.

What is not working well with code compliance and enforcement?

- DCA is under funded.
- Local jurisdictions are underfunded.
- The Florida Building Commission was initially too heavy-handed in its efforts to supersede the roles of licensee regulatory boards and this caused significant and counterproductive resistance that still exists today.
- The educational system to teach the Code is not working very well because the quality of the seminars and the knowledge of the trainers is not sufficient. More scrutiny should be placed in choosing the providers.
- Trainers should have qualifications to train.
- Architects, engineers and code officials are not well trained in the new code.
- The educational seminars have been very weak and boring, and are too rudimentary.
- Should require more training on the Code for construction and design professionals.
- Need more advanced and comprehensive training designed to increase the knowledge base.
- Training seems designed to get the required credits, and not to be meaningful.
- Uneven success. Areas do well where there is good local support from the elected officials.
- Some local jurisdictions do not prioritize and budget for training.
- There are still many design and construction professionals who do not know the Code and rely on building officials to ensure code compliance.
- Interpretation of the code still varies too much from municipality to municipality.
- There is not enough enforcement.
- There is a lack of communication regarding the requirements and availability of training opportunities.
- Enforcement is inconsistent.
- Unpermitted and unlicensed activities needs to be addressed.
- Poor quality workmanship is not being addressed.
- There is not sufficient enforcement.
- Training on a complicated code takes building officials out of the field.
- Coordination between building and fire officials.

What are your specific recommendations to enhance code compliance and enforcement, including education and training?

- Comprehensive effort should be initiated to coordinate and collaborate with all of the agencies involved (Commission, DBPR, licensing boards, etc.) on education and training requirements, and dealing with unlicensed activities.
- State oversight of local enforcement should be developed and funded to ensure consistency and compliance with the Code.
- There should be a training program designed to bring young people into the industry and to train new entrants.
- Requiring certified residential and general contractors to be re-tested every three years, and to take state-certified classes retraining on the code, and updating code changes every year.
- Need to support training initiatives including the Education Council.
- Training on the Code and Code changes should be available at least six months before code changes are implemented.
- Engineers, and architects should be required to take the same continuing education as building examiners and inspectors, in addition to their own programs.
- Video training courses on the various codes should be developed and made available.
- Should develop and provide low cost on-line training to ensure training is accessible and affordable.
- Public relations campaign to increase awareness about the Code and education. An informed consumer can demand better quality and compliance with the Code.
- Develop some hands-on training courses in addition to the standard class room format.
- Eliminate the continuing education requirements.
- Develop State sponsored training on the Code.
- Each year determine the key code issues/problems, and require training on these issues for design professionals.
- Use state universities to design and deliver well designed high quality training.
- Raise state required education standards per ISO standards. Mandate that local jurisdictions hire enough inspectors to keep the number of inspections performed by one individual to a reasonable number so that inspectors have time for studying code, mentoring and other necessary activities to ensure well trained enforcement officers.
- Develop a monograph on the code and use for education requirements.
- Prioritize enforcement instead of code changes.
- Need to increase funding and the educational requirements for all stakeholders in the process.
- Association and private sector should develop and conduct training, eliminate state developed/required modules.
- Establish a Florida Building Inspector and Administration College, similar to the state fire college.
- Code administration personnel should participate in joint training sessions with builders, contractors and designers. If all of the affected parties participate at the same time, many problem areas will come to light and joint solutions may result.
- The Code should be available to all at no cost.

***How well is the product evaluation and approval process working for State approval?
(Scored 2.9 out of a possible 5.0)***

What is working well with the Product Approval system?

- There has been a continual effort to identify and address issues, and to develop consensus on refinements to the system.
- The system for state approval.
- Clear criteria for approval, ease of application using the on-line system, prompt replies to inquiries.
- On-line access to the system.
- New and better products are being approved and construction quality has improved.
- Third party administrator has improved the process.
- Once all the required steps are completed, the approval process is very quick.
- This system provides a good basis for enforcement agencies to make important code determinations at both the plan review and the inspection level.
- Recognition and separation between good, better and marginal products.
- Improved public safety through long term use of improved products and methods in the construction industry.

What is not working well with the Product Approval system?

- Difficulty in finding specific approved systems.
- Website is difficult to navigate.
- Approved products from one manufacturer will have good information on installation details and requirements, while other similar manufacturers are approved with nothing to assist the inspectors in the field in determining true compliance.
- Lack of integration of product approval in Miami-Dade County with the State approval.
- Product substitutions that do not comply with the Code are made and not detected.
- The process is too time consuming for the submitter, reviewer, and local jurisdiction.
- The approval system is too complicated, inefficient, time consuming, and expensive.
- Documentation needs to be simplified and a product approval mark needs to be mandated for the products.
- Review is not technical enough and better documentation should be required.
- Inconsistent requirements and oversight for the four compliance methods.
- Significant education needs to be passed along to all users involved in the process.
- Local jurisdictions often do not have the resources to ensure local product approval is done correctly.
- Rule making process is too complicated.
- Difficult to get new and innovative products approved.
- Inconsistent approval/denial for similar products.
- Inconsistent requirements at the local level.

