

Florida Building Commission

Attachment to the October 11 - 12, 1999 Minutes

Facilitators' Report of the October 11 - 12, 1999 Commission Meeting

Orlando, Florida

Meeting Design & Facilitation By:



Monday, October 11, 1999

Facilitated Public Hearings on Draft II of the Florida Building Code

On October 11, 1999 the Florida Building Commission convened the third of five public hearings on Draft II in Orlando. There were over 150 registered attendees, most of whom were comprised of state agency and industry and association representatives and professionals, who participated in the four hour facilitated hearing process. The hearing began with an opportunity for public comments in which 33 members of the public offered testimony on Draft II in front of 12 members of the Florida Building Commission. Following over three hours of public comments, the Insurance Industry presented the Commission with their perspective on windload design protection issues and assessed what effect stronger standards would have on insurance rate premium costs. The industry's indication was that stronger standards equals lower costs. Following the presentation Commission members were provided with an opportunity to ask questions of the insurance industry representatives. The chair closed the hearing by thanking the participants for their questions and comments and offering Commission members an opportunity to provide any final responses or comments to the participants.

Overview of Commission's Key Decisions

Monday, October 11, 1999

Workplan

As part of an ongoing process to update their workplan, the Commission reviewed their workplan and tasks list and decided to consider the proposed changes to the schedule and delivery dates Tuesday morning.

Accessibility Rule (9B-7.0042) Status

The Commission moved and unanimously adopted the recommendation to proceed to file for final adoption of the rule.

Product Approval Presentations

The Commission heard presentations and asked questions of the following presenters on various components of the product approval process:

- Southern Building Code Congress International (SBCCI)
- International Conference of Building Officials (ICBO)
- Florida Building Alliance
- American Architectural Manufacturers Association (AAMA)
- Underwriters Laboratories (UL)
- Current Florida and National Product Evaluation & Approval Systems Overview
- University of Florida Comparison of Miami-Dade System & Proposed State System

Identify, Review, and Ranking of South Florida Code Integration Issues Related to Product Approval

Following the presentations Commission members were asked to review and clarify the four options presented in their agenda packets for South Florida integration with the proposed statewide product approval system. Next, they were asked to identify and clarify any additional options. This was followed by a listing of pros and cons for each identified option. Following are the results of the facilitated process:

Identified Options:

- A. Florida Building Commission contracts the operation of the state product approval system (but not the actual approvals) to Miami-Dade County Product Control. (Bassett Proposal)
- B. Miami-Dade County Product Control is delegated the authority for state approval of all covered products (those identified by the Commission for statewide approval) in the high velocity hurricane zone.
- C. Miami-Dade County Product Control approves all products covered by regional (high velocity hurricane zone standards which exceed the general statewide standards) standards but not statewide standards.
- D. Miami-Dade County Product Control is accredited by the Commission as one of the Approved Product Evaluation Agencies for all covered products (those requiring statewide approval). In addition, Miami-Dade is contracted to provide quality assurance auditing for the state product approval system.
- E. Miami-Dade County Product Control is accredited by the Commission as one of the Approved Product Evaluation Agencies for all covered products (those requiring statewide approval). (Shaw Proposal)
- F. The Miami-Dade product approval system would be the system for the entire state. (Miami-Dade County Proposal)

Questions and Discussion of the Options:

Option A

Is Miami-Dade willing to do this?

Who would do the actual approval?

This limits the system to only one approval entity.

Strike the word “delegate” and this option would be legal.

Pros

This is a very good proposal.

Cons

The Commission cannot delegate but it can contract.

This reduces competition.

Option B

Is this referring to just high velocity hurricane zone?

Does this option meet the intent of the legislation?

Is this legal?

Pros

Cons

Apparently this is not legal.

This separates Dade County from the rest of the state.

Option C

Is this legal?

Is the high hurricane zone just in Miami-Dade and Broward Counties?

Can any other county elect to be a high velocity hurricane zone?

Is Palm Beach County part of this option?

Pros

This option provides sharing between Broward and Dade Counties.

