

FLORIDA BUILDING COMMISSION
FACILITATOR'S SUMMARY REPORT OF THE
JUNE 26 - 27, 2007
COMMISSION PLENARY SESSION
SUPPLEMENT TO THE MAY 8 - 9, 2007 MINUTES
MIAMI LAKES, FLORIDA

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FLORIDA BUILDING COMMISSION

SUPPLEMENT TO THE JUNE 26 - 27, 2007 MINUTES

OVERVIEW OF COMMISSION'S KEY DECISIONS

TUESDAY, JUNE 26, 2007

Welcome

Chairman Rodriguez welcomed the Commission, staff and the public to the June 2007 plenary session, and once again thanked TAC members and DCA staff for doing an excellent job in reviewing and making recommendations regarding proposed code amendments for the 2007 update to the Florida Building Code. Chairman Rodriguez noted that Mo Madani and his staff did an excellent job in organizing the proposed code amendments by subject area, as well as with the integration of Florida specific amendments, and staff's efforts enhanced the TAC's ability to effectively review the proposed amendments. The Chair noted that prior to the June plenary, the TAC's reviewed comments on TAC recommendations for proposed code amendments, and this meeting represented the first time the Commission has had the benefit of the TAC's review and comments on comments on the TAC's recommendations for proposed amendments to the Florida Building Code.

On June 27, 2007, day two of the plenary session, Chairman Rodriguez thanked Joe Bigelow, Bruce Ketcham, Mo Madani, Ann Stanton, and Betty Stevens for the excellent job they did in reviewing and organizing the proposed Code modifications for the 2007 Code Update.

Agenda Review and Approval

The Commission voted unanimously, 21 - 0 in favor, to approve the agenda for the June 26 - 27, 2007 meeting as amended (removed Code Administration and Plumbing TAC reports).

Following are the key agenda items approved for consideration:

Day One:

- To Consider Regular Procedural Issues: Approval of the May 8 - 9, 2007 Minutes and Facilitator's Summary Report.
- To Consider/Decide on Accessibility Waiver Applications.
- To Consider/Decide on Legal Issues and Petitions for Declaratory Statements.
- To Hear an Update Report on Binding Interpretations.
- To Consider/Decide on Approvals and Revocations of Products and Product Approval Entities.
- To Consider/Decide on Accessibility, Electrical, Energy, Fire, Mechanical, Roofing, Special Occupancy, and Structural Technical Advisory Committees (TAC's) Report/Rec's.
- To Consider/Decide on Product Approval/Prototype Buildings/Manufactured Buildings and Education Program Oversight Committee (POC's) Reports/Recommendations.
- To Hear a Report from the Hurricane Research Advisory Committee.
- To Conduct Rule Adoption Hearing on Rule 9B-3.004, Florida Building Commission.
- To Conduct Rule Adoption Hearing on Rule 9B-3.050, Florida Building Commission.

- To Conduct Rule Adoption Hearing on Rule 9B-7, Florida Accessibility Code.
- To Conduct Rule Adoption Hearing on Rule 9B-72, Product Approval.
- To Conduct Rule Development Workshop on Rule 9B-74, Prototype Building.

Day Two:

- To Consider/Decide on Chair's Discussion Issues/Recommendations.
- To Review and Update the Workplan.
- To Conduct Rule Development Workshop on Rule 9B-3.0472, Carbon Monoxide Detectors.
- To Conduct Rule Development Workshop on Rule 9B-3.0475, Wind Mitigation Retrofits.
- To Conduct Rule Development Workshop on Rule 9B-3.0477, Electrical Bonding of Pool Decks.
- To Conduct Rule Development Workshop on Rule 9B-3.047, Florida Building Code.
- To Discuss Commissioner Issues.
- To Receive Public Comment.
- To Review Committee Assignments and Issues for the Next Meeting.

Review and Approval of the May 8 - 9, 2007 Meeting Minutes and Facilitator's Summary Report

Motion—The Commission voted unanimously, 21 - 0 in favor, to approve the May 8 - 9, 2007 Minutes as amended and Facilitator's Summary Report as amended.