- Delays the building permit approval process.
- System should be more rigorous with an emphasis on safety.
- Commission needs to enforce deadlines.
- The system is an unfunded mandate.

What are your specific recommendations to enhance the Product Approval system?

- Better search capability for locating approved products.
- Make the web site more user friendly.
- Need to provide a liaison to assist submitters with the approval process.
- Commission should approve products on a consent agenda, staff and POC have already done the needed review.
- Commission needs information earlier in the process.
- Require state approval and do not allow local approval.
- Installation of products should be evaluated for efficacy.
- Do not require product approval, let the market and consumers decide on what products to use.
- Improve the ability for building officials to determine whether a product is appropriate and whether product substitutions are appropriate.
- Need education on the product approval system.
- Need more resources and trained staffing to support the system.
- Need more teeth to enforce compliance and prevent fraud.
- Enforce consistency between jurisdictions.
- Rely on existing evaluation services and abandon the State system.

BUILDING CODE INFORMATION SYSTEM

(3.3 Average)

***How well is the BCIS functioning?
(Scored 3.3 out of a possible 5.0)***

What is working well with the BCIS?

- Enhanced communication, and good information available in a timely manner.
- Allows public to stay informed on Commission activities.
- Having information available on-line and accessible.
- Ability to download the Code.
- Ability to collect and store information electronically and eliminate excess paper.

What is not working well with the BCIS?

- Very few people are aware that the system exists.
- Some important items missing from the site.
- System is too complicated, not well organized, and not user friendly.
- System is difficult to access.
- Product approval system is difficult to maneuver, confusing, and time consuming to use.
- Out dated information is left on the site while current information is missing.
- Budget constraints have delayed system enhancements.
- There is a large amount of information that is referenced rather than provided.

What are your specific recommendations to enhance the BCIS?

- Provide adequate funding and staffing for the system.
- Continue upgrades to make system more user friendly.
- Improve the search capability functions of the system.
- Create a more sophisticated cross referencing system.
- Need to publicize the system to the public/consumers, and design and construction professionals.
- Simplify opening page with more attention to naming of sites and locations.
- Consistent naming of documents with dates and notation of revisions.
- Provide all of the referenced codes and standards on line on the BCIS system.

MANUFACTURED BUILDINGS PROGRAM

(3.3 Average)

***How well is the Manufactured Building Program functioning?
(Scored 3.3 out of a possible 5.0)***

What is working well with the Manufactured Building Program?

- The standards have improved the strength and durability of products available.
- Tie down and pier installation guidelines.
- Purchasing of insignias, electronic sending of plans, and monitoring reports are working very well.
- The relationships of the Third Party Agencies and the manufacturers has greatly improved, and there is a better understanding of roles in relation to enforcement of the Code.

What is not working well with the Manufactured Building Program?

- There is a gap in enforcement of the program when it comes to sales of used manufactured buildings, for those who want to use them for Occupancies other than approved, and the altering of buildings without permits.

- State should be able to require that certain products can not be used in the manufactured buildings.
- Local jurisdictions do not understand the process.
- State has no control over dealers and illegal installations.

What are your specific recommendations to enhance the Manufactured Building Program?

- Create a licensing system for manufactured buildings sold in Florida.
- Do not permit in coastal high hazard areas.
- Education on the system for local jurisdictions.
- More funding for an additional staff member.
- Statutory authority to regulate dealers.

PROTOTYPE BUILDINGS PROGRAM

(3.1 Average)

***How well is the Prototype Building Program functioning?
(Scored 3.1 out of a possible 5.0)***

What is working well with the Prototype Building Program?

- Prototype construction methods have worked well in flood and storm surge prone areas of Florida and should be encouraged.
- Outsourcing of the program.

What is not working well with the Prototype Building Program?

- Many local departments still insist on performing full reviews for full fee on every application.
- Very few people know about this system.
- Outreach and publicity for the system has been lacking.
- The system is not being utilized as designed.

What are your specific recommendations to enhance the Prototype Building Program?

- Require local jurisdictions to approve their use.
- Should market to homebuilders instead of commercial users.
- Eliminate this program if use of the program does not increase measurably.

PRIVATE PROVIDER SYSTEM

(3.0 Average)

*How well is the Private Provider System functioning?
(Scored 3.0 out of a possible 5.0)*

What is working well with the Private Provider System?

