

# FLORIDA BUILDING COMMISSION

## ATTACHMENT TO THE JANUARY 13, 2004 MINUTES

### FACILITATOR'S REPORT OF THE JANUARY 13, 2004 COMMISSION PLENARY SESSION

*Orlando, Florida*

Meeting Design & Facilitation By



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# FLORIDA BUILDING COMMISSION

## ATTACHMENT TO THE JANUARY 13, 2003 MINUTES

### OVERVIEW OF COMMISSION'S KEY DECISIONS

#### TUESDAY, JANUARY 13, 2003

##### **Agenda Review and Approval**

The Commission voted unanimously, 18 - 0 in favor, to approve the agenda as amended. Following are the key agenda items approved for consideration:

- ◆ To Review and Update the Workplan
- ◆ To Consider/Decide on Chair's Discussion Issues/Recommendations
- ◆ To Conduct a Rule adoption hearing on equivalency of product evaluation standards and ICC recognition as an evaluation entity
- ◆ To Conduct a Rule Adoption Hearing on the Building Code Education Program
- ◆ To Finalize Annual Report to the Legislature
- ◆ To Review Pending Building Code Legislation
- ◆ To Consider/Decide on Accessibility Waiver Applications
- ◆ To Receive/Consider Reports from Legal Counsel
- ◆ To Consider/Decide on Requests for Declaratory Statements
- ◆ To Consider/Decide on Approval of Products and Product Approval Entities
- ◆ To Consider/Decide on Accessibility, Code Administration, Electrical, Energy, Fire, Mechanical, Plumbing, and Structural TAC Report/Recommendations
- ◆ To Consider/Decide on Product Approval/Prototype Buildings/Manufactured Buildings Program Oversight Committee (POC) Report/Recommendations
- ◆ To Review Assignments and Issues for Next Month

##### **Amendment**

- ◆ The scheduled Product Approval workshop on the BCIS was cancelled.

##### **Review and Approval of November 18, 2003 Meeting Minutes**

The Commission voted unanimously, 18 - 0 in favor, to approve the minutes as amended for the November 18, 2003 Commission meeting.

##### **Amendments**

- Commissioner Schulte was present and Commissioner Vann was absent.
- Commissioner Bassett's name was misspelled.

##### **Review and Approval of Commission's Updated Workplan**

###### **Commission Actions:**

**Motion**—The Commission voted unanimously, 18 - 0 in favor, to approve the updated workplan as presented.

*(Attachment 3)*

### **Chair's Discussion Issues/Recommendations**

Due to a family emergency, Chairman Rodriguez appointed Commissioner D'Andrea to serve as chair in his absence.

### ***Recognition of Commissioner Thorne***

Commissioner D'Andrea presented outgoing Commissioner Thorne, with a plaque in recognition and appreciation of his years of service on the Florida Building Commission.

### ***TAC Appointments***

Chairman Rodriguez made the following TAC appointments:

- ◆ Peter Tagliarini to the Accessibility TAC
- ◆ Robert Fine to the Accessibility TAC
- ◆ Kirk Tcherneshoff to the Accessibility TAC
- ◆ Randy Vann to the Code Administration TAC
- ◆ Chris Schulte to the Product Approval/Prototype Buildings/Manufactured Buildings Program Oversight Committee
- ◆ Do Kim to the Product Approval/Prototype Buildings/Manufactured Buildings Program Oversight Committee

### **Building Department Voluntary Accreditation Standards**

Following presentation of the report by Ronnie Spooner, the Commission took the following action:

#### ***Commission Actions:***

**Motion**—The Commission voted unanimously, 18 - 0 in favor, to accept the report's recommendations on Building Department Voluntary Accreditation standards and to include them in the Commission's report to the 2004 Legislature.

### **Rule Adoption Hearing on Rule 9B-72 Product Approval, Sections 9B-72.030, Rules 9B-72.100 and 9B-72.180**

Following an opportunity for public comment, the Commission voted to proceed with rule adoption with editorial changes suggested through public comments.

#### ***Commission Actions:***

**Motion**—The Commission voted 14 - 3 in favor, to proceed with rule adoption for Rule 9B-72 Product Approval, Sections 9B-72.030, Rules 9B-72.100 and 9B-72.180 by filing the rule with the Department of State.