Amendments to Minutes

Minutes: pages 36 – 37 correct TAC reports to correlate with appropriate TAC's.

Consideration of Accessibility Waiver Applications

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

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 approvals. The results of product and entity applications are found in the Product Approval POC report included as an attachment to the minutes.

Legal Issues

Petitions For Declaratory Statements

Following are the actions taken by the Commission on petitions for declaratory statements.

Binding Interpretations

Petition 21: Section 704.1, Section 1604.5 and Section 2101.1 of Florida Building Code, Building- Fire resistance rated flexible joint between rated wall and slab.

Jim reported that the petition is being reviewed by legal staff and he would report to the Commission at the August 2007 meeting.

Second Hearings

DCA07-DEC-017 by Robert S. Fine, TRG-Block One LTD

Motion—The Commission voted 20 – 0 in favor, to approve their previous action on the petition.

DCA07-DEC-047 by John Leedy, PE, Leedy Electric Corporation

Motion—The Commission voted 18 – 0 in favor, to approve their previous action on the petition.

DCA07-DEC-048 by Joseph W. Broughton, PE, Burgess Engineering Inc.

Motion—The Commission voted 18 – 0 in favor, to approve their previous action on the petition as presented.

DCA07-DEC-050 by Alfonso E. Oviedo-Reyes, Hunker Down Systems

Motion—The Commission voted 18 – 0 in favor, to approve their previous action on the petition as presented.

DCA07-DEC-065 by Andrew Johnston, Harbor Home Improvements

Motion—The Commission voted 18 – 0 in favor, to approve their previous action on the petition as amended to correct typo's.

DCA07-DEC-067 by Joseph R. Hetzel, PE, DASMA

Motion—The Commission voted 18 – 0 in favor, to approve their previous action on the petition.

DCA07-DEC-078 by Siegfried W. Valentin, AAMA

Motion—The Commission voted 18 – 0 in favor, to approve their previous action on the petition.

DCA07-DEC-080 by Mike Pella, PE, Kamm Consulting, Inc.

Motion—The Commission voted 19 – 1 in favor, to approve their previous action on the petition as amended to reflect the following:

1. Answer first question consistent with the answer to the third question.
2. Reference the Mechanical Volume and not Building.
3. Replace “smoke detectors” with “dampers” throughout the document.

First Hearings

DCA07-DEC-060 by Emil Veksenfeld, PE

Petition was dismissed.

DCA07-DEC-081 by William A. Gates

Petition was dismissed.

DCA07-DEC-085 by Walter A. Tillit, Jr., PE, TilTeco Inc.

Action on the petition was deferred.

DCA07-DEC-096 by Richard C. Bliss, VP, The Landing Group of Tampa, Inc.

Petition was dismissed as outside the purview/authority of the Florida Building Commission.

DCA07-DEC-105 by Leonard Devine, Palm Beach County Building Department

The Commission voted unanimously, 20 – 0 in favor, to approve the TAC’s recommendations on the petition as presented

Committee Reports and Recommendations

The Chair requested that all TAC reports that did not require specific Commission actions be entered into the record.

Accessibility TAC

Commissioner Gross presented the Committee’s report and any recommendations.

Commission Actions:

Motion—The Commission voted unanimously, 17 – 0 in favor to accept the report.

(See Commission Minutes for Committee report)

Electrical TAC

Commissioner Carson presented the Committee’s report and any recommendations.

Commission Actions:

Motion—The Commission voted unanimously, 17 – 0 in favor to accept the report.

(See Commission Minutes for Committee report)

Energy TAC

Commissioner Greiner presented the Committee’s report and any recommendations.

Commission Actions:

Motion—The Commission voted unanimously, 17 – 0 in favor to accept the report.

(See Commission Minutes for Committee report)

Fire TAC

Commissioner D’Andrea presented the Committee’s report and any recommendations.

Commission Actions:

Motion—The Commission voted unanimously, 17 – 0 in favor to accept the report.

