

FLORIDA BUILDING COMMISSION



FACILITATOR'S SUMMARY REPORT OF THE APRIL 27, 2009 TELECONFERENCE MEETING

TALLAHASSEE, FLORIDA

Facilitation and Process Design By



CONSENSUS SOLUTIONS

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FLORIDA BUILDING COMMISSION

APRIL 27, 2009 TELECONFERENCE MEETING REPORT

MONDAY, APRIL 27, 2009

Opening and Meeting Attendance

The meeting was opened at 10:00 AM, and the following Commissioners participated:

Raul L. Rodriguez, AIA, Bob Boyer, Hamid Bahadori, Dick Browdy, Ed Carson, Kiko Franco, Herminio Gonzalez, Jim Goodloe, Ken Gergory, Dale Greiner, Jeff Gross, Jon Hamrick, Scott Mollan, , Bill Norkunas, Rafael Palacios, Jim Schock, Chris Schulte, Drew Smith, Tim Tolbert, and Mark Turner.

DCA Staff Present

Joe Bigelow, Ila Jones, Mo Madani, and Jim Richmond.

Meeting Facilitation

The meeting was facilitated by Jeff Blair from the FCRC Consensus Center at Florida State University. Information at: <http://consensus.fsu.edu/>



Agenda Review and Approval

The Commission voted unanimously, 20 - 0 in favor, to approve the agenda as presented including the following objectives:

- To Hear a Legislative Update

Legislative Issues Update

Jim Richmond, Commission Attorney, provided an update on legislative issues of interest to the Commission from the 2009 Florida Legislative Session, and answered member's questions.

Overview of Report:

Jim reported that CS/HB 7143, Engrossed 1 was undergoing a third reading. Issues are as follows:

Section 53

553.844 Windstorm loss mitigation; requirements for roofs and opening protection.—

(4) Notwithstanding the provisions of this section, exposed mechanical equipment or appliances fastened to rated stands, platforms, curbs, or slabs are deemed to comply with the wind resistance requirements for wind-borne debris regions as defined in s. 1609.2, Buildings Volume, 2007 Florida Building Code, as amended, and no further support or enclosure may be required by a state or local official having authority to enforce the Florida Building Code.

Amendment Added: This subsection expires on December 31, 2011.

At the April 20, 2009 Teleconference meeting the Commission voted to recommend that the Legislature Sunset the deemed to comply amendment in 553.844 (4) on December 31, 2009.

Jim Richmond reported that based on Commission input, the bill was amended to include a sunset provision as follows: This subsection expires on December 31, 2011.

Jim Richmond reported that the private provider amendments have been stricken from the Bill. Commissioner Greiner asked Jim to monitor this closely to ensure the provisions are not added back. Jim stated he would.

Commissioner Carson expressed concern with the following provision of the Bill:

Section 59

553.842 Product evaluation and approval.—

A product evaluation report or a certification mark or listing of an approved certification agency which demonstrates that the product or method or system of construction complies with the Florida Building Code for the purpose intended shall be equivalent to a test report and test procedure as referenced in the Florida Building Code. An application for state approval of a product under subparagraph 1. shall be approved by the department after the commission staff or a designee verifies within 10 days after receipt that the application and related documentation are complete. Upon approval by the department, the product shall be immediately added to the list of state-approved products maintained under subsection (13). Approvals by the department shall be reviewed and ratified by the commission's program oversight committee except for a showing of good cause.

Overview of Discussion:

Commissioner Carson asked whether BCIS changes would be required. Staff indicated that they would be able to implement the approval for products applying by the certification method in-house, and there would be no cost increase changes to the system required.

Commissioner Schulte asked regarding the status of SB2262. Jim reported that the Bill was not viable at this time, and HB 7143 was the primary vehicle for issues affecting the Commission.

Budget Discussion Overview:

Jim Richmond reported that the budget was still in high-level negotiations and everything is still being considered and is not yet resolved. Jim reported that there was nothing solid to report until there is agreement on how much revenue is available and an allocation of available funds.

Commissioner Schock asked about the proposal to cut DCA Codes and Standards staff. Jim replied that DCA had met with the sponsor and addressed his concerns, but until the budget emerges from negotiations there is no way to know how this issue will play-out.

Jim reported that stakeholders had done an excellent job of informing legislators of the adverse effects of cutting Commission staff and funds, and of the important work the Commission does for the citizens of Florida and the state.

Commissioner Norkunas asked about bringing a group of accessibility advocates to the Capital to express concern for the adverse impacts to the disabled community by the DCA staff and Commission budget cuts proposed. Jim stated that any action would be helpful, but any action should wait until there is a specific budget to respond to and a date for legislative consideration.

Commissioner Norkunas suggested that a good editorial would also be effective. Jim noted that Chairman Rodriguez and Secretary Pellham collaborated on a letter that was sent to editorial boards around the state, but the boards have not responded with strong editorials.

Commissioner Gergory asked whether DFS and the Insurance Commissioner are aware of the likely negative impacts to insurance costs if the Commission's funding is reduced. The Code has increased the performance of buildings and if the cuts to staff and funding are implemented, the Code and insurance rates would be adversely impacted. Jim stated that the insurance industry is aware and has let the Legislature know of their concerns with staff and funding cuts to the Commission, and their of support for the Commission.

Jim suggested that since the 2009 Session is unlikely to be concluded on time, and the Commission's next meeting is not until June, that another teleconference meeting should be considered.

Commission Actions

Motion—The Commission voted unanimously, 20 – 0 in favor, to conduct a Teleconference Commission Meeting on Monday, May 18, 2009 at 10:00 AM.

Adjourn

The Commission voted unanimously, 20 – 0 in favor, to adjourn at 10: 25 AM.