- Timely reviews and inspections.
- Eases delays from overtaxed local inspection jurisdictions.
- Shorter lead times for inspections, more responsive customer service, less bureaucratic in nature and interface.
- Provides an option for those with time constraints.
- The statute is very clear and easy to administer.

What is not working well with the Private Provider System?

- Privatization of public services is not working in the State.
- Providers, just because they are architects or engineers, are not always qualified to review plans and conduct inspections.
- Lack of training and understanding.
- Some professionals are not sufficiently engaged in the actual details of the process to provide adequate oversight of the activities of all of their personnel.
- Lack of coordination with local jurisdictions.
- Conflict of interest for the provider and their client.
- Undermines code enforcement and protections for the consumer.
- Program needs more oversight to ensure compliance.
- It is difficult to conduct sufficient audits to ensure efficacy.
- It has driven up the cost of code enforcement by creating private demand for a limited supply of inspectors, while failing to provide a means to recruit, train and utilize new personnel.
- Local jurisdictions do not cooperate with private providers.
- Lack of adequate quality assurance.
- Difficult for local jurisdictions to communicate with the private providers.

What are your specific recommendations to enhance the Private Provider System?

- Require better coordination and communications with local jurisdictions.
- Providers should have appropriate qualifications for work reviewed and inspected.
- The private providers actually performing the work must all be licensed rather than allowing licensed personnel to supervise unlicensed personnel in performing as private providers.
- Require proper oversight and quality assurance of employees by the providers.
- Need to publicize that this option is available.
- Improve the quality assurance aspects of the system.
- Have the private providers work directly for the building department. The owner may request a private provider and the building official will choose from an approved list and assign the private provider to the project.
- Require local jurisdictions to cooperate with the providers and obey the law.
- Provide proper resources for all local jurisdictions so private providers are not needed.
- Allow building code administrators to function as private providers.

ATTACHMENT 4

FLORIDA BUILDING COMMISSION

FLORIDA PANHANDLE WINDBORNE DEBRIS REGION WORKSHOP

REPORT TO THE FLORIDA BUILDING COMMISSION

SEPTEMBER 13, 2005

Okaloosa County Regional Airport, Florida

Meeting Design & Facilitation By



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This document is available in alternate formats upon request to Dept. of Community Affairs,
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FLORIDA BUILDING COMMISSION

PANHANDLE WINDBORNE DEBRIS REGION WORKSHOP REPORT SEPTEMBER 13, 2005

OVERVIEW

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 in conjunction with building officials from the impacted areas, to develop a recommendation for consideration by the 2006 Legislature.

The windborne debris region review is being conducted by the Commission who will consider the input of researchers who studied the effects of Hurricanes Ivan and Dennis, building officials of the impacted jurisdictions, and other interested parties is sought to assess the current knowledge of how hurricane winds impact this area of the State and to develop recommendations for changes to regulatory requirements and/or further investigations.

On September 13, 2005, The Florida Building Commission convened a workshop at the Okaloosa County Regional Airport, for the purpose of soliciting input from local building officials and other interested stakeholders, regarding whether the definition of the windborne debris region of the Florida Panhandle region should be revised.

The Workshop design provided a format for researchers to present the results of their studies related to recent Florida Hurricanes, and for local building officials to provide their observations and views resulting from the hurricanes. In addition, all interested stakeholder were provided an opportunity to comment on their observations and opinions.

REPORT OF THE SEPTEMBER 13, 2005 WORKSHOP

Opening

Rick Dixon, Florida Building Commission Executive Director, opened the workshop and explained the scope of the workshop.

DCA Staff Present

Rick Dixon, Ila Jones, David Littlejohn, Mo Madani, Jim Richmond, and Betty Stevens.

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, workshop reports, and related documents may be found at the project webpage: <http://consensus.fsu.edu/FBC/wd.html>

Agenda Review

Jeff Blair reviewed the agenda with workshop participants. The agenda included the following objectives:

- To Review the Charge to the Commission by Senate Bill 442.
- To Receive Reports on Windborne Debris from Hurricane Studies.
- To Receive Reports on Windborne Debris from Building Officials.
- To Consider Public Comment.
- To Evaluate Possible Options Regarding Windborne Debris Protection.

Presentation on DCA Triage Team Observations of Hurricanes Ivan and Dennis

Rick Dixon presented a PowerPoint presentation on observations from Hurricanes Ivan and Dennis.

Presentation on Florida Coastal Monitoring Program Wind Surveillance and Survey Of Hurricanes Ivan and Dennis

Kurt Gurley from the University of Florida presented findings on the results of the Florida Coastal Monitoring Program related to Hurricanes Ivan and Dennis.

Presentation on FEMA Mitigation Assessment Team Report on Hurricane Ivan

Tom Smith, consultant to FEMA, discussed the FEMA Mitigation Assessment Team's report related to Hurricane Ivan.

