



FLORIDA BUILDING COMMISSION

"STRONGER CODES THROUGH SCIENCE AND CONSENSUS"



**FACILITATOR'S SUMMARY REPORT OF THE
OCTOBER 15, 2019
FLORIDA BUILDING COMMISSION MEETING
ST. PETERSBURG, FLORIDA**

PROCESS DESIGN, CONSENSUS-BUILDING AND FACILITATION BY



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FLORIDA BUILDING COMMISSION
OCTOBER 15, 2019 FACILITATOR’S MEETING SUMMARY REPORT

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FLORIDA BUILDING COMMISSION
OCTOBER 15, 2019 FACILITATOR'S SUMMARY REPORT



OVERVIEW OF COMMISSION'S KEY ACTIONS AND DECISIONS

TUESDAY, OCTOBER 15, 2019

I. PLENARY SESSION SUMMARY AND OVERVIEW

At the October 15, 2019 meeting conducted in St. Petersburg the Commission considered and decided on Chair's issues and recommendations, Executive Director's announcements and discussions, product and entity approvals, applications for accreditator and course approvals, accessibility waivers, petitions for declaratory statements, and recommendations from the Commission's various committees. In addition, the Commission received a briefing on Binding Interpretations # 169 and #174. Specific actions included voting to: 1.) Approve the updated Workplan/Schedule for the 2020 Code Update Process—7th Edition, Florida Building Code (2020); 2.) Direct staff to provide draft rule language options, and to proceed with the rulemaking process for Rule 61G20-2.002 —Statewide Amendments to the Florida Building Code, and to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of the Commission; 3.) Initiate rulemaking for Rule 61G20-2.001 (Commission Organization and Operations), and to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of the Commission; 4.) Approve funding research project priority #4 (feasibility study only) for fiscal year 2019-2020 based on the TAC Chairs' recommendations, and staff administering and overseeing the research, and to charge staff with negotiating scoping, funding levels, and contracting as appropriate, and to ensure that UF works collaboratively with industry stakeholders on scoping and methodology; 5.) Approve funding research project priority #5 for fiscal year 2019-2020 based on the TAC Chairs' recommendations, and staff administering and overseeing the research, and to charge staff with negotiating scoping, funding levels, and contracting as appropriate, and to ensure that UF works collaboratively with industry stakeholders on scoping and methodology; and, 6.) Approve funding research project priority #6 for fiscal year 2019-2020 based on the TAC Chairs' recommendations, and staff administering and overseeing the research, and to charge staff with negotiating scoping, funding levels, and contracting as appropriate.

(Attachment 1—Meeting Evaluation Results)

II. ACTING CHAIR'S WELCOME

Acting Chair Schock welcomed the Commission, DBPR staff and the public to St. Petersburg and the October 15, 2019 plenary session of the Florida Building Commission.

The Acting Chair noted that in addition to considering regular procedural issues including product and entity approvals, applications for accreditor and course approvals, accessibility waivers, petitions for declaratory statements, and recommendations from the Commission's various committees, the primary focus of the October meeting was to conduct a rule workshop on Rule 61G20-2.002, and decide on funding of remaining proposed research projects.

The Acting Chair explained that if one wished to address the Commission on any of the issues before the Commission they should sign-in on the appropriate sheet(s), and as always, the Commission will provide an opportunity for public comment on each of the Commission's substantive discussion topics. The Acting Chair explained that if one wants to comment on a specific substantive Commission agenda item, they should come to the speaker's table at the appropriate time so the Commission knows they wish to speak. The Acting Chair noted that public input is welcome, but should be offered before there is a formal motion on the floor.

III. COMMISSION ATTENDANCE

The following Commissioners attended the Tuesday, October 15, 2019 meeting in St. Petersburg:

Jim Schock (Acting Chair), Hamid Bahadori, James Batts, Bob Boyer, Don Brown, Oscar Calleja, Nan Dean, Charles Fisher, John Gatlin, Shane Gerwig, David Gilson, Richard Goff, Robert Hamberger, David John, Brian Langille Brad Schiffer, Fred Schilling, Drew Smith, Jeff Stone, Don Whitehead, and John Wiseman.

(21 of the 25 currently seated Commissioners attended—84%).

Absent Commissioners:

Kelly Smith Burk, David Compton, Jeff Gross, and Brian Swope.

DBPR STAFF PRESENT

Thomas Campbell, Jim Hammers, Chris Howell, Mo Madani, and Justin Vogel.

MEETING FACILITATION

Meetings are facilitated, and meeting reports drafted by Jeff Blair from Facilitated Solutions, LLC. Information at: <http://facilitatedsolutions.org>.



