

ACCESSIBILITY CODE WORKGROUP REPORT TO THE FLORIDA BUILDING COMMISSION



October 12, 2009

Tampa, Florida

Facilitation, Meeting and Process Design By



CONSENSUS CENTER

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FLORIDA BUILDING COMMISSION
FLORIDA ACCESSIBILITY CODE WORKGROUP REPORT

OVERVIEW

The scope of the Workgroup is to develop recommendations for amending the Florida Accessibility Code for Building Construction once the US Department of Justice completes its adoption of the next generation of the ADA Accessibility Standards. The task is to integrate the relevant Florida standards in ss. 553.501-553.513, F.S., into the 2004 ADAAG as adopted by 28 CFR 36 (prospective). Although DOJ's process is not complete, the Workgroup will begin with the 2004 ADAAG and modify the new draft FACBC to reflect DOJ's amendments when those are available.

The process for developing the new Accessibility Code will be divided into major tasks as follows:

Task 1:

Integration of Florida standards located in the current Florida Accessibility Code into sections of the 2004 ADAAG that have a one for one parallel section.

Task 2:

Deciding what to do with Florida standards that are in sections/subsections of 1994 SAD that do not have a one for one parallel section in the 2004 ADAAG.

Task 3:

Integration of Florida standards into new sections in the 2004 ADAAG that have no parallel in the Florida Accessibility Code (e.g., recreational facilities).

Task 4:

Revising the draft Florida Accessibility Code based on the 2004 ADAAG for changes made by DOJ in its rule making.

Workgroup Adopted Project Strategy

The Workgroup voted unanimously, 18 - 0 in favor, to integrate all current Florida Specific requirements into the Proposed DOJ SAD (Standards for Accessible Design), June 2008, and concurrently evaluate and make recommendations on the Florida Specific requirements and ancillary topics, with recommendations forwarded to the Legislature for enhancements or removal of specific Florida requirements and ancillary issues.

At Meeting I the Workgroup was asked as a threshold question whether to proceed with consideration regarding integrating the Florida Specific requirements into the DOJ SAD, June 2008 or delay pending completion of rulemaking.

Workgroup Action:

Motion—The Workgroup voted* unanimously, 18 - 0 in favor, to move forward with developing the new Florida Accessibility Code without delay.

* *At the February 2, 2009 meeting.*

MEMBERS AND REPRESENTATION

Raul L. Rodriguez, AIA, Chair of the Florida Building Commission, made the following appointments to the Florida Accessibility Code Workgroup. Members are charged with representing their stakeholder group's interests, and working with other interest groups to develop consensus package(s) of recommendations for submittal to the Commission.

Donald Dawkins, Bemie Eustace, Kiko Franco, Skip Gregory, Jeff Gross, Jon Hamrick, Jack Humburg, Diana Ibarra, Julia Kates, Chris Masal, Sharon Mignardi, John O'Conner, Barbara Page, Catherine Powell, Ben Ritter, Larry Schneider, Jim Schock, and Steve Watson.

REPORT OF THE OCTOBER 12, 2009 MEETING

Opening and Meeting Attendance

The meeting started at 1:00 PM, and the following Workgroup members were present: Bemie Eustace, Kiko Franco, Jeff Gross, Jon Hamrick, Jack Humburg, Chris Masal, Sharon Mignardi, John O'Conner (Gary Brevoort alternate), Barbara Page, Ben Ritter, Larry Schneider, Jim Schock, and Steve Watson.

Members Absent:

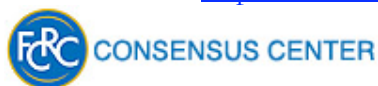
Donald Dawkins, Skip Gregory, Diana Ibarra, Julia Kates, Catherine Powell, Shelly Siegal, Julie Shaw, Randy Vann, and Phillip Wisely.

DCA Staff Present

Rick Dixon, Bruce Ketcham, and Mary Kathryn Smith.

Meeting Facilitation

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



Project Webpage

Information on the project, including agenda packets, meeting reports, and related documents may be found in downloadable formats at the project webpage below:

<http://consensus.fsu.edu/FBC/accessibility-code.html>

Agenda Review and Approval

The Workgroup voted unanimously, 13 - 0 in favor, to approve the agenda as presented including the following objectives:

- ✓ To Approve Regular Procedural Topics (Agenda and Summary Report)
- ✓ To Review Proposed Integration of Florida Specific Requirements
- ✓ To Discuss and Evaluate Level of Acceptability of Proposed Integration into SAD
- ✓ To Adopt Integration Recommendations for Submittal to Commission
- ✓ To Consider Public Comment
- ✓ To Identify Needed Next Steps and Agenda Items for Next Meeting

August 19, 2009 Facilitator's Summary Report Approval

Jeff Blair, Commission Facilitator, asked if any members had corrections or additions to the August 10, 2009 Report, and none were offered. The Workgroup voted unanimously, 13 - 0 in favor, to approve the August 10, 2009 Facilitator's Summary Report as presented.

