

**FLORIDA BUILDING COMMISSION
FLORIDA ACCESSIBILITY CODE WORKGROUP**

June 7, 2010—Meeting VIII

**Rosen Centre Hotel
9840 International Drive—Orlando, Florida 32819—1.800.204.7234**

Meeting Objectives

- ✓ To Approve Regular Procedural Topics (Agenda and Summary Report)
- ✓ To Review Phase II Project Scope
- ✓ To Review and Decide on Any Needed Statutory Changes to Ensure Conformance of the Florida Accessibility Code with the New DOJ Standards for Accessible Design (SAD)
- ✓ To Consider Public Comment
- ✓ To Identify Needed Next Steps and Agenda Items for Next Meeting

All Agenda Times—including Public Comment and Adjournment—are Subject to Change

Meeting Agenda—Monday, June 7, 2010

1:00* Welcome and Opening

Agenda Review and Approval

Approval of April 6, 2010 Facilitator's Summary Report

Phase II Project Scope Overview

Review and Discuss Any Needed Statutory Changes to Ensure Conformance of the Florida Accessibility Code with the New DOJ Standards for Accessible Design (SAD)

General Public Comment

Review of Workgroup Delivery and Meeting Schedule

Next Steps: Agenda Items, Needed Information, Assignments, Date and Location

Adjourn

Contact Information and Project Webpage

Jeff Blair: jblair@fsu.edu ; <http://consensus.fsu.edu/FBC/accessibility-code.html>



**Meeting will start at 1:00 PM or upon completion of Accessibility Advisory Council meeting.*

Florida Accessibility Code Workgroup

Scott Cannard, Bemie Eustace, Kiko Franco, Skip Gregory, Jeff Gross, Jon Hamrick, Jack Humburg, Diana Ibarra, Julia Kates, J.W. Longman, Chris Masal, Sharon Mignardi, John O'Connor, Barbara Page, Catherine Powell, Ben Ritter, Larry Schneider, Jim Schock, Shelly Siegal, Julie Shaw, Randy Vann, and Phillip Wisely.

Meeting Schedule for 2009 and 2010:

2009: February 2, April 6, August 10, October 12, December 7; **2010:** February 1, April 6, June 7.

OVERVIEW AND PROJECT SCOPE

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 Standards for Accessibility Design (SAD). 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 proposed in its June 8, 2008 NPRM and add any revised or additional amendments when DOJ finalizes its rule amendment.

The process for developing the new Florida Accessibility Code for Building Construction is comprised of three phases.

Phase I of the project focused on the integration of Florida Specific Requirements into the Proposed DOJ SAD, June 2008, and was divided into major tasks as follows:

Task 1:

Integration of Florida standards established in s.553.501-s.553.513, F.S. into sections of the 2004 ADAAG that have a one for one parallel section in the 1994 SAD.

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.

Phase I initiated with the February 2009 meeting and concluded with the April 2010 meeting.

Phase II of the project will commence at the June 7, 2010 meeting (Meeting VIII) and the focus will be to review updated Florida statutory references to ensure the Florida Building Code, Accessibility Volume is correlated with requirements of the new SAD, and to propose any statutory changes required to ensure conformance. The target date for Phase II will be to develop recommendations for the 2011 Legislature.

Phase III will commence at the conclusion of Phase II of the project. In Phase III the Workgroup will review all of the current Florida Specific Requirements and recommend whether there should be any revisions or additions. The target date for Phase III will be to develop recommendations for the 2011 Legislature.

Workgroup Adopted Project Strategy Consistent with Project Scope

At Meeting I (February 2, 2009) 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. Following are the actions taken by the Workgroup:

Workgroup Actions:

Motion—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 identify issues that should be discussed for possible recommendations regarding Florida Specific requirements and ancillary topics, to be forwarded to the Legislature.

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

Project Documents

DOJ SAD, June 2008, “Proposed ADA Standards for Accessible Design”.

(2004 ADAAG and definitions and scoping criteria adopted directly in 28 CFR 36.)

FACBC 2009, “Florida Accessibility Code for Building Construction”.

Sections 553.501-553.513, Florida Statutes.