Discussion of Building Officials Observations of Windborne Debris Damage

Local building officials were invited to present their observations and opinions regarding windborne debris effects in the Panhandle region during Hurricanes Ivan and Dennis, as well as past hurricanes affecting the region. Members of the North West Florida Chapter and Panhandle Chapter of BOAF offered their observations and recommendations.

Nine Building Officials from the Panhandle Region offered their opinions, and with one exception, agreed that changes were not warranted at this time to the definition of the windborne debris region of the Florida Panhandle region. The one exception expressed support for converting to the existing ASCE 7 definition. The other eight 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.

In addition, during the discussion and evaluation of options portion of the workshop, local building officials expressed support for conducting studies specific to the region that would evaluate the affects of the treed environment, other unique features of the region, and consider

recent wind data and research related to windspeed revisions, prior to considering changes to the existing windborne debris region definition.

Presentation on ARA Wind and Damage Modeling

Larry Twisdale and Peter Vickery presented data on wind and damage modeling conducted by Applied Research Associates (ARA). In general, the presentation focused on a recommendation that an engineering based risk assessment of hurricane windborne debris protection options for the Panhandle should be conducted in order to analyze the risks, costs, and benefits of windborne debris protection. The research would focus on factors unique to the Panhandle region including treed areas inland of the coast, and consider historical wind data affects.

Process Overview

Jeff Blair explained that based on the researchers and local building officials presentations, there were four basic options that the workshop participants should evaluate. The four options were reviewed, an extensive opportunity for public comment was provided, the four options were evaluated by all participants, and participants were provided an additional opportunity to express support and reservations related to the four options after the evaluation exercise. Participants were invited to express their views until there were no individuals wishing to speak further.

Options for Evaluation

- Option 1. No Changes, leave the Panhandle WBD definition as is.**
- Option 2. Conduct additional studies on treed environment effects, and historical wind data affects prior to considering any changes.**
- Option 3. Covert to ASCE-7 definition immediately (as soon as logistically possible).**
- Option 4. Define the Panhandle WBD region, using a hybrid definition.**

Comments Offered Prior to Evaluation of the Options

- Leave the WBD definition as it is; only cosmetic damage in this region; tidal surge is the cause of damage; it is not acceptable to change the WBD definition.
- No personal experience with windows breaking in even 1930's houses; extending the WBD is unnecessary; I feel safe and do not board up or evacuate for hurricanes; need to keep housing costs as low as possible, revising the definition will increase house costs in this region; low wages in this region for construction and service workers makes affordable housing critical; the price of housing has doubled recently; people will not be able to afford to live here; affluent people on the coast can afford to pay for the protection and WBD protection is already required there and not necessary inland.

- One mile from the coast is the way it should stay; it should be voluntary elsewhere; there should be incentives such as reduced insurance premiums for voluntary use of WBD protection.
- IBHS survey indicates that 73% of homeowners contacted in the Panhandle support windborne debris protection requirements for the region; the Panhandle received 50% of the hurricanes in Florida and is the hurricane alley; there is a high probability the Panhandle will sustain a major storm in the future.
- State Farm spent over a billion dollars in damage resulting from hurricanes in the region; the Panhandle deserves the same protection as the rest of the State; I can't believe there is an exemption for this region!
- Damage in this regions was not from wind borne debris, but from water surge; FBC constructed buildings did not suffer major damage; WBD protection is not necessary; I would like to see treed environment study conducted.
- I have not seen WBD damage at my house; would like to see treed environment study, and what about the local continental shelf affects on storm damage, this should also be studied.
- Have not seen a design event in this region yet; should not have less stringent standards in the Panhandle; support adopting ASCE 7 for the Panhandle.
- University building in Pensacola is designed to withstand 200 mph; show me that ASCE 7 is correct; there are 3 ways to measure category strength of hurricanes, we have pressure but not high wind speed here; it is too expensive to build to higher standards that are not needed; something is different in the Panhandle region that lowers wind speeds.
- Need to consider cost effective alternatives for those in the WBD region in any studies conducted; costs should also be evaluated.
- Water intrusion resulting from WBD damage beyond 1 mile occurs; need to revise maps and protect people in this region.
- Broken glazing from WBD causes major structural damage, even 30 mile from the coast. Consumers in the Panhandle are largely unaware there are lower WBD protections requirements only 1 mile from the coast.

EVALUATION OF OPTIONS, RESERVATIONS, AND ADDITIONAL COMMENTS

Option 1. No Changes, leave Panhandle WBD definition as is.

	<i>4=acceptable</i>	<i>3= minor reservations</i>	<i>2=major reservations</i>	<i>1= not acceptable</i>
<i>Ranking 9/13/05</i>	0	10	6	17

Reservations and Comments:

- What does the study say, need a study first.
- Need more information.
- We are less stringent than the minimum national standards, we will see more storms, want to get something done right away to increase WBD requirements.