### **Rule Adoption Hearing on Building Code Education Program (Rule 9B-70)**

Following an opportunity for public comment, the Commission voted to proceed with rule adoption.

#### ***Commission Actions:***

**Motion**—The Commission voted unanimously, 19 - 0 in favor, to proceed with rule adoption for rule 9B-70 by filing the rule with the Department of State.

## **Review and Finalization of the Annual Report to the Legislature**

The Commission reviewed the draft Report to the 2004 Legislature and took the following action:

### **Commission Actions:**

**Motion**—The Commission voted unanimously, 17 - 0 in favor, to approve the draft report and submit the report to the 2004 Legislature.

**Motion**— The Commission voted unanimously, 17 - 0 in favor, if requested by a third party, to support the establishment of authority for architects to use electronic seal and signature.

**Motion**— The Commission voted unanimously, 19 - 0 in favor, to support allowing staff through consultation with the appropriate TAC or POC chairs, to reject proposed code amendments for incompleteness of fiscal impact statements. The Commission does not support staff rejecting code amendments with incomplete fiscal impact statements without first consulting with TAC and/or POC chairs.

**Motion**— The Commission voted unanimously, 19 - 0 in favor, to oppose legislation requiring truss placement drawings to be sealed if required by the Florida Building Code, on the basis that requirements for truss placement should be left to the professional practice areas.

## **Consideration of Accessibility Waiver Applications**

The Commission reviewed and decided on the Waiver applications submitted for their consideration.

## **Legal Staff Reports/Discussions/Recommendations and Approval**

Jim Richmond provided the Commission with an update on proposed Building Code related legislation.

## **PETITIONS FOR DECLARATORY STATEMENTS**

Following are the actions taken by the Commission on petitions for declaratory statements. Jim Richmond and Richard Shine served as legal counsel for the Commission.

## **SECOND HEARINGS**

### **DCA03-DEC-266 by Robert C. Duncan**

Petition was dismissed.

### **DCA03-DEC-277 by T. A. Krebs of T. A. Krebs Architect, Inc.**

Petition was dismissed.

### **DCA03-DEC-296 by Michael Madden of Madden Manufacturing**

**Motion**— The Commission voted unanimously, by a vote of 14 – 0 in favor, to approve their previous action on the petition.

**DCA03-DEC-298 by Paul S. Roth of Roll-A-Way Protective Pool Fence**

**Motion**— The Commission voted unanimously, by a vote of 14 – 0 in favor, to approve the POC’s amended recommendations.

**FIRST HEARINGS**

**DCA03-DEC-309 Van Gladfelter, P.E., Center for Innovative Structures**

**Motion**— The Commission voted unanimously, by a vote of 20 - 0 in favor, to approve the TAC’s recommendations on the petition as presented.

**DCA03-DEC-322 T. A. Krebs, T. A. Krebs Architect, Inc.**

The petition was deferred to the local appeal board.

**DCA03-DEC-331 Randall Shackelford, P.E., Simpson Strong-Tie Company, Inc.**

The petition was withdrawn by applicant.

**DCA03-BC-330 Dragomirecky versus the Town of Ponce Inlet, Appeal from determination of local Board of Rules and Appeals**

Legal provided an update of the case, no action was taken by the Commission.

**Consideration of Applications for Product and Entity Approval**

Commissioner Carson presented the committee’s recommendations for entities and Jeff Blair presented the committee’s recommendations for product approval.

**Action on Applications for Approval for Product Approval Entities**

**Motion**— The Commission voted unanimously, by a vote of 20 – 0 in favor, to approve APA, The Engineered Wood Association as a test laboratory.

**Motion**— The Commission voted unanimously, by a vote of 20 – 0 in favor, to Architectural Testing, Inc. as a test laboratory.

**Motion**— The Commission voted unanimously, by a vote of 20 – 0 in favor, to approve Momentum Technologies, Inc. as a test laboratory.

**Motion**— The Commission voted unanimously, by a vote of 20 – 0 in favor, to approve Southwest Research Institute as a test laboratory.

**Motion**— The Commission voted unanimously, by a vote of 19 – 0 in favor, to approve Stork-Twin City Testing as a test laboratory.

**Motion**— The Commission voted unanimously, by a vote of 19 – 0 in favor, to approve Terrapin Testing, Inc. – Texas as a test laboratory.