Cons

Option D

What services will be provided and how will they be provided?

Is there no trust in the current system? Does another entity need to be involved?

Does Miami-Dade have any input on these options?

Pros

This option supports quality assurance.

Cons

There is no need for the middle step.

Option E

This is option D with the exclusion of the last sentence.

Why are we doing this exercise without the input of Miami-Dade?

Pros

Miami-Dade is one of several alternatives and they would be equal to nationally recognized agencies.

Cons

Option F

This is the Dade County proposal – The Dade County approval would be the approval for the state. (This is similar to Option A.)

Pros

Cons

This is not legal.

Ranking Exercise Results

The Commission was asked to rank each of the options on a scale of from 5 to 1. Following are the results of the ranking exercise:

Product Approval System Design Options for South Florida Code Integration

Ranking Scale:

- 5 Wholehearted Support
- 4 Could be Better
- 3 Okay, Has +/-
- 2 Poor, Serious Concerns Must be Addressed
- 1 Oppose, (Over My dead Body)

Option	Rank	5	4	3	2	1	Score
A	2	3	3	2	3	3	42
B	6	0	0	2	5	7	23
C	4	1	1	3	6	3	33
D	3	2	1	5	5	1	40
E	1	2	9	3	0	0	55
F	5	1	0	1	4	8	24

Tuesday, October 12, 1999

Workplan

Following a review of the proposed changes to the workplan and schedule, the Commission reviewed and refined the plan and unanimously agreed to adopt the revised workplan as refined.

Following are the key changes to the workplan and schedule:

- Commission assigns South Florida Integration Ad Hoc Committee to review windload design issues and make recommendation for inclusion in Draft III at the November meeting.
- Commission shifts delivery date for Product Approval System recommendations from a November/December adoption to a January/February adoption schedule.
- Commission assigns South Florida Integration Ad Hoc Committee with the task of making recommendations on a Statewide Product Approval System.
- Commission assigns DCA legal staff to review royalty/copyright agreements and present their final recommendations at the January 2000 Commission meeting.
- Commission changes time for public hearing number five in Naples on November 8, to 8:00 – 10:00 AM. Hearing will be for general public comment before Commission considers Draft III recommendations.

Key Schedule Dates:

October 31, 1999	Orlando	State Agency Sub-Committee	3 - 5 P.M.
November 1, 1999	Orlando	TAC's Code Enforcement (AM-PM) Building Structural (AM-PM) Mechanical/Fire (AM) Electrical (AM) Plumbing (PM) Energy (PM)	8 - 5 P.M.
November 6, 1999	Naples	South Florida Integration Ad Hoc Committee for Wind Load Design	10 - 6 P.M.
November 7, 1999	Naples	Code Formatting Ad hoc Special Occupancy TAC	12 - 6 P.M 9:00 – 11:30
November 15, 1999	Gainesville	State Agency Review Ad Hoc Committee	9 - 5 P.M.
November 20, 1999	Miami	South Florida Integration Ad Hoc Committee on Product Approval	8 - 5 P.M.

Review and Discussion of Ranking Exercise Results of South Florida Code Integration Issues Related to Product Approval

The Commission reviewed the ranks and agreed that the South Florida Integration Ad Hoc Committee would consider the results of the ranking exercise and develop a consensus option to present to the Commission at the December meeting. The Ad Hoc will meet Saturday, November 20, 1999 in Miami. The Ad Hoc members appointed were Chairman Raul Rodriguez, Vice Chair Doug Murdock, and Commission members Nick D'Andrea, Dick Browdy, Med Kopczynski, Jim Mehlretter, George Wiggins, and Craig Parrino.

Ranking Exercise Discussion:

Miami-Dade has said that they will provide input on all of the options.

Option F was the original Dade County option.

Option E was the "Shaw" option. It was the position of the TAC.

Option E is supported by contractors in South Florida.

Miami-Dade has an excellent system and it should be considered for the whole state.

It is not a good idea to assign responsibilities to someone until all the details of the system are understood.