- ASCE 7 has Arbitrary lines, and has no scientific meaning.
- Difference between 120 and 150 mph winds is exponential, and 5 x more likely to suffer debris damage at increased wind speeds.
- Florida is the highest risk state in the nation, need to provide protections.

Option 2. Conduct additional studies on treed environment effects and historical wind data affects prior to considering any changes

	<i>4=acceptable</i>	<i>3= minor reservations</i>	<i>2=major reservations</i>	<i>1= not acceptable</i>
<i>Ranking 9/13/05</i>	14	13	4	1

Reservations and Comments:

- Concerned about the time required to conduct studies, we need to act now.
- The problem with modeling with treed area is that it is a moving target since trees are cut and development continually alters the environment and will affect the model.
- We also loose trees from storms, can't count on trees remaining in the region.
- The forests n Eglin Air Force base protects Crestview, and that will never change.
- National standards should be the basis for changes, ASCE 7 is a consensus standard and should be required in the Panhandle region.

Option 3. Covert to ASCE-7 definition immediately (as soon a logistically possible).

	<i>4=acceptable</i>	<i>3= minor reservations</i>	<i>2=major reservations</i>	<i>1= not acceptable</i>
<i>Ranking 9/13/05</i>	16	4	5	9

Reservations and Comments:

- Don't want to have a knee jerk reaction, we need further study to justify revisions to the definition.
- Change in the next session, when the ASCE 7 lines change. Wood is an inexpensive way to provide protection.
- Partially enclosed option will be allowed until January 08 when the ICC changes are adopted.

Option 4. Define the Panhandle WBD region, using a hybrid definition.

	<i>4=acceptable</i>	<i>3= minor reservations</i>	<i>2=major reservations</i>	<i>1= not acceptable</i>
<i>Ranking 9/13/05</i>	5	6	14	8

Reservations and Comments:

- Don't make adjustments without rational data, strong winds cause damage, trees fall and degrade forest areas, make change based on a study.

- ASCE 7 is a living document, it changes every 3 years, and is updated with new data.
- This option will leave us in the same place we are right now, different from the rest of the State, with a political solution and not a science based decision.
- Don't want to see hybrid definitions, need to go through national consensus standards, this will apply to other similar areas.
- Support national consensus standards as the basis for WBD requirements; base on the coastal monitoring project data and results.

Additional Comments

- We see hurricane damage as natural disasters when they are man made events since we put buildings in areas that are vulnerable to storms.
- Trees are a factor with the winds, population in Panhandle is not same as in other areas of the State; based on a review of permits issued in Charlotte County, older buildings are damaged and data indicates we will save lives and property with newer buildings, need to mitigate now to safe lives and money later.
- We hear the same comments over the years, that homes not affordable if we provide protection. This is not true, home builders can not build fast enough to meet demand. They will continue to sell if WBD protection is provided.
- Height of trees in relation to height of buildings can be compensated for in studies, even in new developments where trees are planted. Model consider the relative height of trees to buildings, ASCE 7 development will require a 3 or 6 year duration. Our study could use recently collected data, and be completed in 6 months. The 120 line is a judgment call, the work is not yet finished, tall tree environments may affect wind speeds, and the 120 line will probably will be compressed once historical data is analyzed and incorporated into the standards.
- The ASCE 7 committee would look at the study and consider as part of their deliberation, 05 is being printed, we may go to 5 year cycle. I recommend that we proceed to adopt ASCE 7 now and make adjustments later.
- Could the study be completed in time for the Commission to make recommendations to the 2006 legislature. Answer: it is possible.
- I became homeless from Charley, make sure you are protecting people.

ATTACHMENT 5

FLORIDA BUILDING COMMISSION—EFFECTIVENESS ASSESSMENT RESULTS OF THE OCTOBER 2005 SURVEY

Commission Respondents to Survey: Rodriguez (Chair), Bahadori, Browdy, Carson, D’Andrea, Gonzalez, Goodloe, Greiner, Griffin, Gross, Hamrick, Kim, McCombs, Norkunas, Parrino, Schulte, Tagliarini, Vann, and Wiggins.

Commissioners were requested to indicate the number that best describes how the Commission functions on each of the following issues: Scale Range 10 - 1 (10 highest rating to 1 lowest rating).

Decision Making Process

(9.26 Average)

Commission uses process to effectively build a broad-based consensus.

Commission uses process to make a majority decision without a consensus of members.