PROJECT WEBPAGE

Information on the Florida Building Commission project, including agenda packets, meeting reports, and related documents may be found at the Commission Webpage. Located at the following URL: <http://floridabuilding.org/c/default.aspx>

IV. AGENDA REVIEW AND APPROVAL

The Commission voted unanimously, 21 - 0 in favor, to approve the agenda for the October 15, 2019 meeting as posted/presented. Following are the key agenda items approved for consideration:

- To Approve Regular Procedural Topics (Agenda and Minutes).
- To Consider/Decide on Chair's Discussion Issues/Recommendations.
- To Consider/Decide on Executive Director Announcements and Discussions.
- To Receive Update Regarding the 7th Edition (2020) Florida Building Code Workplan.
- To Conduct Rules Workshop on 61G20-2.002.
- To Review and Approve Remaining Potential Research Projects for 2019/2020.
- To Consider/Decide on Accessibility Waiver Applications.
- To Consider/Decide on Approvals and Revocations of Products and Product Approval Entities.
- To Consider Applications for Accreditor and Course Approval.
- To Receive a Briefing Regarding Legal Report.
- To Consider/Decide on Petitions for Declaratory Statement.
- To Hear Information on Binding Interpretations # 169 and #174.
- To Receive/Decide on Reports and Recommendations from Committees.
- To Hear Public Comment.
- To Identify Needed Next Steps, Assignments, and Agenda Items for Next Meeting (St. Augustine, December 10, 2019).

Amendments to the Posted Agenda:

There were no amendments to the posted agenda.

(Attachment 2—October 15, 2019 Commission Agenda)

V. APPROVAL OF THE AUGUST 13, 2019 FACILITATOR'S SUMMARY REPORT AND MEETING MINUTES

MOTION—The Commission voted unanimously, 21 - 0 in favor, to approve the August 13, 2019 Facilitator's Summary Report and Meeting Minutes as posted/presented.

Amendments: There was no amendment offered to the meeting minutes.

VI. CHAIR'S DISCUSSION ISSUES AND RECOMMENDATIONS

Commission Updates

Acting Chair Schock reported that Diana Worrall, the Commission's Persons With Disabilities Representative has resigned effective September 12, 2019. On behalf of the Commission, Jim thanked Diana for her years of service to the citizens of Florida. Diana served two separate appointments on the Commission with her most recent service running from September 23, 2016 – September 12, 2019.

Hurricane Research Advisory Committee

Acting Chair Schock reported that the Hurricane Research Advisory Committee was originally convened in January of 2005 and last met formally in 2012. He announced that he would be reconvening the HRAC with new membership later this year to continue evaluating research for wind and water intrusion enhancements, including UF's and FEMA's hurricane related reports. The HRAC will maintain a balance of perspectives and stakeholders as in the past, and the Acting Chair will decide on membership on this basis. Acting Chair Schock will serve on the Committee, and requested that interested applicants send their resumes to Mo Madani by October 31, 2019. The Acting Chair indicated that he would appoint the HRAC at the Commission's December 10, 2019 meeting in St. Augustine.

Updated Commission Milestones

The Acting Chair reminded participants that the Updated Commission Milestones document is linked to the October 15, 2019 FBC Agenda on the BCIS.

VII. EXECUTIVE DIRECTOR ANNOUNCEMENTS AND DISCUSSIONS

Tom Campbell, FBC Executive Director, briefed the Commission on the following issues:

Legislative Update

Tom reported that SB 474 has been filed and proposes to reduce the Commission from 27 seats to 19 seats.

New Electronic Travel System

Tom reported that DBPR is using a new electronic system to file travel reports, and signing the voucher is no longer required. The Reimbursement For Travel Expenses Form and travel receipts can be submitted by email or mailed to DBPR.

Future Meetings

Future 2019 Commission Meeting Dates

Tom reported that the December 10, 2019 Commission meeting will be in St. Augustine, at the World Golf Village Renaissance.

Following are the Commission meeting dates for the remainder of FY 2019/2020:

February 11, 2020, Sheraton Orlando North, Maitland, Florida.

April 7, 2020, The Shores Resort and Spa, Daytona Beach Shores.

June 2, 2020, meeting location TBD.

VIII. 7TH EDITION, FLORIDA BUILDING CODE (2020) WORKPLAN UPDATE

Mo Madani provided an update regarding the Workplan/Schedule for the development of the 2020 Code Update Process—7th Edition, Florida Building Code (2020).

Following the opportunity provided for questions and answers, public comment, and Commission discussion, the Commission took the following actions:

Commission Actions:

MOTION—The Commission voted unanimously, 21 – 0 in favor, to approve the updated Workplan/Schedule for the 2020 Code Update Process—7th Edition, Florida Building Code (2020).

IX. RULES WORKSHOP ON RULE 61G20-2.002 —STATEWIDE AMENDMENTS TO THE CODE

Acting Chair Schock explained the 2019 Legislature amended Section 553.73 (7)(a), Florida Building Code, through passage of HB 447 to reflect that: Every 3 years, the Commission may approve updates to the Florida Building Code without a specific finding that the updates are required to accommodate the specific needs of this state. The Commission is required to amend Rule 61G20-2.002, Statewide Amendments to the Florida Building Code, to reflect this change. At the August 2019 meeting the Commission voted to initiate rulemaking for Rule 61G20-2.002 -Statewide Amendments to the Florida Building Code, and to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of the Commission. Prior to the Rules Workshop stakeholders were requested to provide written comments on proposed revisions to the Rule, and the comments were posted to the BCIS.

