

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: December 10, 2024

[X] Consent [] Regular [] Workshop [] Public Hearing

Department: Planning, Zoning and Building

Submitted By: Building Division

Submitted For: Building Division

EXECUTIVE BRIEF

Motion and Title: Staff recommend motion: to amend the 2024 Palm Beach County Legislative Agenda to address the organizations that can nominate local construction industry representatives to serve on the Building Code Advisory Board of Palm Beach County (BCAB).

Summary: The Building Code Advisory Board (BCAB) exists to provide guidance through technical advisories and non-binding interpretations of the Florida Building Code. The members are comprised of experts in design, construction and regulation. It also serves to assist in the drafting of the Palm Beach County Amendments to the Florida Building Code during each triennial update. BCAB was established by a Special Act of the Florida Legislature originally in 1974, and most recently amended in 2017. BCAB is designed to be comprised of seven (7) industry representatives (representing various construction trades) and seven (7) governmental building code administrators (building officials) each from a jurisdiction within the seven (7) County Commission Districts. In addition, there are two (2) design professionals consisting of an Architect and an Engineer. By design, the balance of the board membership is equally weighted between construction industry representatives and regulatory authorities to ensure a balanced approach to interpretations, and also ensure there is adequate specific trade-based knowledge available from the industry side.

The requested changes to the existing act involve the qualification process for building official nominees to BCAB. Amending the Legislative Agenda will authorize the filing of a local bill to affect these changes. Unfortunately, Section 2 of the Special Act (definitions) currently defines "Building Official" as a full-time paid employee of local government. Because of changes in the demographics of our industry in recent years, particularly with the increased use of part time contracted staff and increasing use of private providers, we are unable to fill vacancies, and we have limited hope of filling them in the future without amending the act. Countywide (RM)

Background and Justification: BCAB is designed to be comprised of seven (7) industry representatives (representing various construction trades) and seven (7) governmental building code administrators (building officials) each from a jurisdiction within the seven County Commission Districts. In addition, there are two (2) design professionals consisting of an Architect and an Engineer. By design, the balance of the Board membership is equally weighted between construction industry representatives and regulatory authorities to ensure a balanced approach to interpretations, and also ensure there is adequate specific trade-based knowledge available from the industry side.

Background and Justification continued on page 3

Attachment: 1. Summary Fact Sheet

Recommended by: Whitney Carroll Department Director Date 11/22/24
Approved By: Deputy County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2025	2026	2027	2028	2029
Capital Expenditures	0	0	0	0	0
Operating Costs	0	0	0	0	0
External Revenues	0	0	0	0	0
Program Income (County)	0	0	0	0	0
In-Kind Match(County)		0	0	0	0
NET FISCAL IMPACT	0	0	0	0	0
#ADDITIONAL FTE	0	0	0	0	0
POSITIONS (CUMULATIVE	0	0	0	0	0

Is Item Included in Current Budget? Yes__ No X

Is this item using Federal Funds? Yes__ No X

Is this item using State Funds? Yes__ No X

Budget Account No.: Fund__ Department__ Unit__ Object__

Fund__ Department__ Unit__ Rsc__

B. Recommended Sources of Funds/Summary of Fiscal Impact:

No fiscal impact associated with this agenda.

C. Departmental Fiscal Review:

Alchamary

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

Loren Muter *Whelan*
KK *JA 11/12*
 11/12 OFMB

Brenda Grackl 11/12/24
 Contract Dev. and Control

B. Legal Sufficiency:

[Signature] 11/14/24
 Assistant County Attorney

C. Other Department Review:

 Department Director

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)

Background and justification continues from page 1

Because BCAB now has two (2) vacancies on the regulatory (building official) side there is currently an imbalance. In addition it has also becoming increasingly difficult to meet the requirements for a quorum in order to hold meetings at all. Without your support to enact minor changes to the act, BCAB may be unable to continue to fulfill its important role in our community. The suggested text changes proposed are specifically intended to address changes in the nature of governmental regulators, and allow the Board of County Commissioners (BCC) to make appointments to fill current vacancies and select from a more diverse pool of nominees going forward.

The request is being made to assist the Building Division in meeting established BCC policies on term limits and diversity as well as ensuring a quorum can be met.

December 9, 2024

SUMMARY FACT SHEET

Summary: The Building Code Advisory Board (BCAB) was established by a Special Act of the Florida Legislature originally in 1974, and most recently amended in 2017. BCAB was created and exists to offer administrative and technical interpretations, new product evaluation, and technical support to the County and its 39 municipalities to promote consistent and proper application of the Florida Building Code throughout Palm Beach County. BCAB is designed to be comprised of seven (7) industry representatives (representing various construction trades) and seven (7) governmental building code administrators (building officials) each from a jurisdiction within the seven County Commission Districts. In addition, there are two (2) design professionals consisting of an Architect and an Engineer. By design, the balance of the Board membership is equally weighted between construction industry representatives and regulatory authorities to ensure a balanced approach to interpretations, and also ensure there is adequate specific trade-based knowledge available from the industry side.

The requested changes to the existing act involves the qualification process for building official nominees to BCAB. Unfortunately, Section 2 of the Special Act (definitions) currently defines "Building Official" as a full-time paid employee of local government. Because of changes in the demographics of our industry in recent years, particularly with the increased use of part time contracted staff and increasing use of private providers, we are unable to fill vacancies, and we have limited hope of filling them in the future without amending the act. The definition also prevents County staff from adhering to established term limit and policies previously set by the Board of County Commissioners.

Because BCAB now has two (2) vacancies on the regulatory (building official) side there is currently an imbalance. In addition it has also becoming increasingly difficult to meet the requirements for a quorum in order to hold meetings at all. Without your support to enact minor changes to the act, BCAB may be unable to continue to fulfill its important role in our community. The suggested text changes proposed are specifically intended to address changes in the nature of governmental regulators, and allow the Board of County Commissioners (BCC) to make appointments to fill current vacancies and select from a more diverse pool of nominees going forward.

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