(See Commission Minutes for Committee report)

Mechanical TAC

Commissioner Bassett presented the Committee’s report and any recommendations.

Commission Actions:

Motion—The Commission voted unanimously, 17 – 0 in favor to accept the report.

(See Commission Minutes for Committee report)

Roofing TAC

Commissioner Schulte presented the Committee's report and any recommendations.

Commission Actions:

Motion—The Commission voted unanimously, 17 – 0 in favor to accept the report.
(See *Commission Minutes for Committee report*)

Special Occupancy TAC

Commissioner Hamrick presented the Committee's report and any recommendations.

Commission Actions:

Motion—The Commission voted unanimously, 17 – 0 in favor to accept the report.
(See *Commission Minutes for Committee report*)

Structural TAC

Commissioner Kim presented the Committee's report and any recommendations.

Commission Actions:

Motion—The Commission voted unanimously, 17 – 0 in favor to accept the report.
(See *Commission Minutes for Committee report*)

Education POC

Commissioner Browdy presented the Committee's report and any recommendations.

Commission Actions:

Motion—The Commission voted unanimously, 17 – 0 in favor to accept the report.
(See *Commission Minutes for Committee report*)

Commission Actions—Education POC:

Motion—The Commission voted unanimously, 17 – 0 in favor, to approve revisions to the mitigation scoping language for the RFP, as follows:

- Task 3 - “or caused to be developed”
- Task 3 – “specific to the Fla. Building Code”
- Purpose Section – List all qualifications as stated in SB 2836
- Task 7 – “education course development”
- Task 3 – “any courses---property of State of Florida”

Motion—The Commission voted unanimously, 17 – 0 in favor, to approve Fl. Building Code advanced course: BCIS # 231.

Motion—The Commission voted unanimously, 17 – 0 in favor, to approve the consent agenda of 2 courses, for recommended course approvals (#'s: 233 and 135.1).

Product Approval POC

Commissioner Carson presented the Committee's recommendations.

Commission Actions:

Motion—The Commission voted unanimously, 17 – 0 in favor to accept the report.
(See *Commission Minutes for Committee report*)

Commission Actions—Product Approval POC:

Motion—The Commission voted unanimously, 18 – 0 in favor, to convene a “workshop” on association product approvals.

(See Commission Minutes for Committee report)

Hurricane Research Advisory Committee Report

Jeff Blair reported that the HRAC met on May 9, 2007 and discussed research issues.

Commission Actions:

Motion—The Commission voted unanimously, 17 – 0 in favor to accept the report.

(See Attachment 3—HRAC Report)

Rule Adoption Hearing on Rule 9B-3.004, Florida Building Commission

Chairman Rodriguez reported that Rule 9B-3.004 is the rule regarding Commission Organization and Operations. At the December 2006 Commission meeting, an Ad Hoc committee of Commissioners, the Committee Organization and Process Ad Hoc Committee, met to review committee organization and process issues, including considering alternate members for TAC’s and workgroups. The Ad Hoc developed a package of consensus recommendations regarding alternate members which the Commission unanimously adopted. At the March meeting the Commission conducted a rule development workshop, and June’s hearing was the final step in the process to implement by rule the Commission’s policy on alternate members for workgroups and TAC’s. The rule formalizes the Commission’s use of workgroups, and provides that non-Commissioner members of TAC’s and workgroups may recommend alternate members to participate and vote in their absence. The Commission unanimously adopted the detailed policy and requirements for how this will be done at the December 2006 meeting.

The Rule Adoption Hearing was opened and an opportunity was presented for public comment. At the conclusion of public comment an opportunity was offered for Commission discussion, and then the Commission took the following action:

Commission Actions:

Motion—The Commission voted unanimously, 18 – 0 in favor, to proceed with rule adoption for Rule 9B-3.004, Florida Building Commission Rule.