At the October 2019 meeting the Commission received public comments, and discussed the public comments regarding proposed changes to the triennial update process and changes to the Commission’s adopted code processes, and subsequently discussed any changes they would like to consider regarding the Rule and process documents. Based on the Commission’s discussion and the public comments, the Commission then directed staff to bring draft rule options, and amended process documents to the December 10, 2019 meeting for further review and discussion during the Rule Workshop.

Following is a summary of options identified by Commission members and staff:

- Code, Chapter, and Section for TAC reviews. (Schiffer)
- Three hearings instead of four during TAC and Commissioner review. (Shock)
- Monograph included with proposed I-code changes. (Shock)
- Removing Florida specific language from first phase requirements. (Shock)
- Working with the insurance industry to get more info about BCEGS. (Shock)
- FHBA proposed rule language provide in their comments as a starting point for rule changes. (Wiseman)
- 2nd TAC review will be allowed to change recommendation instead of just providing comments. (Staff)
- Eliminate mandate of only having motions to approve. (Staff)
- Submitting round 1 Code modifications into system. (Staff)
- Assign individual TAC members a certain amount of modifications to review. (Staff)

Following the opportunity provided for questions and answers, public comment, and Commission discussion, the Commission took the following actions:

Commission Actions:

MOTION—The Commission voted unanimously, 21 – 0 in favor, to direct staff to provide draft rule language options, and to proceed with the rulemaking process for Rule 61G20-2.002 —Statewide Amendments to the Florida Building Code, and to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of the Commission.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to initiate rulemaking for Rule 61G20-2.001 (Commission Organization and Operations), and to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of the Commission.

X. APPROVAL OF REMAINING RESEARCH PROJECTS FOR FY 2019-2020

Acting Chair Schock explained that the Commission has been funding hurricane resistance research based on legislatively approved spending authority since the formation of the Commission’s Hurricane Research Advisory Committee in January of 2005. At the August 2013 meeting the Commission voted to expand the funding of research projects to topics beyond the scope of hurricane resistance research and to fund research into other Code related topical areas based on recommendations from the Commission’s TACs and has done so since then. At the April 16, 2019 meeting the Commission voted to narrow the scope of Commission funding of research projects for fiscal year 2019/2020 to hurricane resistant research.

At the August 2019 meeting the Commission voted to fund research project priorities # 1, 2, and 3, and authorized staff to work with the Structural TAC to review research project priorities # 4, 5, and 6, and to bring recommendations for the Commission’s consideration at the October 2019 meeting. At the August 13, 2019 meeting the Commission voted to fund the following:

Priority #1: Code enhancements for Florida.

Priority #2: Geographic Information System technical assistance in preparing local wind speed line maps for jurisdictions dissected by wind speed line contours.

Priority #3: Code review of the integrated draft for the 7th Edition (2020) FBC.

The Structural TAC met on September 25, 2019 and prioritized the 3 remaining research projects. On October 15, 2019 the Chairman Technical Advisory Committee met to consider the Structural TAC’s recommendations, and is recommending the following priority order for funding the remaining 3 projects:

- Priority #4: A Feasibility Study for Wind-Driven Rain Tests of Building Envelope Systems up to Hurricane-Strength Wind-Driven Rain Intensity.
- Priority #5: Experimental Evaluation of Pressure Equalization Factors and Wind Resistance of Vinyl Siding Systems Using a Multi-Chamber Pressure Test Bed.
- Priority #6: Hurricane Michael Data Enhancement (Phase II), Performance of Modular Houses and Review of FEMA Recovery Advisory.

Following the opportunity provided for questions and answers, public comment, and Commission discussion, the Commission took the following actions:

Commission Actions:

MOTION—The Commission voted unanimously, 21 – 0 in favor, to approve funding research project priority #4 (feasibility study only) for fiscal year 2019-2020 based on the TAC Chairs’ recommendations, and staff administering and overseeing the research, and to charge staff with negotiating scoping, funding levels, and contracting as appropriate, and to ensure that UF works collaboratively with industry stakeholders on scoping and methodology.

MOTION—The Commission voted, 20 – 1 in favor, to approve funding research project priority #5 for fiscal year 2019-2020 based on the TAC Chairs’ recommendations, and staff administering and

overseeing the research, and to charge staff with negotiating scoping, funding levels, and contracting as appropriate, and to ensure that UF works collaboratively with industry stakeholders on scoping and methodology.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to approve funding research project priority #6 for fiscal year 2019-2020 based on the TAC Chairs’ recommendations, and staff administering and overseeing the research, and to charge staff with negotiating scoping, funding levels, and contracting as appropriate.

XI. CONSIDERATION OF ACCESSIBILITY WAIVER APPLICATIONS

Justin Vogel, Accessibility Advisory Council legal advisor, presented the Accessibility Advisory Council’s recommendations for all applications, and the Commission reviewed and decided on the Waiver applications submitted for their consideration.

Commission Actions Regarding Accessibility Waiver Applications:

1. Carpenter's Shop Center Inc. – Waiver 380 - 1601 University Blvd. N, Jacksonville 32211

MOTION—The Commission voted unanimously, 21 – 0 in favor, to grant the waiver based on the grounds of economic hardship.

