

FLORIDA BUILDING COMMISSION
FLOOD RESISTANT STANDARDS WORKGROUP

March 25, 2009—Meeting I

RACCA—1920 East Sligh Avenue—Tampa, Florida 33610—1.813.870.2607

Meeting Objectives

- ✓ To Approve Regular Procedural Topics (Agenda)
- ✓ To Review Workgroup Procedures, Guidelines, and Decision-Making Requirements
- ✓ To Hear an Overview of the Workgroup’s Scope and Charge, and Task Development Strategy
- ✓ To Hear a Presentation on Key Issues Regarding Flood Resistant Standards Integration
- ✓ To Review and Discuss Pre-Meeting Survey Results
- ✓ To Identify Issues and Options Regarding Integrating and Adopting Flood Resistant Standards in the Florida Building Code (Code)
- ✓ To Discuss and Evaluate Level of Acceptability of Proposed Options
- ✓ To Consider Public Comment
- ✓ To Identify Needed Next Steps: Information, Assignments, and Agenda Items for Next Meeting

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

Meeting Agenda

9:00 Welcome and Opening

Agenda Review and Approval

Review of Commission’s Workgroup Meeting Guidelines, Consensus-Building and Decision-Making Process, and Sunshine Requirements

Review of Flood Resistant Standards Workgroup Scope

Key Flood Standards Integration Issues Overview

Pre-Meeting Survey Results Review and Discussion

Identification of Issues Regarding Integrating Flood Resistant Standards in the Code

Identification, Discussion and Evaluation in Turn of Options Regarding Integrating Flood Resistant Standards in the Florida Building Code

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

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<http://consensus.fsu.edu/FBC/Flood-Resistant-Standards.html>



CONSENSUS SOLUTIONS

Flood Standards Workgroup Members and Representation

Member	Representation
Miles Anderson	Florida Department of Emergency Management (FDEM)
Bob Boyer	Local Government
Gene Chalecki	Florida Department of Environmental Protection (FDEP)
Nick D'Andrea	Florida Floodplain Managers Association (FFMA)
Eddie Fernandez	Miami-Dade County Code Compliance Office
Jack Glenn	Florida Home Builders Association (FHBA)
Steve Pizzillo	Building Officials Association of Florida (BOAF)
Bud Plisich	Federal Emergency Management Agency (FEMA Region IV)
Tim Reinhold	Institute of Building Home Safety (IBHS)
Jim Schock	City of Jacksonville
Tim Tolbert	Santa Rosa County

Meeting Schedule, Starting Time, and Location

March 25, 2009	9:00 AM	Tampa, Florida	RACCA, 1920 East Sligh Avenue
April 29, 2009	9:00 AM	Tampa, Florida	RACCA, 1920 East Sligh Avenue
May 29, 2009	9:00 AM	Tampa, Florida	RACCA, 1920 East Sligh Avenue

Overview and Project Scope

At the request of the Florida Division of Emergency Management (DEM) the Florida Building Commission convened a Flood Resistant Standards Workgroup charged with developing recommendations for integrating the International Code Series (I-Codes: IBC, IRC, etc.) flood damage-resistant provisions (for buildings and structures) in the Florida Building Code. FEMA has worked with ICC for the past 10 years on flood standards for buildings that are consistent with the requirements of the National Flood Insurance Program (NFIP), and the current I-Codes reflects these standards. When the 2001 Florida Building Code (First Edition) was developed a policy decision was made, primarily for administrative reasons, to eliminate flood standards from the foundation model code and continue the practice of relying on Floodplain Management Ordinances adopted by communities participating in the National Flood Insurance Program. In addition, the DEM has requested that the policy be reviewed, that identified administrative issues be resolved, and that the I-Code flood standards be retained in the 2010 FBC. The Commission will conduct this facilitated stakeholder process beginning in March of 2009, with adopted recommendations submitted as code amendments for the 2010 Florida Building Code Update process.

