

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
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.