2. Villa SoFi – Waiver 338 - 735 2nd Street, Miami Beach 33139

MOTION—The Commission voted unanimously, 21 – 0 in favor, to grant the waiver based on the grounds of technical infeasibility.

3. Bali Hai Beach Resort – Waiver 413 - 6900 Gulf Dr, Holmes Beach 34217

MOTION—The Commission voted unanimously, 21 – 0 in favor, to grant the waiver based on economic hardship.

4. New Mezzanine Office Addition for Prestige Packaging, Inc. – Waiver 358 - 17080 Alico Commerce Ct. Suite 1, Fort Myers 33967

MOTION—The Commission voted unanimously, 21 – 0 in favor, to grant the waiver based on the grounds of economic hardship.

XII. CONSIDERATION OF APPLICATIONS FOR PRODUCT AND ENTITY APPROVAL

Commissioner Stone presented the Product Approval Oversight Committee’s recommendations for entities and product approvals on the consent agenda for approval, and Jeff Blair presented the recommendations for product approvals with comments and/or discussion.

Commission Actions on the Consent Agendas for Approval:

MOTION—The Commission voted unanimously, 21 - 0 in favor, to approve the consent agenda of product approval entities (8) as posted/presented.

MOTION—The Commission voted unanimously, 21 - 0 in favor, to approve the consent agenda of products (158) recommended for approval to the 2017 Code as posted/presented.

Commission Actions Regarding Product Approval Applications With Comments—2017 Code:

MOTION—The Commission voted unanimously, 21 – 0 in favor, to conditionally approve products FL 16291-R3 based on the conditions requested by the applicant and recommended by DBPR staff.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to conditionally approve products FL 21044-R2 based on the conditions requested by the applicant and recommended by DBPR staff.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to conditionally approve products FL 29985 based on the conditions requested by the applicant.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to conditionally approve products FL 29991 based on the conditions requested by the applicant.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to conditionally approve products FL 30314 based on the conditions requested by the applicant and recommended by DBPR staff.

MOTION—The Commission voted unanimously, 21 – 0 in favor, to conditionally approve products FL 30356 based on the conditions requested by the applicant and recommended by DBPR staff.

Commission Actions Regarding DBPR Applications:

There was no Commission action required regarding the October 2019 DBPR Applications. The complete results of Commission decisions regarding applications for product and entity approvals are available on the BCIS.

(See BCIS Website for Linked Committee Report)

XIII. CONSIDER APPLICATIONS FOR ACCREDITOR AND COURSE APPROVAL

Commissioner Dean presented the applications, and the Commission reviewed and decided on the accreditor and course applications submitted for their consideration as follows:

Commission Actions:

MOTION—The Commission voted unanimously, 21 – 0 in favor, to approve advanced accredited course number: 938.0.

(See Committee's Next Agenda for Linked Committee Report)

XIV. LEGAL REPORT

Justin Vogel, Commission Legal Counsel, reported that there were no pending legal matters of interest to the Commission.

XV. CONSIDERATION OF PETITIONS FOR DECLARATORY STATEMENTS

Justin Vogel, Commission Legal Counsel, presented each declaratory statement in turn. Following are the actions taken by the Commission regarding the petitions for declaratory statements.

DS-2019-048 by WeCare Pediatric Extended Care, Corp.

Motion—The Commission voted unanimously, 21 - 0 in favor, not to accept the requested withdrawal of the Petition, and to approve the Fire TAC's and Special Occupancy TAC's recommendation on the Petition (staff's analysis).

XVI. BINDING INTERPRETATIONS #169 AND # 174 BRIEFINGS

Acting Chair Schock reported that Binding Interpretation #169 was petitioned by Caroline Shine regarding the City of Deltona Building Official's interpretation pursuant to Chapter 9 – Fire Protection Systems, Section 903.2 of the Florida Building Code, Building. The issue involves a petition for a binding interpretation on the BO's interpretation limiting the use of the building, church growth, and assembly.

Mo Madani briefed the Commission as follows:

Binding Interpretation #169: Answer: The Binding Interpretation Panel declined to answer these generic Building Code questions because they are too general in nature and do not address a specific interpretation by the building official and the jurisdiction, which is the intent of the binding interpretation process.

Acting Chair Schock reported that Binding Interpretation #174 was petitioned by HW Cecil regarding the Lee County Building Official's interpretation pursuant to Chapter 24 – Fuel Gas, Section G2408 of the Florida Building Code, Residential. The issue involves a petition for a binding interpretation on the BO's interpretation that the generator is in compliance with the FBC, and that the location does comply with the manufacturer's installation instructions.

Mo Madani briefed the Commission as follows:

Binding Interpretation #174: Answer: The Binding Interpretation Panel ruled that for Q1 based on the information presented, the generator does not comply with manufacturer's installation guidelines and location requirements. For Q2 the answer is yes the FBC, Residential requires compliance with all manufacturer's installation location requirements.

