

FLORIDA BUILDING COMMISSION



FACILITATOR'S SUMMARY REPORT OF THE MARCH 30, 2009 TELECONFERENCE MEETING

TALLAHASSEE, FLORIDA

Facilitation and Process Design By



CONSENSUS SOLUTIONS

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FLORIDA BUILDING COMMISSION

MARCH 30, 2009 TELECONFERENCE MEETING REPORT

MONDAY, MARCH 30, 2009

Opening and Meeting Attendance

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

Raul L. Rodriguez, AIA, Hamid Bahadori, Bob Boyer, Dick Browdy, Matthew Carlton, Ed Carson, Herminio Gonzalez, Jim Goodloe, Dale Greiner, Jon Hamrick, Paul Kidwell, Bill Norkunas, Jim Schock, Chris Schulte, and Randall Vann.

DCA Staff Present

Joe Bigelow, Rick Dixon, Bruce Ketcham, Ila Jones, Mo Madani, and Jim Richmond.

Meeting Facilitation

The meeting was facilitated by Jeff Blair from the Florida Conflict Resolution Consortium at Florida State University. Information at: <http://consensus.fsu.edu/>

Agenda Review and Approval

The Commission voted unanimously, 14 - 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:

Related to Economic Stimulus:

Senator Altman's bill (SB 2026) would prohibit more stringent standards adoption for all types of development regulation including the Building Code between May 1, 2009 through May 1, 2011.

State Agency Sunset Review:

Jim reported that SB 2100 sponsored by Senator Bennett, includes all of the Commission's recommendations to the 2009 Legislature. Jim reviewed each of the Bill's sections, and those directly related to the Commission are as follows:

Section 1:

Prohibits enforcement of ASTM A 17.1 & 17.3 regarding requirement for heat sensors in existing elevators in condominiums until elevator is replaced.

Section 2:

Repeals universal elevator key requirements by allowing lock box.

Section 11:

Authority for the Department (DCA) to administer the manufactured building program as follows:
Authorizes DCA to require more frequent inspections of manufactured buildings under certain circumstances, such as code violations.

Allows DAC to: Contract for the Manufactured Building administrative responsibilities (similar to Product Approval System), manufacturers to pay the administrator directly for plans review and inspections services via the Building Code Information System (BCIS), Department to establish plans review and inspection fees.

In addition, adds back to law authority for custom one of a kind manufactured buildings to be approved/code enforcement, by local governments.

Section 12

Changes requirement for recertification of relocated manufactured buildings to only be applicable when moved to a higher wind region.

Section 13:

Expands Glitch authority to include equivalency of standards, and the specific needs of state agencies when agency rules must be updated to reflect federal requirements relating to design criteria for public educational facilities and state- licensed facilities.

The Bill provides that:

The Florida Building Code does not apply to temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.

The Florida Building Code may not require that an existing air conditioning system installed on the surface of a roof as of July 1, 2009, be raised 18 inches up from the surface on which they are installed until such time as the system is replaced, and an agency or local government having authority to enforce the Florida Building Code or a local building code may not require otherwise.

Section 14:

Provides that:

A member of the commission's technical advisory committees or other advisory committee or workgroup does not have an impermissible conflict of interest when representing clients before the commission or one of the commission's workgroups, except that such member may not be part of any discussion or take action as a technical advisory committee member or member of an advisory committee or workgroup on any matter in which the member has a direct financial interest.

Section 15:

Provides:

The commission may adopt rules related to its consensus-based decision-making process, including, but not limited to, super majority voting requirements for commission actions relating to adoption of amendments to or adoption of the Florida Building Code.

Section 16:

Provides that the commission may adopt by rule and impose a fee for binding and nonbinding interpretations. This adds nonbinding interpretations to Section 553.775 F.S.

Section 18:

Removes the Core Curriculum requirement for all practice areas (Section 553.841, F.S.).

Section 19:

Regarding the Product Approval System, provides that the commission's rules and any applicable contract may provide that payment of fees related to approvals be made directly to the administrator who shall remit to the department that portion of the fee necessary to cover the department's costs.

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.

The International Association of Plumbing and Mechanical Officials Evaluation Service is added to the list of approved evaluation entities in Section 553.842 F.S.

Section 20:

Section 553.85 F.S. regarding carbon monoxide alarm requirements is proposed to be amended to clarify the intent of the law regarding when it applies, recognizing other sources of emissions, allowing the Commission to determine location of detectors in the Code, and states that: The requirements of this subsection may be satisfied with the installation of a battery-powered carbon monoxide alarm or a battery-powered combination carbon monoxide and smoke alarm.

Adjourn

The Commission voted unanimously, 15 – 0 in favor, to adjourn at 10:35 AM.