Rule Adoption Hearing on Rule 9B-3.050, Florida Building Commission

Chairman Rodriguez noted that Rule 9B-3.050 is the rule for Statewide Amendments to the Code. In 2006 the Code Amendment Process Review Workgroup delivered consensus recommendations to the Committee Organization and Process Ad Hoc Committee regarding proposed limitations for annual interim amendments to the Florida Building Code. The Commission received and unanimously adopted the recommendations at the December 2006 meeting. At the March meeting the Commission conducted a rule development workshop, and June’s hearing was the final step in the process to implement by rule the Commission’s policy for annual interim amendments to restricting annual amendments to Commission interpretations, emergency issues, updating referenced standards, consistency with federal and state laws rules and regulations, and coordination with the Florida Fire Prevention Code.

The Rule Adoption Hearing was opened and an opportunity was presented for public comment. At the conclusion of public comment an opportunity was offered for Commission discussion, and then the Commission took the following action:

Commission Actions:

Motion—The Commission voted unanimously, 18 – 0 in favor, to proceed with rule adoption for Rule 9B-3.050, Florida Building Commission Rule.

Rule Adoption Hearing on Rule 9B-7, Florida Accessibility Code

Chairman Rodriguez explained that the rule development effort is being conducted in order to implement the Accessibility TAC's recommendations to the Commission regarding updating the accessibility waiver application form and integrates the parking standards moved from the DOT statute to the Accessibility Code Statute into the Florida Accessibility Code for Building Construction. The Florida Accessibility Code is not amended under the same procedures as the rest of the Florida Building Code which follow the process as required by Chapter 553.73, F.S. The Accessibility Code is amended through the Accessibility Code Statute and then into the Accessibility Code Rule, and by law the Florida Building Code is then deemed amended. In addition, by law the Commission can only amend the Accessibility Code to adopt new editions of the Federal ADA Accessibility Guidelines or to integrate accessibility requirements placed in Florida law. In March the Commission conducted a rule development workshop, and June's hearing is the final step in the process to implement by rule these Accessibility amendments.

The Rule Adoption Hearing was opened and an opportunity was presented for public comment. At the conclusion of public comment an opportunity was offered for Commission discussion, and then the Commission took the following action:

Commission Actions:

Motion—The Commission voted unanimously, 18 – 0 in favor, to proceed with rule adoption for Rule 9B-7, the Florida Accessibility Code Rule, by conducting a supplemental rule adoption hearing in August, to role in Rule 9B-7.003, the accessibility waiver application form and correct rule language regarding curb ramps.

Rule Adoption Hearing on Rule 9B-72, Product Approval

Chairman Rodriguez reported that the Product Approval Validation Workgroup worked for over a year to develop a consensus package of recommendations regarding the validation requirements of the Product Approval Rule. The Workgroup concluded their work in June of 2006 and the Commission reviewed the recommendations during the fall of 2006. The Commission's Product Approval POC held a special meeting on January 24, 2007 to review the proposed changes and provide the POC's recommendations to the Commission. The POC met again on February 5, 2007 and reviewed and recommended to the Commission additional revisions proposed by staff, which the Commission adopted during a February Rule Development Workshop. In addition, the Commission conducted a supplemental rule development workshop at the May meeting and adopted additional Product Approval POC

recommendations for revisions to the Rule including the integration of the Window Labeling Workgroup's consensus recommendations for requirements for installation instruction submittals for product approval applications. The Chair explained that June's rule adoption hearing, was the next step in the rule adoption process.

Commissioner Carson reviewed the changes to the rule draft regarding a disciplinary process for validators proposed by the Product Approval POC, and then an opportunity was presented for public comment. At the conclusion of public comment an opportunity was offered for Commission discussion, and then the Commission took the following action:

Commission Actions:

Motion—The Commission voted unanimously, 17 – 0 in favor, to proceed with rule adoption for Rule 9B-72, the Product Approval Rule, by conducting a supplemental rule adoption hearing regarding a disciplinary process for validators at the August, 2007 Commission meeting.