**Motion**— The Commission voted unanimously, by a vote of 19 – 0 in favor, to approve APA, The Engineered Wood Association as a quality assurance entity.

**Motion**— The Commission voted unanimously, by a vote of 19 – 0 in favor, to approve Southwest Research Institute as a quality assurance entity.

**Motion**— The Commission voted by a vote of 18 – 1 in favor, to approve Western Technologies, Inc. as a quality assurance entity.

### **Action on Applications for State Product Approval**

The Commission agreed to consider product applications on consent agendas based on POC recommended actions. The Chair provided opportunity for public comment.

Commissioners were invited to pull any product application for individual consideration.

### **Consent Agenda to Approve**

**Motion**— The Commission voted by a vote of 19 – 0 in favor, to approve the following applications for state product approval:

Product application numbers : 542, 549, 600, 694, 742, 812, 850, 851, 852, 854, 974, and 982 deferred from the November 2003 meeting.

**Motion**— The Commission voted by a vote of 19 – 0 in favor, to approve the following applications for state product approval:

Product application numbers : 561, 607, 635, 636, 638, 661, 684, 993, 995, 996, 1003, 1005, 1006, 1007, 1010, 1011, 1012, 1026, 1030, 1035, 1036, 1061, 1062, 1064, 1075, 1084, 1085, 1086, 1089, 1091, 1092, 0193, 1094, 1095, 1096, 1097, 1100, 1101, 1147, 1148, 1149, 1150, 1153, 1154, 1155, 1156, 1163, 1164, 1170, 1172, 1185, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1214, 1215, 1222, 1227, 1231, 1232, 1233, 1234, 1238, 1241, 1242, 1246, 1251, 1252, 1253, 1259, 1262, 1264, 1265, 1272, 1273, 1274, 1275, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1293, 1303, 1305, 1306, 1307, 1312, 1322, 1325, 1327, 1328, 1355, 1356, 1363, 1364, 1366, 1367, 1368, 1369, 1374, 1378, 1384, 1385, 1386, 1398, 1399, 1400, 1402, 1403, 1424, 1435, 1439, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1454, 1456, 1457, 1458, and 1462 submitted as certification marks or listings.

**Motion**— The Commission voted by a vote of 20 – 1 in favor, to approve the following applications for state product approval:

Product application numbers: 49, 828, 920, 1004, 1024, 1048, 1049, 1109, 1112, 1115, 1145, 1167, 1189, 1202, 1203, 1204, 1205, 1220, 1266, 1267, 1270, 1271, 1308, 1324, 1365, 1383, 1387, 1404, 1416, 1423, and 1430 submitted as evaluation reports from a product Florida Registered Architects or Florida Professional Engineers.

**Motion**— The Commission voted by a vote of 19 – 1 in favor, to approve the following applications for state product approval:

Product application numbers: 241, 379, 471, 674, 889, 985, 998, 1000, 1022, 1037, 1042, 1046, 1051, 1068, 1080, 1139, 1146, 1173, 1175, 1177, 1182, 1212, 1218, 1221, 1225, 1226, 1228, 1229, 1230, 1247, 1250, 1255, 1258, 1318, 1339, 1344, 1345, 1347, 1358, 1371, 1379, 1405, 1406, 1410, 1429, 1431, 1432, 1453, and 1463 submitted as evaluation reports from a product evaluation entity.

**Motion**— The Commission voted by a vote of 20 – 0 in favor, to approve the following applications for state product approval:

Product application numbers: 909, 976, 1001, 1107, 1116, 1296, 1321, and 1433 submitted as test report.

### **Defer Action to Next Meeting**

**Motion**— The Commission voted by a vote of 21 – 0 in favor, to defer action on product application number 1140 until the March 2004 Commission meeting.

**Motion**— The Commission voted by a vote of 21 – 0 in favor, to defer action on product application number 1397 until the March 2004 Commission meeting.

### **Conditional Approval**

**Motion**— The Commission voted by a vote of 20 – 0 in favor, to issue a conditional approval for product number 599 pending indicating limitations of use.

**Motion**— The Commission voted by a vote of 20 – 0 in favor, to issue a conditional approval for product number 1201 pending indication of appropriate certification agency.

**Motion**— The Commission voted by a vote of 19 – 1 in favor, to issue a conditional approval for product number 804 pending staff verification of required test report.