Review and Discussion of Draft Integration of Florida Specific Requirements into SAD

- *Review of integration of other member identified Florida Specific Requirements into the 2004 ADAAG*
- *Review of the integration of vertical accessibility requirements, s.553.509, F.S. into the 2004 ADAAG*

During Meeting I (February 2, 2009), The Workgroup voted unanimously to integrate all current Florida Specific requirements into the Proposed DOJ SAD, June 2008, "Proposed ADA Standards for Accessible Design".

During Meeting II (April 6, 2009) Members were requested to identify, discuss and evaluate a range of options regarding the integration of Florida Specific Requirements into SAD. For each of the Florida Specific Requirements, member's were asked to identify a range of potential options for the Workgroup to consider. A preliminary list of options were proposed by members as a pre-meeting assignment, and the Workgroup was requested to discuss and add any additional relevant options they deemed appropriate.

During Meeting III (August 10, 2009) members continued the process of reviewing options for the integration of Florida Specific Requirements into the Proposed DOJ SAD, June 2008. Members reviewed all of the remaining Florida Specific requirements except parking and vertical accessibility requirements. Staff will propose a draft integrating these provisions for member evaluation (remaining parking and vertical accessibility requirements).

During Meeting IV (October 12, 2009) members continued the process of reviewing options for the integration of Florida Specific Requirements into the Proposed DOJ SAD, June 2008. Members reviewed staff proposal for integration of Florida vertical accessibility requirements.

The draft integration of Parking requirements deferred to staff at the August 10, 2009 meeting will be reviewed at the December 7, 2009 meeting (Meeting V).

Options with 75% or greater number of 4's and 3's in proportion to 2's and 1's shall be considered consensus recommendations. Members of the public were also invited to provide feedback and options for evaluation. Between meetings Workgroup members are requested to send their proposed options to Jeff Blair for compilation in the "Florida Specific Requirement Integration Draft".

The Workgroup's revisions to the Draft Integration Document (Draft 1 v8) is included as "Attachment 3" of this Report.

The Draft Integration Document and other relevant project documents may be viewed or downloaded at the project webpage as follows: <http://consensus.fsu.edu/FBC/accessibility-code.html>
(Attachment 3—Workgroup Revisions to Draft Integration Document)

Discussion of Project Tasks and Identification of Assignments

Members were asked to review key project tasks and to identify any needed documents/information. In addition, members of the public were invited to provide comments on same.

General Public Comment

Members of the public were invited to provide the Workgroup with comments.

There were no general public comments provided. Members of the public were provided opportunities to speak on each of the substantive discussion issues before the Workgroup.

Adoption of Recommendations for Integration of FL Specific Requirements into SAD

The Workgroup will consider adoption of the package of recommendations for the integration of Florida Specific Requirements into the Proposed DOJ SAD, June 2008, once they have concluded evaluating all of the relevant requirements.

Review of Workgroup Delivery and Meeting Schedule

The Workgroup's meeting schedule for 2009 and 2010 is as follows:

2009: February 2, April 6, August 10, October 12, and December 7, 2009.

2010: February 1, 2010.

Next Steps

Staff will prepare a draft integrating the adopted Florida Specific Requirements as revised by the Workgroup.

At the next meeting the Workgroup will review, evaluate and decide on integration of remaining Florida Parking requirements and the final integration draft.

Assignments

Staff to prepare revised draft integrating Florida Specific Requirements into the Proposed ADA Standards for Accessible Design, and a guide (key) to comment locations.

Adjournment

The Workgroup voted unanimously, 13 – 0 in favor, to adjourn at 4:30 PM.

ATTACHMENT 1

MEETING EVALUATION

Average rank using a 0 to 10 scale, where 0 means totally disagree and 10 means totally agree.

1. Please assess the overall meeting.

- 9.50 The background information was very useful.
- 9.25 The agenda packet was very useful.
- 9.75 The objectives for the meeting were stated at the outset.
- 9.38 Overall, the objectives of the meeting were fully achieved.