Rule Development Workshop on Rule 9B-74, Prototype Building

Chairman Rodriguez noted that at the May meeting the Commission voted to conduct a rule development workshop on Prototype Buildings to decide how to deal with the Program not having an administrator after June 20, 2007. The Chair explained that one of the options discussed was whether to repeal the Program. At the Commission's direction an RFP was issued and there was only one respondent, whose proposal was non-responsive. As a result we will not have an administrator as of July 1, 2007, and the Commission must decide what to do with the Program during June's rule development workshop. The Chair reported that the POC has recommendations to present during the workshop.

Commissioner Carson reviewed the Product Approval POC recommendations to repeal the rule, and then an opportunity was presented for public comment. At the conclusion of public comment an opportunity was offered for Commission discussion, and then the Commission took the following action:

Commission Actions:

Motion—The Commission voted unanimously, 17 – 0 in favor, to proceed with rule adoption providing for the repeal of Rule 9B-74, Prototype Building Rule.

Recess

The Commission voted unanimously, 17 - 0 in favor, to recess at 4:05 PM.

WEDNESDAY, JUNE 27, 2007

CHAIR'S DISCUSSION ISSUES AND RECOMMENDATIONS

A. TAC/Workgroup Appointments

Chairman Rodriguez appointed Barbara Page to replace Peggy Greenwell on the Accessibility TAC, and David Rice to replace Larry Smith on the Electrical TAC. The Chair thanked the departing members and welcomed the new appointments.

B. Funding for Phase III of WBD Studies

The Chair reported that at the conclusion of Phase I of the windborne debris study the consultant identified that there is a need to research the windborne debris protection requirements for all of the state of Florida, and that enhanced protections may be necessary in other areas of the State. The Legislature granted the Commission spending authority for \$750,000 for hurricane related research. We are recommending that the Commission vote to authorize a contract with UF/ARA in the amount of \$250,000 to conduct a review of windborne requirements for the entire state of Florida. This would represent Phase III of the study.

Commission Actions:

Motion—The Commission voted unanimously, 20 - 0 in favor, to contract with UF/ARA in the amount of \$250,000 to research and develop recommendations for enhanced windborne debris protection requirements for the state of Florida.

C. Code Administration Assessment

Chairman Rodriguez noted that Jeff Blair has been working on the project regarding assessing the Code administration needs of local governments and considering measure to improve the uniform and effective enforcement of the Code (Workplan Task 13). The end result will be an assessment report with recommendations. The Chair explained that in order to ensure that the needs and views of the broadest possible spectrum of local jurisdictions are considered, he is asking Jeff to design and conduct an on-line survey. Jeff has indicated that the project will fit within the existing budget structure between the FCRC and DCA, and no additional funds will be needed. In order to get a representative sample the web based survey will allow more building officials to provide input than through phone interviews, as well as ensure we get responses from large, medium, and small jurisdictions representing the various regions of the State. The survey will be conducted on the Florida Conflict Resolution's website, and Jeff will keep us updated on the assessment's progress.

D. Workshop on Mitigation Techniques

The Chair reported that at the request of stakeholders and recommendation from the Roofing TAC, the Commission will convene a "workshop" to review and recommend refinements to draft rule language for Rule 9B-3.0475, Wind Mitigation Retrofits. The Chair explained the workshop will be noticed in the FAW, open to all interested parties, and will be conducted prior to the Commission's August rule adoption hearing.

E. Workshop on Carbon Monoxide Detectors

The Chair reported that at the request of stakeholders and recommendation from the Mechanical TAC, the Commission will convene a “workshop” to review and recommend refinements to draft rule language for Rule 9B-3.0472, Carbon Monoxide Detectors. The Chair explained the workshop will be noticed in the FAW, open to all interested parties, and will be conducted prior to the Commission’s August rule adoption hearing.

F. Association Product Approval Workgroup

The Chair reported that at the request of stakeholders and recommendation from the Product Approval POC, the Commission will convene a facilitated stakeholder workgroup process to develop recommendations to the POC and Commission. The workgroup will be convened after the Commission’s August meeting.

Review and Update of Commission Workplan

Rick Dixon reviewed the updated workplan with the Commission and answered member’s questions.