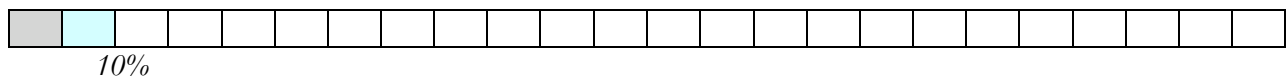
FBC Workplan—Flood Resistant Standards Workgroup Task

38. Evaluate Adoption of Flood Standards in the Florida Building Code

Schedule:

Workgroup appointed	12/08
DEM contract with FSU/CRC	1/09
Workgroup meetings	3/25
	4/29
	5/29
Recommendations to Commission	6/09
Proposals for 2010 FBC submitted for adoption (See 2010 FBC development schedule)	12/09

Status: % Complete



2010 Update to the Florida Building Code—Draft Schedule

Decide on Code Assembly Process (<i>Not decided by Commission as of: 2/09</i>)	12/08-2/09
ICC integrates 2006 to 2009 I Code changes into 2007 FBC to develop	2/09-6/09
First Draft 2010 FBC (<i>completed for transmittal to TAC's for review 7/1/09</i>)	
TAC's review First Draft 2010 FBC for accuracy	7/09-10/09
Printed 2009 International Codes published and available to the public	3/1/09
Commission selects 2009 I Codes as foundation for 2010 FBC (<i>Note: 2009 I Codes must be available to public for 6 months prior to selection – assumes 3/1/09</i>)	10/14/09
First Draft 2010 FBC ready for review and modifications	10/14/09
Proposed amendments to the 2009 I Codes with Florida amendments due date	1/1/10
Florida Specific amendment overlaps with 2006 to 2009 I Codes changes, local amendments and 2010 FFPC correlation submitted amendments proposals by staff	1/1/10
Proposed amendments posted to the Web by (<i>45 day min before TAC review</i>)	1/15/10
45 day comment period ends	3/2/10
TAC's review proposed Florida amendments and make recommendations	4/5-8/10
TAC recommendations posted to web (<i>45 day min before Commission review</i>)	4/23/10
45 day comment period ends	6/8/10
TAC's review comments and prepare public comment for Rule Workshop	6/7 & 8/10
Commission considers TAC recommendations on proposed amendments via Rule Development Workshop	6/9/10
Rule Adoption Hearing	8/11/10
File Rule adopting the 2010 FBC	9/10/10
Printed Codes available to the public	1/1/11
Code implemented (<i>no sooner than 6 months from available to public</i>)	10/1/11

FLOOD RESISTANT STANDARDS 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

CONSENSUS

The Florida Building Commission seeks to develop consensus decisions on its recommendations and policy decisions. The Commission provides a forum for stakeholders representing different interests to participate in a consensus-building process where issues affecting the construction industry are discussed and evaluated on their technical merits and cost-benefits to the citizens of the State of Florida. In order to achieve the best possible decisions, the Commission relies on its workgroups, ad hoc committees, technical advisory committees, and program oversight committees to develop consensus recommendations on project specific issues.

Definitions

Consensus is a **process, an attitude and an outcome**. Consensus processes have the potential of producing better quality, more informed and better-supported outcomes.

As a **process**, consensus is a problem solving approach in which all members:

- Jointly share, clarify and distinguish their concerns;
- Educate each other on substantive issues;
- Jointly develop alternatives to address concerns; and then
- Seek to adopt recommendations everyone can embrace or at least live with.

In a consensus process, members should be able to honestly say:

- I believe that other members understand my point of view;
- I believe I understand other members' points of view; and
- Whether or not I prefer this decision, I support it because it was arrived at openly and fairly and because it is the best solution we can achieve at this time.

Consensus as an **attitude** means that each member commits to work toward agreements that meet their own and other member needs and interests so that all can support the outcome.

Consensus as an **outcome** means that agreement on decisions is reached by all members or by a significant majority of members after a process of active problem solving. In a consensus outcome, the level of enthusiasm for the agreement may not be the same among all members on any issue, but on balance all should be able to live with the overall package.