XVII. COMMITTEE REPORTS AND RECOMMENDATIONS

Acting Chair Schock requested TAC and POC chairs to confine their reports to a brief summary of any key recommendations, emphasizing any issues requiring an action from the Commission. The Chair requested if the TAC/POC requires Commission action, to frame the needed action in the form of a proposed motion. This will ensure that the Commission understands exactly what the TAC/POC's are recommending, and the subsequent action requested of the Commission. Acceptance of a committee report does not approve any recommendations contained within the report, and specific recommendations must be considered by separate motions. Committee reports are linked to the following URL (linked to Commission's October 15, 2019 Agenda):

http://www.floridabuilding.org/fbc/commission/FBC_1019/index.htm.

Chairman TAC

Jeff Blair presented the TAC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 21 – 0 in favor, to accept the TAC's report as presented/posted (October 15, 2019).

Education POC

Commissioner Dean presented the POC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 21 – 0 in favor, to accept the POC's report as presented/posted (October 3, 2019).

Fire TAC

Commissioner Bahadori presented the TAC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 21 – 0 in favor, to accept the TAC's report as presented/posted (September 24, 2019).

Product Approval POC

Commissioner Stone presented the POC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 21 – 0 in favor, to accept the POC's report and Facilitator's summary report as presented/posted (October 4, 2019).

Special Occupancy TAC

Commissioner Whitehead presented the TAC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 21 – 0 in favor, to accept the TAC's report as presented/posted (September 24, 2019).

Structural TAC

Commissioner Schock presented the TAC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 20 – 0 in favor, to accept the TAC's report as presented/posted (September 25, 2019).

XVIII. COMMISSION MEMBER COMMENTS AND ISSUES

Acting Chair Schock invited Commission members to offer any general comments to the Commission, or identify any issues or agenda items for the next Commission meeting.

Commissioner Comments:

- Commissioner Schock: welcomed Chuck Fisher as the new electrical representative on the Commission.

XIX. GENERAL PUBLIC COMMENT

Members of the public were offered an opportunity to provide comment during each of the Commission's substantive discussion agenda items. In addition, Acting Chair Schock invited members of the public to address the Commission on any issues under the Commission's purview.

Public Comments:

Bryan Holland, NEMA: recommended the Commission convene a workgroup to review certain gaps in AHCA requirements in the Florida Building Code.

Arlene Stuart, AZS Consulting: agreed with Bryan, and volunteered to be on the workgroup.

XX. NEXT COMMISSION MEETING OVERVIEW AND ISSUES

The December 10, 2019 meeting in St. Augustine will focus on the Commission's regular procedural and substantive issues, and rule development initiatives.

(Attachment 5—Commission Meeting Schedule)

OTHER COMMISSION ACTIONS

There were no additional Commission actions taken during the October 15, 2019 meeting.

STAFF ASSIGNMENTS FROM THE OCTOBER 15, 2019 MEETING

Draft rule language and Code review process options for Rule 61G20-2.002.

ADJOURNMENT

The Acting Chair thanked Commission members, staff and the public for their attendance and participation, and adjourned the meeting at 11:57 AM on Tuesday, October 15, 2019.

ATTACHMENT 1
FLORIDA BUILDING COMMISSION MEETING EVALUATION RESULTS

OCTOBER 15, 2019—ST. PETERSBURG, FLORIDA

Average rank using a 0 to 10 scale, where 0 means totally disagree and 10 means totally agree.

Number of Respondents: 17 of 21 (81%) Commissioners present completed meeting evaluations.

1. OVERALL MEETING ASSESSMENT.

- 9.5 ___ The background information was very useful.
- 9.5 ___ The agenda packet was very useful.
- 9.7 ___ The objectives for the meeting were stated at the outset.
- 9.5 ___ Overall, the objectives of the meeting were fully achieved.

2. MEMBERS LEVEL OF AGREEMENT THAT THE MEETING OBJECTIVES WERE ACHIEVED.

- 9.7 ___ Executive Director’s Announcements and Discussions.
- 9.7 ___ Update Regarding the 7th Edition (2020) Florida Building Code Workplan.
- 9.8 ___ Rules Workshop on 61G20-2.002.
- 9.5 ___ Approval of Remaining Research Projects for 2019/2020.
- 9.5 ___ Applications for Accessibility Waiver Applications Approvals.
- 9.8 ___ Applications for Products and Product Approval Entities Approvals.
- 9.8 ___ Applications for Accreditor and Course Approvals.
- 9.7 ___ Legal Report Briefing.
- 9.8 ___ Petitions for Declaratory Statements.
- 9.8 ___ Information on Binding Interpretations # 169 and #174.
- 9.9 ___ TAC, POC, Committee, and Workgroup Reports and Recommendations.

3. HOW WELL THE FACILITATOR HELPED THE MEMBERS ENGAGE IN THE MEETING.

- 9.9 ___ The members followed the direction of the Facilitator.
- 9.5 ___ The Facilitator made sure the concerns of all members were heard.
- 9.6 ___ The Facilitator helped us arrange our time well.
- 9.9 ___ Participant input was documented accurately in Facilitator’s Report (previous meeting).