### **Individual Product Application Consideration**

**Motion**— The Commission voted unanimously, by a vote of 0 – 21 in favor, to approve product application number 1411, product is not approved as a result of a negative vote to approve.

## **COMMITTEE REPORTS AND RECOMMENDATIONS**

The Commission agreed that unless a TAC/POC required specific Commission action, the balance of the reports would be submitted into the record and approved as a part of the next Commission meeting minutes approval process.

### **Accessibility TAC Committee Report and Recommendations**

Commissioner Richardson presented the committee's report and recommendations for Commission consideration. The Commission unanimously accepted the Committee's report by a vote of 20 - 0 in favor. (See Commission Minutes for Committee report)

### **Code Administration TAC**

Commissioner Wiggins presented the committee's report and recommendations for Commission consideration. The Commission unanimously accepted the Committee's report by a vote of 21 - 0 in favor. (See Commission Minutes for Committee report)

#### **Commission Actions:**

**Motion**— The Commission voted, by a vote of 18 – 3 in favor, to approve implementation of the Alternative Plans Review and Inspections Workgroup plan. (*Attachment 2*)

### **Electrical TAC**

Commissioner McCombs presented the committee's report and recommendations for Commission consideration. The Commission unanimously accepted the Committee's report by a vote of 20 - 0 in favor. (See Commission Minutes for Committee report)

### **Energy TAC**

Commissioner Corn presented the committee's report and recommendations for Commission consideration. The Commission unanimously accepted the Committee's report by a vote of 19 - 0 in favor. (See Commission Minutes for Committee report)

#### **Commission Actions:**

**Motion—** The Commission voted unanimously, 19 - 0 in favor, to take necessary actions to adopt by reference Appendix G of ASHRE Standards into the Florida Building Code.

### **Fire TAC**

Commissioner D'Andrea presented the committee's report and recommendations for Commission consideration. The Commission unanimously accepted the Committee's report by a vote of 19 - 0 in favor. (See Commission Minutes for Committee report)

### **Mechanical TAC**

Commissioner Bassett presented the committee's report and recommendations for Commission consideration. The Commission unanimously accepted the Committee's report by a vote of 19 - 0 in favor. (See Commission Minutes for Committee report)

### **Plumbing TAC**

Commissioner Greiner presented the committee's report and recommendations for Commission consideration. The Commission unanimously accepted the Committee's report by a vote of 19 - 0 in favor. (See Commission Minutes for Committee report)

### **Structural TAC**

Commissioner Parrino presented the committee's report and recommendations for Commission consideration. The Commission unanimously accepted the Committee's report by a vote of 19 - 0 in favor. (See Commission Minutes for Committee report)

**Motion—** The Commission voted unanimously, 19 - 0 in favor, to initiate the required legislative actions to delegate authority to the Florida Building Commission to update ASCE-7 wind standards in the Code. This task will be added to the Commission's workplan to develop recommendations for submittal to the 2005 Legislature.

### **Product Approval/Prototype Buildings/Manufactured Buildings Program Oversight Committee**

Commissioner Carson presented the committee's report and recommendations for Commission consideration. The Commission unanimously accepted the Committee's report by a vote of 19 - 0 in favor. (See Commission Minutes for Committee report)

**Motion—** The Commission voted unanimously, 19 - 0 in favor, to conduct a stakeholder workshop (non-rule development workshop) designed to clarify Rule 9B-72.

### **Public Comment**

Commissioner D'Andrea provided members of the public with an additional opportunity to address the Commission. Eight members of the public addressed the Commission.



## **Additional Commission Actions**

None

## **Committee Assignments/Meetings Required**

Accessibility Advisory Council and Waiver applications	Yes
Accessibility TAC	Yes
Code Administration TAC	Yes
Education TAC	Yes
Electrical TAC	No, unless Dec. statement
Energy TAC	No, unless Dec. statement
Fire TAC	Yes
Mechanical TAC	No, unless Dec. statement
Plumbing TAC	No, unless Dec. statement
Special Occupancy TAC	No, unless Dec. statement
Structural TAC	Yes
Product Approval/Prototype Buildings/Manufactured Buildings POC	Yes

## **Additional Meetings**

- ◆ Workshop to clarify Rule 9B-72
- ◆ Miniature golf working group

## **Staff Assignments**

- ◆ Schedule Budget Review Committee for the March 2004 Commission meeting.