Miami-Dade could conduct this process without any learning curve because they are already doing it. (Option A)
The Florida Building Commission would provide ratification instead of the Miami-Dade Council under Option A.

Review of Windload Design History & Identify, Review, and Rank Options for Draft III

The commission reviewed the current status of windload design in Draft II and was asked to identify and rank options for inclusion in Draft III. The Commission agreed that the South Florida Ad Hoc Committee would review the results of the Commission's deliberations on windload design and present their recommendation to the Commission in November. These recommendations would serve as the basis for the Building Code Rule draft requirements on windload design issues. The Ad Hoc members appointed were Chairman Raul Rodriguez, Vice Chair Doug Murdock, and Commission members Nick D'Andrea, Dick Browdy, Med Kopczynski, George Wiggins, and Steve Bassett.

Windload Design General Questions and Comments:

- ASCE 7 seems to lessen or decrease windload standards and protection under the current standards of SEC 97. It is assumed that installing shutters will provide additional protection however, some homeowners will not be able to install shutters.
- The integrity of the structure is dependent on the action of homeowners, and unless they take action, the safety factor is not what they may think it is.
- There is currently no insurance penalty for not installing shutters. This should be looked at.
- Shutters not only protect the structure but also the contents of the house and this provides some incentive to take action.
- Are homeowners aware of windload factors? Is there a danger in giving homeowners the option of installing shutters?
- On some coastal homes, it is very difficult to install shutters.
- Revision in the codes will affect the construction of new homes. How do we impact existing homes, especially those owned by seniors? How can this be addressed? Perhaps this can be addressed outside the code.
- There will always be people that do not do what is in their best interest. In order to encourage people to take the appropriate action, the best approach is to make it profitable for homeowners to install shutters.
- Can research be done by an independent entity to provide information to the Commission?

Development of Windload Options

- A. Leave Draft II as is, no changes.
- B. Adopt ASCE 7-98, in its entirety.

Question – Does this apply to more than the four counties?

Question – Was there a 60 foot exclusion as an amendment?

- C. Adopt Option B with the provision that disclosure information is provided to homeowners indicating what standard of construction the home is built to.

Comment – I have concern about lowering windload standards. Current standards should remain.

- D. All buildings should be built to current ASCE 7 – 95 for buildings over 60’ in height. SBC lowrise provisions for buildings less than 60 feet. (1606.2.A)
- E. ASCE 7 –98, allowing 1/2 inch plywood to meet performance (prescriptive) requirements, and provide disclosure information to homeowners. (keeps high velocity requirements for Miami-Dade)
- F. DELETED. Originally read as ASCE 7 – 98 in entirety with Miami-Dade provisions for high hurricane zone. (this is the same as B)
- G. Adopt the windload criteria of the IBC with disclosure requirements.

Comments:

This is the same as the ASCE 7 – 98 with lowrise provisions and prescriptive methods for windborne debris design.

Ranking Exercise on Windload Debris Options for Inclusion in Draft III

The Commission was asked to rank each of the options on a scale of from 5 to 1. Following are the results of the ranking exercise:

Ranking Scale:

- 5 Wholehearted Support
- 4 Could be Better
- 3 Okay, Has +/-
- 2 Poor, Serious Concerns Must be Addressed
- 1 Oppose, (Over My dead Body)

Option	Rank	5	4	3	2	1	Score
A	5	2	1	4	4	5	39
B	2	4	6	3	3	0	59
C	2	4	5	6	0	1	59
D	6	0	1	6	6	3	37
E	4	1	8	6	0	1	56
G	1	11	1	2	2	0	69

Legal Renders Opinion on Keeping Draft Code in Conformance with HB 4181
Legal issued the opinion that the Draft code should be in conformance with HB 4181, however, the Commission could make recommendations for statutory changes in the Report to the Legislature.

State Agency Review Ad Hoc Committee Presentation and Commission Discussion of Recommendations for State Agencies on Standards Development and Enforcement

State Agency Issues Ad Hoc Committee chair, Doug Murdock, presented the committee's report to the Commission. Following questions and discussion by Commission members, it was agreed that the committee would review the comments when they meet in Gainesville on November 15 to continue refining their recommendations for delivery to the Commission in January of 2000.

