

CONSENSUS

The Florida Building Commission seeks to develop consensus decisions on its recommendations and policy decisions. The Commission provides a forum for stakeholders representing different interests to participate in a consensus-building process where issues affecting the construction industry are discussed and evaluated on their technical merits and cost-benefits to the citizens of the State of Florida. In order to achieve the best possible decisions, the Commission relies on its workgroups, ad hoc committees, technical advisory committees, and program oversight committees to develop consensus recommendations on project specific issues.

DEFINITIONS

Consensus is a **Process**, an **Attitude** and an **Outcome**. Consensus processes have the potential of producing better quality, more informed and better-supported outcomes.

As a **Process**, consensus is a problem solving approach in which all members:

- Jointly share, clarify and distinguish their concerns;
- Educate each other on substantive issues;
- Jointly develop alternatives to address concerns; and then
- Seek to adopt recommendations everyone can embrace or at least live with.

In a consensus process, members should be able to honestly say:

- I believe that other members understand my point of view;
- I believe I understand other members' points of view; and
- Whether or not I prefer this decision, I support it because it was arrived at openly and fairly and because it is the best solution we can achieve at this time.

Consensus as an **Attitude** means that each member commits to work toward agreements that meet their own and other member needs and interests so that all can support the outcome.

Consensus as an **Outcome** means that agreement on decisions is reached by all members or by a significant majority of members after a process of active problem solving. In a consensus outcome, the level of enthusiasm for the agreement may not be the same among all members on any issue, but on balance all should be able to live with the overall package.

Levels of consensus on a committee outcome can include a mix of:

- Participants who strongly support the solution;
- Participants who can "live with" the solution; and
- Some participants who do not support the solution but agree not to veto it.

For Workgroup purposes, **consensus recommendations** shall be defined as any option/recommendation achieving a 75% or greater number of 4s and 3s in proportion to 2s and 1s based on the results of all members present and voting.

EXISTING BUILDING INSPECTION WORKGROUP'S CONSENSUS PROCESS

The Existing Building Inspection Workgroup will seek to develop a package of consensus-based recommendations for submittal to the Florida Building Commission. General consensus is a participatory process whereby, on matters of substance, the members strive for agreements which all of the members can accept, support, live with or agree not to oppose. *In instances where, after vigorously exploring possible ways to enhance the members' support for the final decision on a recommendation, and the Workgroup finds that 100% acceptance or support is not achievable, final decisions will require at least a 75% favorable vote of all members present and voting.* This super majority decision rule underscores the importance of actively developing consensus throughout the process on substantive issues with the participation of all members and which all can live with. In instances where the Workgroup finds that even 75% acceptance or support is not achievable, publication of recommendations will include documentation of the differences and the options that were considered for which there is more than 50% support from the Workgroup. The report that will be a product of the Workgroup process will clearly describe the level of agreement between Workgroup members on each specific recommendation as well as on the suite of recommendations as a whole.

The Workgroup will develop its recommendations using consensus-building techniques with the assistance of the facilitator. Techniques such as brainstorming, ranking and prioritizing approaches will be utilized. The Workgroup's process will be conducted as a facilitated consensus-building process.

The Workgroup's consensus process will be conducted as an open process consistent with applicable law. Workgroup members, staff, and facilitator will be the only participants seated at the table. Only Workgroup members may participate in discussions and vote on proposals and recommendations. The facilitator, or a Workgroup member through the facilitator, may request specific clarification from a member of the public in order to assist the Workgroup in understanding an issue. Members may request time to consult/caucus with constituent stakeholder representatives. Members of the public are welcome to speak during the public comment opportunities provided at each meeting, and all comments submitted on the public comment forms provided in the agenda packets will be included in the facilitator's summary reports.

Facilitator will work with staff and Workgroup members to design agendas that will be both efficient and effective. The staff will help the Workgroup with information and meeting logistics.

To enhance the possibility of constructive discussions as members educate themselves on the issues and engage in consensus-building, members agree to refrain from public statements that may prejudice the outcome of the Workgroup's consensus process. In discussing the Workgroup process with the media, members agree to be careful to present only their own views and not the views or statements of other participants. In addition, in order to provide balance to the Workgroup process, members agree to represent and consult with their stakeholder interest groups.

WORKGROUP GUIDING PRINCIPLES

- 1.) Workgroup members will strive to work together collaboratively, and seek to understand and respect differing perspectives.
- 2.) The Workgroup will strive to achieve consensus on the evaluation and development of recommendations submitted to the Florida Building Commission.
- 3.) The Workgroup will operate under policies and procedures that are clear, concise, and consistently and equitably applied.
- 4.) Workgroup members will serve as accessible liaisons between the stakeholder groups they have been appointed to represent and the Existing Building Inspection Workgroup, and should strive to both inform and seek input on issues the Workgroup is addressing from those they represent.

WORKGROUP OPERATING ASSUMPTIONS, PRINCIPLES, AND PARTICIPATION GUIDELINES

WE WILL BE SUCCESSFUL AND HAVE GOOD CONVERSATION WHEN:

- ✓ All voices are invited, respected and heard.
- ✓ All experiences are treated as valid.
- ✓ Notes are captured in writing, on flip charts or on computers.
- ✓ We listen to each other.
- ✓ We observe time frames.
- ✓ We seek common ground and action.
- ✓ Differences and problems are honored—not “worked”.
- ✓ There is full and active attendance.
- ✓ We make the time and space to connect with each other.