## **Adjourn**

**Motion—** The Commission voted unanimously, by a vote of 19 – 0 in favor, to adjourn the plenary session.

# ATTACHMENT 1

## MEETING EVALUATION RESULTS

### 1. Please assess the overall meeting.

9.5 The background information was very useful.

9.6 The agenda packet was very useful.

9.8 The objectives for the meeting were stated at the outset.

9.5 Overall, the objectives of the meeting were fully achieved.

9.8 Chairs issues and recommendations.

9.1 Rule adoption hearing on equivalency of product evaluation standards and ICC recognition as an evaluation entity.

9.8 Rule hearing on the Building Code Education Program.

9.7 Annual Report to the 2004 Legislature.

9.3 Accessibility Waiver Applications.

9.7 Requests for Declaratory Statements.

9.7 TAC and POC reports and recommendations.

### 2. Please tell us how well the facilitator(s) helped the participants engage in the meeting.

9.9 The participants followed the direction of the facilitator.

9.9 The facilitator made sure the concerns of all participants were heard.

9.8 The facilitator helped us arrange our time well.

9.9 Participant input was documented accurately.

### 3. What is your level of satisfaction with the meeting?

9.6 Overall, I am very satisfied with the meeting.

9.9 I was very satisfied with the services provided by the facilitator.

9.6 I am satisfied with the outcome of the meeting.

### 4. What progress did you make?

9.6 I know what the next steps following this meeting will be.

9.3 I know who is responsible for the next steps.

**5. Do you have any other comments that you would like to add? We are very interested in your comments. Please use the back of this page.**

- Thanks to staff for all their hard work to get information to the Commissioners.
- The facilitator is and has been key to keeping these complex meetings moving on a schedule.
- I appreciate staff/facilitator's help with handling the arduous prod. appr. Process.
- Thanks for tea!
- As a new member- I am very impressed with staff!
- Excellent meeting.
- See comments on waiver to accessibility code. Comments from the public should proceed comments from members of the Commission.
- Rule 9B-72 was amended by .030 that was not properly discussed in the proper forum such as the POC or public as well as the building officials.
- TAC meeting conflict.
- Should use consent agenda format for waivers. There were 13 recommended for approval, 1 for denial, and 1 deferred. The waiver process took 1:15!

## **ATTACHMENT 2**

### **Approved Alternative Plans Review and Inspections Work Group Plan**

#### **I. Overview**

The Florida Building Commission is developing a plan to address issues related to the implementation, in October of 2002, of an alternative plans review and inspections system specified in Section 553.791 F.S. The Commission seeks the advice and input of affected industry stakeholders, similar in composition to the original task force, to shape a plan and any required statutory changes that addresses common and conflicting hopes and concerns and has the greatest degree of consensus among these interests as is possible. The Work Group will work with stakeholders to clarify the intent and requirements of the current law and to develop consensus recommendations for revisions to law governing the alternative plans review and inspections system.

The goal for the Work Group is to identify issues and productive problem solving. The Commission will review the resulting advisory recommendations. A successful result will depend on the creative, constructive input of all points of view in implementing consensus refinements to the current system.

#### **II. Components of the Proposed Consensus Building Process**

##### **A. Appointment of the Work Group**

The Consortium and Commission staff will consult with representatives of interests and organizations affected by the use of alternative plans review and inspections to seek individuals who will be willing to participate in a consensus building process. The Commission Chair will review member recommendations and appoint all members to the Work Group. The Consortium will send out pre-meeting surveys to each member of the Work Group to identify key issues and prepare for the organizational meeting.

##### **B. Phase I Initial Work Group Meeting (1) February 18, 2004**

The Consortium will facilitate an initial meeting on February 18, 2004 designed to agree on the proposed workplan and schedule, identify key issues related to the alternative plans review and inspections system, identify options for key issues and seek to build consensus on those options and proposals where consensus is possible for presentation to the Commission at the March 2004 meeting.

### **C. Commission Meeting to Review Preliminary Consensus Recommendations (March 2004)**

The Commission will review Work Group recommendations that have consensus options and submit Commission adopted recommendations to the 2004 Florida Legislature.