ACCESSIBILITY CODE WORKGROUP PROCEDURAL GUIDELINES

PARTICIPANTS' ROLE

- ✓ The Workgroup process is an opportunity to explore possibilities. Offering or exploring an idea does not necessarily imply support for it.
- ✓ Listen to understand. Seek a shared understanding even if you don't agree.
- ✓ Be focused and concise—balance participation & minimize repetition. Share the airtime.
- ✓ Look to the facilitator(s) to be recognized. Please raise your hand to speak.
- ✓ Speak one person at a time. Please don't interrupt each other.
- ✓ Focus on issues, not personalities. Avoid stereotyping or personal attacks.
- ✓ To the extent possible, offer options to address other's concerns, as well as your own.
- ✓ Participate fully in discussions, and complete meeting assignments as requested.
- ✓ Serve as an accessible liaison, and represent and communicate with member's constituent group(s).

FACILITATORS' ROLE (FCRC Consensus Center @ FSU)

- ✓ Design and facilitate a participatory workgroup process.
- ✓ Assist the Workgroup to build consensus on a package of recommendations for delivery to the Florida Building Commission.
- ✓ Provide process design and procedural recommendations to staff and the Workgroup.
- ✓ Assist participants to stay focused and on task.
- ✓ Assure that participants follow ground rules.
- ✓ Prepare and post agenda packets, worksheets and meeting summary reports.

GUIDELINES FOR BRAINSTORMING

- ✓ Speak when recognized by the Facilitator(s).
- ✓ Offer one idea per person without explanation.
- ✓ No comments, criticism, or discussion of other's ideas.
- ✓ Listen respectfully to other's ideas and opinions.
- ✓ Seek understanding and not agreement at this point in the discussion.

THE NAME STACKING PROCESS

- ✓ Determines the speaking order.
- ✓ Participant raises hand to speak. Facilitator(s) will call on participants in turn.
- ✓ Facilitator(s) may interrupt the stack (change the speaking order) in order to promote discussion on a specific issue or, to balance participation and allow those who have not spoken on an issue an opportunity to do so before others on the list who have already spoken on the issue.

ACCEPTABILITY RANKING SCALE

During the meetings, members will be asked to develop and rank options, and following discussions and refinements, may be asked to do additional rankings of the options if requested by members and staff. Please be prepared to offer specific refinements or changes to address your reservations. The following scale will be utilized for the ranking exercises:

Acceptability Ranking Scale	4 = <i>acceptable, I agree</i>	3 = <i>acceptable, I agree with minor reservations</i>	2 = <i>not acceptable, I don't agree unless major reservations addressed</i>	1 = <i>not acceptable</i>
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WORKGROUP'S CONSENSUS PROCESS

The Workgroup will seek to develop a package of consensus-based recommendations for submittal to the Florida Building Commission. General consensus is a participatory process whereby, on matters of substance, the members strive for agreements which all of the members can accept, support, live with or agree not to oppose. *In instances where, after vigorously exploring possible ways to enhance the members' support for the final decision on a recommendation, and the Workgroup finds that 100% acceptance or support is not achievable, final decisions will require at least 75% favorable vote of all members present and voting.* This super majority decision rule underscores the importance of actively developing consensus throughout the process on substantive issues with the participation of all members and which all can live with. In instances where the Workgroup finds that even 75% acceptance or support is not achievable, publication of recommendations will include documentation of the differences and the options that were considered for which there is more than 50% support from the Workgroup.

The Workgroup will develop its recommendations using consensus-building techniques with the assistance of the facilitator. Techniques such as brainstorming, ranking and prioritizing approaches will be utilized. Where differences exist that prevent the Workgroup from reaching a final consensus decision (i.e. with support of at least 75% of the members) on a recommendation, the Workgroup will outline the differences in its documentation.

The Workgroup's consensus process will be conducted as an open process consistent with applicable law. Workgroup members, staff, and facilitator will be the only participants seated at the table. Only Workgroup members may participate in discussions and vote on proposals and recommendations. The facilitator, or a Workgroup member through the facilitator, may request specific clarification from a member of the public in order to assist the Workgroup in understanding an issue. Observers/members of the public are welcome to speak during the public comment period provided at each meeting, and all comments submitted on the public comment forms provided in the agenda packets will be included in the facilitator's summary reports.

Facilitator will work with staff and Workgroup members to design agendas and worksheets that will be both efficient and effective. The staff will help the Workgroup with information and meeting logistics.

To enhance the possibility of constructive discussions as members educate themselves on the issues and engage in consensus-building, members agree to refrain from public statements that may prejudice the outcome of the Workgroup's consensus process. In discussing the Workgroup process with the media, members agree to be careful to present only their own views and not the views or statements of other participants. In addition, in order to provide balance to the Workgroup process, members agree to represent and consult with their stakeholder interest groups.