2. Do you agree that each of the following meeting objectives was achieved?

- 9.63 Discussion Regarding Integration of Florida Specific Requirements into SAD.
- 9.38 Acceptability Ranking of Proposed Integration Options.
- 9.38 Adoption of Recommendations for Integration of Florida Specific Requirements into SAD.
- 9.38 Identification of Next Steps.

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

- 9.50 The members followed the direction of the Facilitator.
- 9.75 The Facilitator made sure the concerns of all members were heard.
- 9.63 The Facilitator helped us arrange our time well.
- 9.57 Participant input was documented accurately.

4. Please tell us your level of satisfaction with the meeting?

- 9.38 Overall, I am very satisfied with the meeting.
- 9.63 I was very satisfied with the services provided by the Facilitator.
- 9.38 I am satisfied with the outcome of the meeting.

5. Please tell us how well the next steps were communicated?

- 9.38 I know what the next steps following this meeting will be.
- 9.25 I know who is responsible for the next steps.

6. What did you like best about the meeting?

- The background expressed in discussion.
- We covered all tasks.
- Good open discussion.

7. How could the meeting have been improved?

- Maintain the “underline/strike them” process in draft.
- Correct the sounds system.

ATTACHMENT 2
MEETING ATTENDANCE—PUBLIC

Public Meeting Attendance
Name
<i>None Provided</i>

ATTACHMENT 3

WORKGROUP'S REVISIONS TO DRAFT INTEGRATION

Members were asked to provide recommendations for integrating the 19 Florida Specific Requirements into the DOJ SAD, June 2008. The draft of the proposed integration, and an updated draft with the Workgroup's comments and actions, may be viewed on the project webpage as follows:

<http://consensus.fsu.edu/FBC/accessibility-code.html>

STAFF RECORDED WORKGROUP DECISIONS ON VERTICAL ACCESS INTEGRATION FROM OCTOBER 12, 2009 MEETING

- | | | |
|-----------|---------|---|
| p.15 | 201.1.1 | “with” |
| p.16 | 202.1 | (4) to (1); (2) to (5); (3) to (6) |
| p.16 | 202.3 | Add phrase to the Exception – “Except as provided in Section 201.1.1 |
| p.17 | 202.4 | 1. Add to Exception “Except as provided in Section 201.1.1
2. Find where to put HUD, FHA & fed funded housing exception from MK’s file |
| p.18 | 203 | Add reference to 201.1.1 between 203 and 203.1 |
| p.18 to ? | | Remove the references to 201.1.1 from exceptions in 203.2 to 203.14 |
| p.22 | 206.1.1 | Eliminate the Florida Vertical Access language |
| p.22 | | Put a red text note indicating – reference to 201.1.1 was added to sections 206.2.3, 206.2.4, 206.2.5 and 206.2.7. Other sections were ignored during workgroup review because they were not flagged by staff as potential locations for including reference to Florida Vertical Access requirements. Should the same convention as used for 206.2.3 be used, i.e. put Florida Vertical Access language at the end of 206.2 and before 206.2.1 so it applies to 206.2.1 through 206.2.17? |
| p.23 | 206.2.3 | 1. Put reference to 201.1.1 immediately at the end of 206.2.3 and
2. Strike all ADAAG Exception 1 language and mark “ Reserved ”
3. Strike all ADAAG Exception 2 language and replace with Florida language in gray |
| p.23 | | Remove reference to 201.1.1 from remaining Exceptions |

p.24	206.2.4	<ol style="list-style-type: none"> 1. Put “Except as provided in Section 201.1.1” reference at the end of the main text and before the ADAAG Exceptions 2. Do not put this clause at end of each ADAAG Exception
p.24	206.2.5	Put “Except as provided in Section 201.1.1” at the end of the main text like is done for 206.2.3 and 206.2.4
p.25	206.2.7	Put “Except as provided in Section 201.1.1” reference at the end of the main text and before the ADAAG Exceptions
p.26		Staff review 206.2.9, 206.2.10, 206.2.14, 206.2.15, 206.2.16, 206.2.17, etc. ending language “Except as modified by 1007.2 for all references to respective sections 1000’s
p.28	206.4.5	Do not add reference to 201.1.1
p.57	240.1	Check MK’s file for whether or not to add reference to 201.1.1
p.57	240.2.1.1	Add reference to 201.1.1 at end
p.57	240.2.1.2	Add the reference in the main section not in the Exception, i.e. 206.1.1 was eliminated and reference will be 201.1.1
p.58	240.2.2	Add reference in the main section
p.58	241	Add reference to 201.1.1 to the main section