10	9	8	7	6	5	4	3	2	1	9.26
9	7	2	1	0	0	0	0	0	0	

Comments:

- Facilitated sessions are key to the success. Excellent Job.
- Sometimes the majority can be a little intimidating but the Facilitator does a good job of assuring that the minority concerns are heard. I believe that members of the Commission understand the goal of “consensus building.”
- The Commission’s commitment to facilitated consensus-building, and maintaining the supermajority decision-making threshold is critical.
- Almost too much process.
- Commission effectively uses the TAC and public participation for decision-making.
- Most decisions are based on TAC recommendations. When TAC decisions are not clear, there can be problems.
- I feel we use a very good decision making process, but not perfect.

Participation and Communication

(9.05 Average)

Communications are respectful, balanced and points are clearly understood.

Some members dominate. Limited listening and understanding.

10	9	8	7	6	5	4	3	2	1	9.05
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8 7 1 3 0 0 0 0 0 0

Comments:

- The Chair allows each speaker to clearly present their issues and their comments to be considered in the deliberation process.
- There are a select few that feel that the floor is always theirs. Some disrespect for others trying to abide by “Robert’s Rules” is evident. Seniority should not play a part in Commission discussions. But overall, once again, the Facilitator does a commendable job of making sure everyone’s opinions are heard.
- Some Commissioners need to be better prepared before they speak.
- Most all communication is respectful. The point being clearly understood is sometimes not happening.
- The success in this regard is a reflection of the quality of the members and their mutual respect.
- I feel participation is good, however, inevitably when you have a 23 member board with many levels of experience with our subject matter I believe there will always be some members that are more vocal and more active than others.

Commission Relationship to Agency (DCA) (8.68 Average)

Commission has developed effective working relationship and communication with Agency.

Commission has not developed effective working relationship and communication with Agency.

10	9	8	7	6	5	4	3	2	1	8.68
4	9	3	2	1	0	0	0	0	0	

Comments:

- Credit to FBC staff for facilitating communication with the Secretary and Chief of Staff.
- Staff works well with Commissioners.
- Workload is heavy and goals are met.
- Staff relationship is excellent; however, the Department does not always fully support the Commission’s legislative agenda.
- A good relationship exists with staff, but I don’t feel there is much support “above” there.
- DCA has been responsive to items brought to them and communication has greatly improved.
- With DCA yes, relationships and communications with other agencies needs to be improved. More participation is needed with other agencies.
- Most of the interaction that I am aware of is with DCA Staff...which is discussed in the next section. Maybe the Chairman has more direct interaction with the DCA...I ranked the relationship low due to the uncertainty of the Commission’s direct relationship with the Agency in lieu of the relationship to staff.

Commission Relationship to Staff**(9.05 Average)**

Commission has developed effective working relationship and communication with staff.

Commission has not developed effective working relationship and communication with staff.

10	9	8	7	6	5	4	3	2	1	9.05
10	4	3	1	0	1	0	0	0	0	

Comments:

- From the technical side, Rick Dixon’s leadership has enhanced the Commission’s relationship with staff and kept the Commission well informed and prepared on issues under their consideration. From the administrative perspective, Ila Jones has done a good job of keeping the Commission informed on financial matters through the Budget Committee.
- In most cases, yes, we have great relationships; I sometimes feel like staff does take a few liberties without notifying TAC’s or the Commission.
- The staff appears to be overworked. Additional staffing is recommended. While balancing the heavy workload the DCA staff remains responsive and helpful in assisting the Commission to meet their commitments.
- I believe the Commission has a good working relationship with Staff. Staff appears to get frustrated on occasions when things don’t turn out the way they think it should. Staff has to remember the Commission is a very large, diverse, dynamic group, and as such, there is a good possibility of a difference of opinions. Right or wrong...I believe that was the original intent of creating a large diverse group...differences of opinion and expertise in many disciplines. Overall, Staff is very insightful, works hard, is very knowledgeable, and have always come through for me.

Time for Consideration**(7.53 Average)**

Adequate time for presentation, generating options, analysis and decision making.

Snap decisions are made or decisions are deferred because of lack of time.

10	9	8	7	6	5	4	3	2	1	7.53
3	4	5	3	0	2	1	0	1	0	

Comments:

- The two-day Commission plenary meeting format has greatly enhanced providing adequate time to consider issues.
- Part of the issue is due to lack of time and part is due to repetitive comments.
- It is in the nature of our business, but lately it does seem that decisions have to be made then and there or we will miss deadlines.

- Receiving information prior to meetings is essential.
- As the Building Code expands in volume and complexity the deliberation volume must also increase. Meetings appear to be rushed at the end.
- I understand that things “must get done” but many times information comes very late and Staff always reminds that group that the Commission must “get it done”. I do not feel there is ample time to review and study some of the information that is presented to the Commissioners, especially information that is distributed at the Commission meetings. Most of the Commissioners are well versed in the own discipline(s), but some of us need time to read and learn about subjects that are not part of our core competencies before we make decisions that could have a tremendous impact on industries and the public.