### **D. Phase II Work Group Meetings (3) Spring, 2004**

The Consortium will facilitate an additional three meetings over the Spring of 2004 designed to resolve key issues not resolved at the February meeting and seek to build consensus on initial options and proposals to address those unresolved issues and prepare a workshop draft report of consensus recommendations and any remaining unresolved issues for presentation to the Commission.

During this phase, the Work Group members will be encouraged to communicate with their groups' decision-makers and constituents between meetings. A website will be established to solicit public input on issues that can be shared with the Work Group. Stakeholder contacts and others will be invited to provide feedback to the Work Group at various points in the process. This, plus a series of workshops will allow more groups and people to be involved even if they can't attend Work Group meetings. Anyone may request copies of the materials developed during the process and their comments will be made available to all involved through a project specific web site or in written form. Work group meetings will be noticed and the public can observe and contribute at appropriate times during the meetings

### **E. Commission Meeting to Review Additional Recommendations Report, Late Spring 2004**

*Work Group Meeting (if needed) To Respond to Commission input and adopt a workshop draft for public review and comment.*

### **F. Facilitated Public Workshops Around the State**

A series of (4) facilitated regional input workshops would be held around the State to solicit input on the workshop draft.

### **G. Phase 3 Work Group Meetings (2) Summer 2004**

The second phase would include review and seeking consensus both on revisions of the workshop draft in light of input and on the development of a final draft package of recommendations for consideration by the Commission.

## **H. Web Site**

A web site will be created for the Alternative Plans Review and Inspections Work Group. In addition to background information, it will have reports from the Work Group meetings, public workshops and other activities. The purpose is to provide a way for those new to the process to get up to speed and to solicit input from a wide range of individuals and groups who may not be able to attend some or all of the meetings.

## **I. Facilitators**

Jeff Blair, Regional Director of the Florida Conflict Resolution Consortium, will coordinate a neutral facilitation team including other Consortium staff as needed, that will work closely with the Commission, staff, and the Work Group in planning and implementing the process.

## **III. Review Schedule**

### **Proposed Dates    Proposed Activities**

February, 2004	Appointment of Work Group by FBC Chair
February 18, 04	Work Group Meeting #1 – Organizational, identification of issues, and phase I consensus recommendations.
March	Commission review and adoption of recommendations for submittal to the 2004 Legislature.
March	Work Group Meeting #2 – Seek consensus on unresolved issues.
April	Work Group Meeting #3 – Seek consensus on drafts Expert and stakeholder work on unresolved issues .
May	Work Group Meeting #4 – Seek consensus on workshop draft.
June	Commission review of workshop draft.
July	Possible Work Group Meeting #5 – Respond to any Commission changes.

Summer, 2004	Regional Input Workshops
September	Work Group meeting #6 to review and building consensus on draft package of recommendations.
October	Work Group meeting #7 to refine and adopt package of recommendations for submittal to the Commission.
October	Commission review and adoption of package of recommendations.
November	Recommendations implemented. Recommendations requiring statutory change included in Commission's Report to the 2005 Legislature.

#### **IV. Work Group Decision Making and Outcomes**

*(To be reviewed and adopted by the Work Group at its Organizational meeting).*

##### **A. Consensus Items (Recommendations)**

All Work Group recommendations will be made by consensus. Consensus is defined as follows: A consensus exists when at least 75% of the Work Group can publicly support or at least agree not to oppose a decision. Not all members have to support the decision with equal enthusiasm. It may be the first choice for some, while it is only just acceptable to others. Nevertheless, most members can support it because it advances at least some of their interests or issues, while not violating any interests or issues essential to them. The Work Group's report to the Commission will include all consensus recommendations on the draft package of recommendations for revising the alternative plans review and inspections system as well as options and analysis for unresolved issues.

##### **B. Clarification of Personal and Organizational Opinions**

The lists and rankings of issues and options by the Work Group members will be included in the reports prepared for each meeting. Any Work Group member may submit a letter articulating their opinions, which may be appended to the Work Group reports. All meeting reports are public records and will be maintained by the Commission.