Questions and Answers Following Ad Hoc Committee Report:

DCA

Building officials have concern about manufactured buildings. Should recommendations be carried forward without the completion of a review? There are some lingering questions about the state agency review process.

DMS

Who will issue building permits for DMS?

Will DMS do the plan review?

Should there be another option for buildings in small towns and rural communities. The committee should review this.

Does this eliminate the agency's involvement?

Inspectors will only inspect DOC. Is this a good use of their time?

They operate on fees and they may not be able to maintain their current structure without conducting all the inspections. The committee should look at this and DMS should provide input.

DOC

Who will issue building permits for DOC?

Will DOC be self inspecting?

Why should DOC conduct the inspections and not local inspectors?

Will DOC inspectors be state certified?

Inspecting these facilities takes a long time.

DBPR

Restaurants

The plans review should be coordinated.

The location of equipment should remain with the agency.

The split responsibility will be well defined.

The agencies have been very involved with the TAC meetings.

The correlation of activities needs to be researched and worked out.

DBPR

Turtles

County ordinances should be examined for their impact on this section.

DOH

Community Based Residential Homes

Community residential homes need a closer look and perhaps some legislative changes are necessary.

Septic Tanks

The appendix should be removed from the plumbing code. (6014-6?)

Swimming Pools

At previous meetings, there were many public comments. What is the validity of those comments?

The standards are for private pools. Should public pools be addressed?

The committee should look into this.

Drinking Water Systems

DOH has no issue with private wells. The Nov. 3 meeting was supposed to address this issue. Can that meeting be cancelled?

This issue should be addressed by the plumbing committee.

The committee should take into account the roles of DEP and DOH.

Education TG Presentation on Information Guidebook on Roles and Responsibilities

On the recommendation of the Education Task Group, the Commission unanimously agreed to refer the guidebook to the Department of Agriculture and Consumer Services (DACS) for refinement. After DACS refinement, the Education Task Group will review and present their recommendations to the Commission.

**Florida Building Commission
October 11 - 12, 1999
Orlando, Florida**

Meeting Evaluation Form

How well did the Commission achieve the meeting objectives?

Circle One

	<u>Good</u>	<u>Poor</u>	<u>Avg</u>
• To Hold a Public Hearing on Draft II	5	4	3.2
• To Review and Adopt the Commission's Updated Workplan and Committee Assignments List	5	4	3.2
• To Hear Various Presentations on Product Approval	5	4	3.2
• To Identify, Review, and Rank Product Approval Options for South Florida Code Integration	5	4	3.2
• To Review and Propose Windload Design Options for Draft III	5	4	3.2
• To Review and Discuss Ad Hoc Committee's Recommendations On Standards Development and Enforcement for State Agencies	5	4	3.2
• To Hear and Consider the Education TG Presentation and Proposal on an Information Guidebook on Roles and Responsibilities	5	4	3.2
• To Review Assignments for Next Month	5	4	3.2

Rate the following aspects of the meeting?

Clarity of the meeting purpose and plan	5	4	3	2	1	4.24
Balance of structure and flexibility	5	4	3	2	1	4.41
Group involvement and productivity	5	4	3	2	1	4.47
Facilitation	5	4	3	2	1	4.47
Facility	5	4	3	2	1	4.18

Comments:

Cold most of the meeting.

Rooms do not need to be so cold.

Very productive meetings. Awful lot of work remains thru January.

As usual Commissioner Kopczynski was excellent.

Good access in rooms and elsewhere.

Agenda, Time (beginning/endtime) of meetings needs improvement in order to book rooms, n flight plans, etc.

What did you like best about the meeting?

Jeff Blair's hard work and preparation for meeting - with minimum support.

How could the meeting have been improved?

Better acoustics.

Give direction to meeting location.

Suggest scheduling Accessibility Waivers with a broader meeting time capability such as 1-5 p ability to be delayed within that time frame if needed due to a preceding agenda item.

More Kopczynski.

Acoustics.