Levels of consensus on a committee outcome can include a mix of:

- Participants who strongly support the solution;
- Participants who can "live with" the solution; and
- Some participants who do not support the solution but agree not to veto it.

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 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.

SUNSHINE LAW GUIDELINES

(Section 286.011, Florida Statutes)

Applicability of Sunshine Law

1. Meetings of public groups (workgroups) or commissions must be open to the public;
 2. Reasonable notice of such meetings must be given (by publication in FAW at least 7 days in advance of a meeting); and
 3. Minutes of the meetings must be taken.
- Equally applicable to elected and appointed members and applies to any gathering of two or more members of the same group (Workgroup) to discuss some matter which will foreseeably come before that group (Workgroup) for action. Applies to advisory groups.
 - Written correspondence (reports) circulated among group members for comments.
 - Telephone conversations and computer communications including e-mails and attachments.
 - Delegation of authority to a single individual.
 - Use of nonmembers as liaisons between group (Workgroup) members.

Issues not Subject to Sunshine Law Requirements

- Use of a written report by one member to inform other members of a subject which will be discussed at a public meeting, if prior to the meeting, there is no interaction related to the report among the members.
- Members (Workgroup) or designee may be authorized to gather information as a fact-finder only.
- Members may meet together socially, provided they refrain from discussing matters on which foreseeable action before the (Workgroup) are discussed.

Workgroup members are subject to the requirements of Florida's Government in the Sunshine Law, commonly referred to as the Sunshine Law (Section 286.011 F.S.).

There are four basic requirements of section 286.011, Florida Statutes:

- (1) Meetings of public boards or commissions (workgroups) must be open to the public;
- (2) Reasonable notice of such meetings must be given;
- (3) Any voting of members must be done in public (including discussions between two or more members regarding a matter on which the Workgroup might foreseeably take action); and
- (4) Minutes of the meetings must be taken.

ISSUES AND OPTIONS IDENTIFICATION WORKSHEET

ISSUES IDENTIFICATION EXERCISE—MEETING NOTES

Think about the information presented regarding flood resistant standards and the Florida Building Code. What issues need to be addressed in order to evaluate incorporating flood resistant standards into the Florida Building Code?

Please use the following space to jot down your thoughts.

Prioritization Ranking Exercise

Members may be asked to rank the issues for discussion order purposes.

Ranking Scale:

- 5 **Highest Level of Priority; Urgent**
- 4 **High Priority**
- 3 **Moderate Level of Priority**
- 2 **Low Level of Priority**
- 1 **Lowest Possible Priority; Group Should not Pursue**

OPTIONS IDENTIFICATION EXERCISE—MEETING NOTES

Please use the space below to write down possible options to address the key issues identified earlier regarding incorporating flood resistant standards into the Florida Building Code.

Please use the following space to jot down your thoughts.

During the meeting, members will be asked to develop and rank options, and following discussions and refinements, may be asked to do a second ranking of the options as refined. The following scale will be utilized for the ranking exercises:

Acceptability Ranking Scale	<i>4 = acceptable, I agree</i>	<i>3 = acceptable, I agree with minor reservations</i>	<i>2 = not acceptable, I don't agree unless major reservations addressed</i>	<i>1 = not acceptable</i>
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Note: Be prepared to offer specific refinements or changes to address your reservations.

PUBLIC COMMENT FORM

The Florida Building Commission and the Flood Resistant Standards Workgroup encourage written comments—All written comments will be included in the meeting summary report.

Name: _____

Organization: _____

Meeting Date: _____

Please make your comment(s) as specific as possible, and offer suggestions to address your concerns.

Please limit comment(s) to topics within the scope of the Workgroup, and refrain from any personal attacks or derogatory language.

The facilitator may, at his discretion, limit public comment to a maximum of three-minutes (3) per person, depending on the number of individuals wishing to speak.

COMMENT: _____

Please give completed form(s) to the Facilitator for inclusion in the meeting summary report.