## **V. Communications**

### **A. Work Group Discussion Guidelines**

Members recognize that others represent a variety of differing perspectives. To promote open discussion, members agree to abide by the following guidelines:

- ◆ Stacking – raise hands and the facilitator will establish an order of speakers. The stack may be temporarily interrupted to follow-up on specific ideas.
- ◆ Listen to all perspectives respectfully and with an open mind.
- ◆ Seek understanding before responding and explain the reasons behind your statements.
- ◆ Speak concisely to make the best use of limited time.
- ◆ If you agree with what has been said, please say so. Please do not repeat what has been said. (We have limited time.)
- ◆ If you disagree, please do so respectfully and openly, not in private.
- ◆ Seek agreement where possible and determine appropriate next steps when there is disagreement.
- ◆ Help the group develop and adhere to its agenda.

### **B. Communication with the Media.**

In order to preserve maximum flexibility for Work Group discussions, members are asked to minimize speculation about the outcome of on-going Work Group discussions with third parties and the media. In the event, members do communicate with the media, they agree to characterize only their own views and not those of any other members or the group.

## **VI. Open Process**

At a minimum, all Work Group activities will comply with provisions of Florida's Government in the Sunshine Act. Further, all discussions of the Work Group will be open to observation, comment, and where appropriate participation, by any member of the public. All records of Work Group discussions and materials used by the Work Group will be available upon request from the Commission.



## ATTACHMENT 3

### COMMISSION'S UPDATED WORKPLAN

#### 2004 Update of the Florida Building Code:

##### Phase I, Approval of Florida specific statewide and local amendments:

Amendment submittal cutoff (independent submittals)	4/18/03
Post on website (independent/base code updates/local amends)	4/23/03
TACs review and develop recommendations	6/16-18/03
TACs complete review and recommendations	7/14/03
Post TAC recommendations on website	7/25/03
Commission considers TACs recommendations and approve amends	10/13-14/03

##### Phase II, Consider model code changes together with all approved statewide and local amendments, draft rule changes and adopt by rule:

Administration, Fire and Structural TACs review and develop recommendations on which Florida specific amendments to integrate into the IBC and IRC	12/03 to 1/04
Plumbing and Mechanical TACs review and develop recommendations on which Florida specific amendments to integrate into the IRC plumbing, mechanical and fuel gas chapters	12/03 to 1/04
<b>Code Correlation and Formatting Recommendation from staff</b>	<b>1/13/04</b>
Rule development workshop	3/1-3/04
Rule adoption hearing	4/19-20/04
2004 Code posted to Web and printed for delivery	7/1/04
Effective date of first update	1/1/05

*Also, see chart*

#### 2006 Annual Interim Amendments:

Amendment submittal cutoff (independent submittals)	To be determined
Post on website (independent/base code updates/local amends)	To be determined
TAC's consider	To be determined
Post TAC recommendations on website	To be determined
Commission considers	To be determined
Rule development workshop	To be determined
Rule adoption hearing	To be determined
Effective date of first update	To be determined

#### Adopt Revised Chapter 34 for Existing Buildings

##### Schedule:

Residential and Commercial building rehab committees established	Mar 2002
Draft code amendments completed	Dec 2002
Draft revisions to law completed	Dec 2002
Report to the Legislature completed ( <i>recommended expedited adoption</i> )	Dec 2002
<b><i>Bill did not pass/expedited adoption was not approved by the Legislature</i></b>	
Adopt via the 2004 FBC Update Process (see schedule above)	

## **Develop Code Commentaries:**

### **Plan:**

Identify commentary documents to reference from website and do not adopt by rule.  
Amend rules of procedure to require submittal of “rationale” for proposed amendments.  
Capture rationales for proposed amendments, declaratory statements and advisory opinions in BCIS to provide “commentary”.

## **Voluntary Standards for Building Departments [HB 4181/s.553.76(5), F.S.]**

### **Plan:**

Establish a joint development project with the state building officials association, (BOAF), with BOAF as lead.

### **Schedule:**

Contractor selected	Apr 2003
BOAF/contractor development	Jun-Dec 2003
First edition of standards	Jan 2004

## **Appeals Procedures [98-287, LOF/ss.553.73 & .77 & 2000-141, LOF/s.120.80,FS]**

### **Schedule:**

Assign to Code Administration TAC for review	Sep 2002
Develop any necessary Code amendments and/or changes to law	Sep-Dec 2002
Submit for 2004 Code Update	Apr 2003
Effective date	Jan 2005

## **ISO Ratings Program for Building Departments [s.553.77(1)(n),F.S.]**

**Ongoing:** Addressed by establishment of policy on updating the FBC. ISO ratings dependent upon building codes being kept current with national standards.