4. MEMBERS LEVEL OF SATISFACTION WITH THE MEETING.

- 9.5 ___ Overall, I am very satisfied with the meeting.
- 9.7 ___ I was very satisfied with the services provided by the Facilitator.
- 9.7 ___ I am satisfied with the outcome of the meeting.

5. HOW WELL THE NEXT STEPS WERE COMMUNICATED.

- 9.7 ___ I know what the next steps following this meeting will be.
- 9.7 ___ I know who is responsible for the next steps.

6. WHAT MEMBERS LIKED BEST ABOUT THE MEETING.

- Staff was very helpful.
- Efficiency and Facilitator's notes on rulemaking discussion.
- Free Parking
- A break is a good idea.

7. COMMENTS REGARDING HOW THE MEETING COULD HAVE BEEN IMPROVED.

- Examples during discussion of what was being explained from ICC.
- Breakfast is important!

8. OTHER GENERAL COMMENTS.

- Good team of staff people.
-

COMMENTS ON SPECIFIC AGENDA ITEMS

None were offered.

PUBLIC-MEETING EVALUATION AND COMMENT RESULTS

None were offered.

ATTACHMENT 2
OCTOBER 15, 2019 MEETING AGENDA

FLORIDA BUILDING COMMISSION
PLENARY SESSION
OCTOBER 15, 2019
HILTON ST. PETERSBURG CARILLON PARK
950 LAKE CARILLON PARK DRIVE
ST. PETERSBURG, FLORIDA 33716

MEETING OBJECTIVES

- To Approve Regular Procedural Topics (Agenda and Minutes).
- To Consider/Decide on Chair's Discussion Issues/Recommendations.
- To Consider/Decide on Executive Director Announcements and Discussions.
- To Receive Update regarding the 7th Edition (2020) Florida Building Code Workplan
- To Conduct Rules Workshop on 61G20-2.002
- To Review and Approve Remaining Potential Research Projects for 2019/2020.
- To Consider/Decide on Accessibility Waiver Applications.
- To Consider/Decide on Approvals and Revocations of Products and Product Approval Entities.
- To Consider Applications for Accreditor and Course Approval.
- To Receive a Briefing Regarding Legal Report.
- To Consider/Decide on Petitions for Declaratory Statement.
- To Hear Information on Binding Interpretations # 169 and #174
- To Receive/Decide on Reports and Recommendations from Committees.
- To Hear Public Comment.
- To Identify Needed Next Steps, Assignments, and Agenda Items for Next Meeting.

COMMISSION COMMITTEE ON SITE AND TELECONFERENCE/WEBINAR MEETINGS

September 24, 2019	2:00 p.m.	Fire Technical Advisory Committee
September 24, 2019	2:00 p.m.	Special Occupancy Technical Advisory Committee
September 25, 2019	9:00 a.m.	Structural Technical Advisory Committee
October 3, 2019	10:00 a.m.	Education Program Oversight Committee
October 4, 2019	9:00 a.m.	Product Approval Program Oversight Committee
October 4, 2019	2:00 p.m.	Accessibility Advisory Council
October 15, 2019	7:15 a.m.	Chairman Technical Advisory Committee

MEETING AGENDA—OCTOBER 15, 2019

All Agenda Times—Including Adjournment—Are Approximate and Subject to Change

8:30 a.m.	1.)	Welcome and Opening, Roll Call
	2.)	Review and Approval of Meeting Agenda
	3.)	Review and Approval of Previous Meeting Minutes and Facilitator Report for (August 13, 2019)
	4.)	Chair’s Discussion Issues: Milestones
	5.)	Executive Director Announcements and Discussions: Future Meetings: December 10, 2019 - World Golf Village Renaissance, St. Augustine, Florida February 11, 2020 – Sheraton Orlando North, Maitland, Florida April 7, 2020 – TBD June 2, 2020 - TBD
	6.)	To Receive Update regarding the 7th Edition (2020) Florida Building Code Workplan
	7.)	Rule Workshop on 61G20- 2.002
	8.)	To Review and Approve Remaining Potential Research Projects for 2019/2020
	9.)	Accessibility Waiver Applications: (Accessibility Advisory Council Report)
	10.)	Applications for Product (2017) and Entity Approval
	11.)	Applications for Accreditor and Course Approval
	12.)	Legal Report
	14.)	Declaratory Statement: DS-2019-048 by WeCare Pediatric Extended Care, Corp.
	15.)	Binding Interpretations: #169 #174
	16.)	Committee Reports: Chairman Technical Advisory Committee (10/15/19) Education Program Oversight Committee (10/3/19) Fire Technical Advisory Committee (9/24/19) Product Approval Program Oversight Committee (10/4/19) Special Occupancy Technical Advisory Committee (9/24/19) Structural Technical Advisory Committee (9/25/19)
	17.)	Commissioner Comment
	18.)	Public Comment
	19.)	Adjourn Commission Plenary Session