Information and Analysis (8.11 Average)

Critical background and assessment of options yield politically and practically feasible decisions.

Too little or too much, or hard to use information on the situation, options & impacts yield hard to implement decisions.

10	9	8	7	6	5	4	3	2	1	8.11
3	5	6	2	2	1	0	0	0	0	

Comments:

- Staff does the research necessary to identify options, and facilitates the Commission’s ability to evaluate the full range of options and make informed decisions on the issues under consideration.
- More time could yield better solutions, but overall, decisions are good, based on the circumstances.
- Assistance by the various TAC’s and complex issues requires technical reviews and it is critical.
- The information is typically on point and well drafted, my only concern is getting this information in a timely manner.

Process/Meeting Facilitation

(9.53 Average)

Facilitation provides a positive impact on meeting efficiency, and consensus-building for the Commission and its committees.

Facilitation obstructs the efficiency of meeting efficiency, and negatively impacts consensus-building for the Commission and its committees.

10	9	8	7	6	5	4	3	2	1	9.53
14	2	2	1	0	0	0	0	0	0	

Comments:

- Jeff Blair helps individual Commission members, and the Commission as a whole, to frame and prioritize their concerns, allowing for an intelligent and respectful deliberation by the full Commission.
- Proper facilitation is key for focus, efficiency, and consensus building. Great job Jeff.
- Facilitation is done very well and must be maintained in order to keep up with the workload.
- Efficient facilitation has greatly improved the FBC processes allowing for the most effective use of time in establishing consensus regarding critical building code matters. Jeff Blair is to “facilitator” as Tiger Woods is to “golf”. Excellent work Jeff.
- I’m new to the Commission so my opinion may change over time: facilitation promotes efficiency very well, but does not seem to support consensus building as well.
- Without the facilitation provided, these meetings would be a train wreck. The Facilitator does a very commendable job of assuring that all opinions are heard, keeping the group on point, and does a very good job of organizing issues (via worksheets etc.) prior to Commission meetings. There are times the Facilitator rushes through items that appear to be very important to the Public and Commissioners. I am sure the intent is to keep the process moving forward, but feels a little rushed at times. The August Commission meeting would be an example. Many folks wanted to express concerns for the Expedited Code Changes and many (public and Commissioners) were left feeling “bulled” over. Overall, very commendable job.
- We have good process for facilitation, however, with a large varied interest Commission, there will always be items for which some will feel short changed by the process.

Key Tasks and/or unresolved Substantive Issues that need to be addressed by the Commission during 2005 and 2006.

- Sufficient resources are needed so that the Commission can work on all of the key issues already organized in the Commission’s workplan.
- Look at the key issues already identified by FBC.
- Coordination of the Building Code and the Florida Fire Prevention Code.
- Training of the building code users.
- I am comfortable with the Commission’s current work plan. I find it adequate and achievable.

- Continue to refine Product Approval.
- Code Amendments related to Hurricanes.
- Fire and Building Code correlation.
- Elimination of redundant and duplicate requirements.
- Product Approval single validation entity.
- Recommendations to 2006 Legislature (legislative assignments).
- Improve the website and shorten the product approval process.
- Review and revise wind load design criteria (ASCE 7).
- Updating to the next edition of the Florida Building Code.
- Staff needs to make clear what code changes are glitch code changes this cycle and not allow any other code changes to be heard.
- Accessibility Advisory Council, serious concern that all members are not present (four were absent at the last meeting. The secretary of DCA needs to be informed).
- Obviously, the Legislature passing “code related” laws continues to be an issue. Lobbyists continue to “backdoor” the Commission with little or no regard for the Public or other industries that are affected by their special interests. I also believe there were many code “coordination” issues that will come to light once the 2004 FBC becomes effective. Trying to meld the 2001 FBC and the 2004 FBC Codes with all of the Florida Specific criteria was a tough task. There are sure to be additional code correlation items that will need to be addressed in the glitch and annual cycles and staff must focus on these changes very carefully. Coordination/correlation of base codes versus Florida Specific needs appears as though it will always be a difficult procedure.

Key Process and Communication Issues that need to be addressed by the Commission.

- Need to develop an efficient code development process that allows the Commission to make code changes in a timely and responsive way. There is a built-in delay to implementing code amendments resulting from using the ICC template, developing Florida specific amendments, working within the Chapter 120 rule development process, and the additional code development timelines prescribed by statute, that makes it appear the Commission is lagging behind in code development. The reality is that the Commission has additional layers of review built in to the process that affords multiple entry points for comment. The process should be streamlined to allow for quick fixes for glitch and correlation issues.
- Streamlining the code update. There seems to be some kind of change almost on a yearly basis.
- Agendas arriving too late for adequate preparation. At least 10 days before meeting is needed.
- Communication with the construction industry beyond those that attend the Commission meeting.
- Media coverage of the storms of 2004 was a double-edged sword. One of the benefits of their coverage of the storms was educating the public and the building industry of the work Commission provides protecting the Public via the building codes. Their coverage

did enlighten many groups that had not previously participated in the code adoption process. This “lack of information” is one “communication” issue I have been concerned about in the past. We need to continue to seek ways to communicate the work of the Commission with the various buildings associations and the public in an attempt to continue to keep them involved on a timely basis. There were numerous times last year when groups came forward with very good input, but at a very late date. Some of this input lead to delays in the code adoption process. If we can keep everyone (other than the regulars) involved in the process, maybe the information exchanges between industry, the Public, and the Commission can be completed thoroughly and in a timely manner.