THE FACILITATOR WILL SEEK TO:

- ✓ Structure and facilitate a process that will enable us to discover and build on our best moments and practices as stakeholders.
- ✓ Keep us informed of established parameters for time and tasks.
- ✓ Support and facilitate Workgroup discussions.
- ✓ Create the environment that helps people to be at their best.
- ✓ Keep purpose front and center.
- ✓ Suggest and encourage new ways of thinking and doing.
- ✓ Keep us focused and on track.
- ✓ Start and stop on time.

WORKGROUP MEMBERS WILL:

- ✓ Participate actively and share opinions in the conversation—engage fully in this process.
- ✓ Tell stories, provide information—make meaning.
- ✓ Experiment & take risks to share, while engaging in conversation with others.
- ✓ Actively contribute to the creation of consensus recommendations to the Commission.
- ✓ Listen actively, attentively, respectfully.
- ✓ Demonstrate caring . . . about the issues and our dialogue.
- ✓ Take responsibility . . . for the conversation and the ideas developed here.
- ✓ Be here (for the entire Workgroup process), be on time, and be *here* while you’re here.

Four Personal Guiding Principles: Be impeccable with your word, don't take things personally, don't make assumptions, and always do your best.

Key Guiding Principle: Seek first to understand, and then seek to be understood.

WORKGROUP PROCEDURAL GUIDELINES

WORKGROUP MEMBERS' ROLE

- ✓ The Workgroup process is an opportunity to explore possibilities. Offering or exploring an idea does not necessarily imply support for it.
- ✓ Listen to understand. Seek a shared understanding even if you don't agree.
- ✓ Be focused and concise—balance participation & minimize repetition. Share the airtime.
- ✓ Look to the facilitator to be recognized. Please raise your hand to speak.
- ✓ Speak one person at a time. Please don't interrupt each other.
- ✓ Focus on issues, not personalities. *"Using insult instead of argument is the sign of a small mind."*
- ✓ Avoid stereotyping or personal attacks. *"Mud thrown is ground lost."*
- ✓ To the extent possible, offer options to address other's concerns, as well as your own.
- ✓ Represent and communicate with member's constituent group(s).
- ✓ Refrain from using electronic devices during the meetings; Keep electronic devices turned off or silent.

FACILITATORS' ROLE (JEFF A. BLAIR — FACILITATED SOLUTIONS, LLC)

- ✓ Design, facilitate and report on a participatory Workgroup process.
- ✓ Assist participants to stay focused and on task.
- ✓ Assure that participants follow *Workgroup Participation Guidelines*.
- ✓ Accurately and fairly capture summary of key discussion points during the Workgroup meetings.

GUIDELINES FOR BRAINSTORMING

- ✓ Speak when recognized by the Facilitator.
- ✓ Offer one idea per person without explanation.
- ✓ No comments, criticism, or discussion of other's ideas.
- ✓ Listen respectfully to other's ideas and opinions.
- ✓ Seek understanding and not agreement at this point in the discussion.

THE NAME STACKING PROCESS

- ✓ Determines the speaking order.
- ✓ Participant raises hand to speak. Facilitator will call on participants in turn.
- ✓ Facilitator may interrupt the stack (change the speaking order) in order to promote discussion on a specific issue or, to balance participation and allow those who have not spoken on an issue an opportunity to do so before others on the list who have already spoken on the issue.

ACCEPTABILITY RANKING SCALE

During the meetings, members will be asked to develop and rank options, and following discussions and refinements, may be asked to do additional rankings of the options if requested by members and staff. Please be prepared to offer specific refinements or changes to address your reservations. The following scale will be utilized for the ranking exercises:

ACCEPTABILITY RANKING SCALE	4= acceptable, I agree	3= acceptable, I agree with minor reservations	2= not acceptable, I don't agree unless major reservations addressed	1= not acceptable
------------------------------------	-------------------------------	---	---	--------------------------

(Section 286.011, Florida Statutes)

APPLICABILITY OF SUNSHINE LAW

1. Meetings of public groups (workgroups) or commissions must be open to the public;
 2. Reasonable notice of such meetings must be given (by publication in FAR at least 7 days in advance of a meeting); and
 3. Minutes of the meetings must be taken.
- Equally applicable to elected and appointed members and applies to any gathering of two or more members of the same group (Workgroup) to discuss some matter which will foreseeably come before that group (Workgroup) for action. Applies to advisory groups.
 - Written correspondence (reports) circulated among group members for comments.
 - Telephone conversations and computer communications including e-mails and attachments.
 - Delegation of authority to a single individual.
 - Use of nonmembers as liaisons between group (Workgroup) members.

ISSUES NOT SUBJECT TO SUNSHINE LAW REQUIREMENTS

- Use of a written report by one member to inform other members of a subject which will be discussed at a public meeting, if prior to the meeting, there is no interaction related to the report among the members.
- Members (Workgroup) or designee may be authorized to gather information as a fact-finder only.
- Members may meet together socially, provided they refrain from discussing matters on which foreseeable action before the Workgroup are discussed.

- Workgroup members are subject to the requirements of Florida's Government in the Sunshine Law, commonly referred to as the Sunshine Law (Section 286.011 F.S.).
- There are four basic requirements of section 286.011, Florida Statutes:
 - (1) Meetings of public boards or commissions (workgroups) must be open to the public;
 - (2) Reasonable notice of such meetings must be given;
 - (3) Any voting of members must be done in public (including discussions between two or more members regarding a matter on which the Workgroup might foreseeably take action); and,
 - (4) Minutes of the meetings must be taken.