ATTACHMENT 3
KEY TO COMMON ACRONYMS

ACRONYM	DEFINITION
ADA	Americans With Disabilities Act
ADAAG	ADA Accessibility Guidelines for Buildings and Facilities
BCSA	Florida Building Code System Assessment
BOAF	Building Officials Association of Florida
DACS or FDACS	Florida Department of Agriculture and Consumer Services
DBPR	Department of Business and Professional Regulations
DCA	Department of Community Affairs (Abolished 2011)
DEP or FDEP	Florida Department of Environmental Protection
DOH or FDOH	Florida Department of Health
DOJ	U.S. Department of Justice
EPA	U.S. Environmental Protection Agency
FACBC	Florida Accessibility Code for Building Construction
FAR	Florida Administrative Register (previously FAW)
FBC	Florida Building Code
FBC	Florida Building Commission
FECC	Florida Energy and Conservation Code
IBC	International Building Code
ICC	International Code Council
POC	Program Oversight Committee (Education and Product Approval)
SAD	ADA Standards for Accessibility Design
TAC	Technical Advisory Committee

ATTACHMENT 4

FLORIDA BUILDING COMMISSION HISTORY AND OVERVIEW

HISTORY

Following Hurricane Andrew in 1992 and Hurricane Opal in 1995, Florida experienced record-breaking insurance losses resulting in a crisis affecting every homeowner in the state. The Governor appointed a Building Code Study Commission, The Florida Conflict Resolution Consortium designed and facilitated a two-year study and deliberation process with the 28 members representing a range of interests in the public and private sectors, through which the Commission evaluated the building code system.

The study revealed that building code adoption and enforcement was inconsistent throughout the state and even local codes thought to be the strongest proved inadequate when tested by major hurricane events. The consequences were devastation to lives and economies and a statewide property insurance crisis. The Commission recommended reform of the state building construction system which placed emphasis on uniformity and accountability.

The legislature enacted the consensus recommendations into law in 1998. In late 1998, the Consortium was asked by the Commission's chair to assist the newly created Florida Building Commission in its effort to build consensus for a uniform building code proposal. A complex consensus building process was put in place that included designing and facilitating meetings of 12 balanced technical advisory groups of 11 members each appointed by the Commission, as well as the Commission's meetings. The FCRC Consensus Center at FSU continues to work with the Commission by providing facilitation and consensus-building services.

OVERVIEW

COMMISSION REPRESENTATION. The Florida Building Commission is a 27-member representative stakeholder group who successfully created, implemented, and maintains the new statewide Florida Building Code. The Commission is comprised of the Chair, and 26 members appointed to represent specific stakeholder groups. They are as follows: four code officials, two state government representatives, a local government representative, a representative of persons with disability, a structural engineer, a mechanical engineer, representatives of fire protection technology, the building management industry, and the insurance industry, a general contractor, residential contractor, mechanical contractor, plumbing contractor, electrical contractor, roofing/sheet metal/air conditioning contractor, a manufactured building representative, a building product manufacturer, a swimming pool contractor, a representative of the green building industry, a natural gas system distribution representative, and a member representing the Department of Agriculture and Consumer Services' Office of Energy.

CONSENSUS PROCESS. The Florida Building Commission (FBC) seeks to develop consensus decisions on its recommendations and policy decisions. 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 substantive decisions, and the Commission finds that 100 percent acceptance or support is not achievable, final decisions require at least 75 percent 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 and support.

The Commission's consensus process is conducted as an open public process with multiple opportunities for the public to provide input to the Commission on substantive issues. At each Commission meeting, the public is welcome to speak during the public comment period provided for each substantive issue under consideration, as well as general public comment periods provided at the end of each day's meeting. In addition to these opportunities for public input, most complex substantive issues before the Commission go through a consensus process where recommendations are developed by appointed representative stakeholder groups.

Since its formation in July of 1998, the Commission has demonstrated a commitment to working with affected interests to build consensus on complex issues. The adoption of the first edition of the Florida Building Code (2001 Edition), developed from September 1998 through January of 2001, involved 27 Commission meetings, dozens of facilitated public workshops and hundreds of TAC meetings. The Commission has consistently worked with all affected interests to build the best possible consensus-based decisions for the citizens of Florida. Through its committees and workgroups comprised of experts, the Commission has always developed its decisions based on the results of the best engineering and science available. Since 1999 the Commission has convened 64 special issue stakeholder workgroups to develop broad based consensus recommendations on issues of concern to stakeholders. Although the Code is by law a minimum building code, the Florida Building Code is the strongest consensus and science based building code in the country.