FORCES AND TRENDS AFFECTING THE COMMISSION

TAILWINDS (internal strengths and external opportunities): *The forces aiding the Commission and the DCA in addressing and meeting key Building Code System needs.*

- The quality of the Commission members, DCA staff, and the facilitator.
- Wide realm of expertise in all of the affected areas.
- It is critical to develop uniform accessibility education, so all state, county, city, and town building officials are consistent in their accessibility code rulings.
- Our strength is in our diversity and our ability to reach consensus with our industry partners.
- We have the TAC’s who want to be involved and can be of help to the Commission, but sometimes we have issues that go before the Commission with no advanced notice to the TAC’s.
- Using the IBC as the template for the FBC should help in reducing the need of the special interest groups to make modification to the FBC.
- Commissioner and TAC member’s technical background.
- The product approval guidance and input provided by Jaime Gascon.
- Hiring of the product approval administrator.
- Public participation of experts in their respective fields.
- The involvement of industry and other stakeholders groups in the process.
- BOAF’s participation and collaboration in the process.
- Increased willingness of the Legislature to rely on the Commission for technical issues involving the construction industry.
- Staff opinions regarding DEC statements are thorough and beneficial.
- Product approval system is continuing to improve.
- The publicity the Commission received from the media due to last year’s storms helped educate many who knew nothing of the FBC. The Commission opened a public forum for all to voice their concerns and the Commission and industry has tried hard to resolve many “immediate” needs via the expedited code change cycle. I believe the Public sentiment will be very positive as it relates to the Commission working expeditiously to resolve many of the Public’s concerns. I also believe that industry feels much better about the Commission with the Expedited changes that have been passed as well as the Commissions willingness to open the Product Approval Rule. Everyone who had any

interest and showed a willingness to participate was heard and I think overall industry was very pleased. I think a lot of positives came out of the 2004 Commission sessions.

HEADWINDS (internal weaknesses and external challenges): *The forces hindering the Commission and the DCA in addressing and meeting key Building Code System needs.*

- Volume of information to process.
- Limited time for review.
- Necessity to appease various interest groups.
- The legislative process needs to be circumvented. Building safety is bi-partisan.
- Information needs to be received earlier in the decision-making process.
- Politicians wanting to write codes and not allowing the Building Commission to have any say in the final outcome.
- The Commission need an effective lobbying effort to make certain its work product is not compromised by the legislative process.
- Legislators affecting technical code amendments.
- Lack of sufficient funding and resources to fully staff the Commission.
- Staffing is continuing to hinder the effectiveness of the Commission. Workload on staff needs to be evaluated and augmented if necessary. More time needs to be planned for meetings that require more time. Meetings should be planned around how much time it will require to adequately hear all items.
- The negative side of the media attention the Commission received from last year's storms is the "knee jerk" uneducated sensationalism of building code deficiencies. I think much of this will subside due to a comparison of damages incurred in Florida versus those recently witnessed in La. And Miss. Florida has not experienced total structural demolition due to a storm, as did the Gulf states with Katrina.

TRENDS: *Key trends affecting the Commission and the DCA in addressing and meeting key Building Code System needs now and in the future.*

- Industry appreciates the opportunity to participate in the Commission's participatory consensus-building process.
- Commission members properly balance their particular stakeholder group's and individual interests with the need to build a broad based consensus for the benefit of the general public.
- The FBC commentary is a must to limit number of interpretation requests.
- Higher winds and water tests our codes. We must learn from everyday experiences and modify to help our citizens.
- BOAF Binding interpretation will be helpful to contractors who need a broad board of educated people to look at a situation, instead of one interpreter.
- The Legislature is delegating technical issues to Commission for development.
- Addressing code related issues through the legislators will continue to be challenge for the code making process. It bypasses the technical discussion on merit of the proposed

code change. Historically, this has been happening and the hope is it does not become a trend.

- Complexity and size of Building Code is increasing out of proportion with the ability of local enforcement agencies capability to adapt and implement preparatory training and education programs.
- I feel as though things are very positive right now. We must continue to educate and communicate...with Public, Industry, and with Building Officials.