## **Building Code Training Program**

### **Core Curricula:**

#### **Develop administrative core curricula**

Ed TAC develops recommendations Apr-Jul 2003

#### **Develop technical core curricula**

Ed TAC meets with licensing board representatives to develop recommendations Apr-Jul 2003

#### **Revise Building Code Training Program Rule 9B-70 to reflect core curricula and advanced code course criteria**

Rule development workshop Oct 2003

Rule development workshop Nov 2003

Rule adoption hearing Nov 2003

Rule effective Dec 2003

Report to Legislature Jan 2004

**Coordinate with licensing boards on establishing building code specific CE hour requirements**

Ed TAC meets with board representatives to develop recommendations	Jan-Nov 2003
Boards approve	Dec 2003
Report to Legislature	Jan 2004

**Develop and implement voluntary accreditation program for building code courses**  
*(Depends on program authorization by Legislature)*

Finalize recommendation to 2003 Legislature <i>(bill did not pass in Legislature)</i>	Dec 2002
Continue with system concept development	Feb-Nov 2003
Finalize recommendation to 2004 Legislature	Nov 2003

**Establish procedures for advisory opinions and adopt by rule:**

**Schedule:**

Consider partnership with BOAF	May 2002
BOAF/Staff develop proposed procedures	May-Jun 2002
Approve procedures	July 2002
Procedure goes into effect (law allows effective before rule)	Aug 2002
RFP issued and contractor hired	Dec 2002
Rule development workshop	May 2003
Rule hearing	Jul 2003
Rule effective 9B3.054	Oct 2003

Review the implementation of s.553.891, F.S., Alternative Plans Review and Inspections, and report to the Legislature on or before January 1, 2004:

**Schedule:**

Contractor hired to collect data on system operation	Jul 2003
Contractor report due	Sep 2003
Fact finding public workshop	Oct 2003
Review report to the Legislature	Nov 2003
<b>Report submitted to Legislature “on or before January 1, 2004”</b>	Jan 2004

**Establish standards and criteria for foundation permits and other “specialty permits”:**  
(CS/CS/SB 336 & 180, 2001)

**Schedule:**

Assign to Code Administration TAC	Sep 2002
Recommendations for criteria	Feb 2003
Submit for 2004 FBC edition amendment	Apr 2003
Effective (2004 edition of FBC)	Jan 1, 2005

**Amend Product Approval Rule  
Rule clarification:**

TAC workshop 1		Nov 2002
TAC workshop 2		Dec 2002
Rule development workshop		Jan
	2003	
Rule adoption hearing		Apr
	2003	
Hearing on Notice of Proposed Changes		Jul 2003
Amendments to Rule effective		Aug 2003
System mandatory as required by law		Oct 1, 2003

**Recognize Equivalent Standards:**

Rule development workshop		Nov
	2003	
Rule adoption hearing		Jan
	2004	
Amendments to Rule effective		Feb 2004

## Code Amendment Schedule for 2004 Edition of the Florida Building Code

Phase I	“Approve” statewide and local	Florida specific amendments
	April 18, 2003	Deadline for submittal of proposed amendments
	April 25, 2003	Proposals posted to web
45 days (min) <sup>1</sup>		
	Week of June 15-20, 2003	TACs consider proposals
	July 14, 2003	Structural TAC complete proposals review
	July 25, 2003	TAC recommendations posted to web
45 days (min) <sup>1</sup>		
	October 13-14, 2003	Commission considers proposals
Phase II	“Consider” model code changes	“Further Consider” Florida specific amendments
	December 2003 Through January 2004	TACs compare model code updates and Florida specific amendments/develop recommendations
	March 2 & 3, 2004	Commission conducts Rule Development Workshop
	April 19 & 20, 2004	Commission conducts Rule Adoption Hearing and votes to file the rule for adoption
		File Rule with DOS for adoption
	July 1, 2004	Code posted on Web
6 months (min) <sup>2</sup>		
	January 1, 2005	Code revision implemented

<sup>1</sup> Minimum waiting period required by Florida Statutes

<sup>2</sup> Minimum delay time for printing, distribution and printing of new codes established by Commission policy