ATTACHMENT 5
COMMISSION’S UPDATED MEETING SCHEDULE AND CODE UPDATE WORKPLAN

(UPDATED AUGUST 13, 2019)

COMMISSION APPROVED MEETING SCHEDULE

DATE FY 2018/2019	LOCATION
August 14-15, 2018	Coral Gables [August 15 Plenary] (Biltmore Hotel)
October 8, 2018	Sarasota (Embassy Suites Sarasota)
December 11, 2018	Tampa (Embassy Suites USF)
February 19, 2019	Jacksonville (Hyatt Regency Downtown/Riverfront)
March 18-22, 2019	Altamonte Springs (Embassy Suites) TAC Meetings for submitted Code modifications
April 16, 2019	Gainesville UF Hilton
June 18, 2019	Sarasota Hyatt Regency
July 9-12, 2019	TAC meetings for comments on TAC’s recommendations
August 13, 2019	Hutchison Island Marriott Resort and Marina
October 15, 2019	St. Petersburg Hilton Carlton Park
December 10, 2019	World Golf Village Renaissance, St. Augustine
February 11, 2020	Sheraton Orlando North, Maitland (Rules Workshop)
April 7, 2020	The Shores Resort and Spa, Daytona Beach Shores (Rules Workshop)
June 2, 2020	TBD

COMMISSION’S 2020 CODE UPDATE DEVELOPMENT WORKPLAN

7TH EDITION (2020) FBC CODE UPDATE DEVELOPMENT TASKS

7TH EDITION (2020) UPDATE TO THE FLORIDA BUILDING CODE—	
TASK	SCHEDULE
<i>Primary Code Development Phase:</i>	
2017 NEC published and available to the public;	10/2016
2018 International Codes published and available to the public;	09/2017
Commission selects 2018 I Codes “model codes” and 2017 NEC to conduct its review	10/10/2017
Staff post complete listing of the code changes to the I Codes online	1/2/2018
Staff post on Commission website analysis of the 2018 I-Code change (Tracking Charts and code change monographs)	5/1/2018
TACs review the 2018 changes to the I Codes and make recommendations to the Commission regarding those changes that are needed to accommodate the specific needs of this state. TACs meetings - 11-day on-site meetings.	06/7-22/2018
Staff post TACs’ recommendations online for further public review	7/7/2018

Residential Construction Cost Impact Workgroup (RCCIWG) review the TACs' recommendations with regard to the 2018 changes to the International Residential Code (IRC) and provide comments to the Commission on impactful code changes. RCCIWG meeting – on-site meeting (Orlando Marriott Lake Mary)	7/30/2018
Deadline for requesting amendments (2018 I-Codes changes) to be pulled of the consent agenda for individual consideration.	9/3/2018
Commission considers TACs' recommendations regarding the latest changes to the model codes that are needed to accommodate the specific needs of this state – on site meeting (Embassy Suites - Sarasota).	10/8-9/2018
Staff post Commission's recommendations online	11/1/2018
Period for public to propose modifications to the 6 th Edition (2017) FBC and the Commission's approved changes to the model codes needed to accommodate the specific needs of this state	11/2/2018 – 12/15/2018
Proposed amendments reviewed by staff and posted to the Commission website	1/2/2019
1 st 45 day comment period ends (<i>By law -45 day min before TAC review</i>)	2/18/2019
Staff post on Commission website proposed code changes (Tracking Charts and Detail Reports)	3/1/2019
TACs consider proposed modifications (1 st 45 day comment period) TACs meetings - 4-day on-site meetings	3/14-26/2019
TACs recommendations posted to the website (Total mods – 1058; AS – 664; AM – 25; NAR – 339; and W – 30) Starting date for the 2 nd 45 day comment period	4/12/2019
Residential Construction Cost Impact Workgroup (RCCIWG) reviews the TACs' recommendations with regard to the proposed modifications to the Florida Residential Code (FRC) and provides comments to the TACs/Commission on impactful code changes. RCCIWG meeting – on-site meeting (Gainesville)	5/6/2019
2 nd 45 day comment period ends (<i>by law – 45 day min before Commission review</i>)	5/26/2019
Staff post on Commission website proposed code changes with comments (Tracking Chats and Details Reports)	6/21/2019
TACs consider public comments on their actions on the proposed mods TACs meetings – 4-day meetings [2-day on-site (Gainesville) and 2 – day via conference/webinar] – As needed and as applicable	7/9-12/2019
Staff post on Commission website TACs consideration of public comments	7/22/2019
Commission considers TAC recommendations (2 nd 45 day comment period) Commission – 2-day meeting	8/13-14/2019
7 th Edition (2020) FBC (6 th Edition (2017) FBC, Florida Supplement and Commission's approved I Codes) posted online	9/19/2019
Provide Supplements to ICC for integration into the 6th Edition (2017) FBC	

Rule development Workshops	February 4 11 , 2020 April 7, 2020
Integrated Draft 7 th Edition (2020) FBC – Posted online	April 20, 2020
<i>Final Rule Hearing</i> on 7 th Edition (2020) FBC/Commission approves final version of Code 7 th Edition (2020) Florida Fire Prevention Code available in final format	June 8 2 , 2020
Rule Submitted to Secretary of State and Supplement/Integrated posted online – subject to addressing all JAPC’s concerns	TBD
Printed Code available - subject to negotiation with ICC	TBD
2020 FBC (7th edition) effective date (6 – months after publication)	12/31/2020
553.73(7)(e) A rule updating the Florida Building Code in accordance with this subsection shall take effect <u>no sooner than 6 months</u> after publication of the updated code. Any amendment to the Florida Building Code which is adopted upon a finding by the commission that the amendment is necessary to protect the public from immediate threat of harm takes effect immediately.	