Commission Actions:

Motion—The Commission voted unanimously, 20 - 0 in favor, to approve the updated workplan and meeting schedule as presented, to reflect the Commission’s priorities.

(Included as Attachment 2—Commission’s Updated Workplan)

Rule Development Workshop on Rule 9B-3.0472, Carbon Monoxide Detectors

Chairman Rodriguez explained that at the May 2007 meeting the Commission voted to conduct a rule development workshop on carbon monoxide detectors in order to implement the 2007 legislative direction regarding the issue. The Chair noted that the rule development workshop is the first step in the rule development process. The Chair noted that the Mechanical TAC met prior to the Commission plenary and has recommendations for draft rule language.

Commissioner Bassett reviewed the Mechanical TAC’s recommendations for draft rule language, and then an opportunity was presented for public comment. At the conclusion of public comment an opportunity was offered for Commission discussion, and then the Commission took the following action:

Commission Actions:

Motion—The Commission voted unanimously, 20 – 0 in favor, to adopt the TAC’s recommended draft rule language subject to the public workshop and to proceed with rule adoption for Rule 9B-3.0472, Carbon Monoxide Detectors.

Rule Development Workshop on Rule 9B-3.0475, Wind Mitigation Retrofits

Chairman Rodriguez explained that at the May 2007 meeting the Commission voted to conduct a rule development workshop on wind mitigation retrofits in order to implement the 2007 legislative direction regarding the issue. The Chair noted that the rule development workshop is the first step in the rule development process. The Chair noted that the Structural and Roofing TAC's met prior to the Commission plenary and has recommendations for draft rule language.

Commissioner Kim and Commissioner Schulte reviewed the Structural and Roofing TAC's recommendations for draft rule language, and then an opportunity was presented for public comment. At the conclusion of public comment an opportunity was offered for Commission discussion, and then the Commission took the following action:

Commission Actions:

Motion—The Commission voted unanimously, 20 – 0 in favor, to adopt the recommended draft rule language incorporating the TAC's comments subject to the public workshop and to proceed with rule adoption for Rule 9B-3.0475, Wind Mitigation Retrofits.

Rule Development Workshop on Rule 9B-3.0477, Electrical Bonding of Pool Decks

Chairman Rodriguez explained that at the May 2007 meeting the Commission voted to conduct a rule development workshop on electrical bonding of pool decks in order to implement the 2007 legislative direction regarding the issue. The Chair noted that the rule development workshop is the first step in the rule development process. The Chair noted that the Electrical TAC met prior to the Commission plenary and has recommendations for draft rule language.

Commissioner McCombs reviewed the Electrical TAC's recommendations for draft rule language, and then an opportunity was presented for public comment. At the conclusion of public comment an opportunity was offered for Commission discussion, and then the Commission took the following action:

Commission Actions:

Motion—The Commission voted unanimously, 20 – 0 in favor, to adopt the TAC's recommended draft rule language and to proceed with rule adoption for 9B-3.0477, Electrical Bonding of Pool Decks.

Rule Development Workshop on Rule 9B-3.047, Florida Building Code

Chairman Rodriguez explained that the rule development workshop on Rule 9B-3.047, the Florida Building Code, is the first step in the Commission's consideration of proposed modifications for the 2007 Update to the Florida Building Code. The proposed modifications under consideration represent the TAC's recommendations on proposed modifications to the Code. In addition, the TAC's have comments regarding public comments submitted on the TAC's recommendations. This represents the first time the Commission has had the benefit of the TAC's review and comments on recommendations for proposed modifications to the Florida Building Code, and this should enhance the efficacy of our consideration of proposed modifications and comments on the modifications. Members of the public who wish to comment

on the TAC's recommendations should be prepared to offer compelling reasons why the Commission should reverse or change our technical experts recommendations on proposed modifications.

Jeff Blair reviewed the process and standing motions the Commission used during the rule development workshop.

Process Overview

TAC's recommendations are on two agendas per TAC (by topical Code areas) .

Approval of consent agenda for APPROVAL as recommended by the TAC's incorporating the findings (A – G). Standing motion to approve modifications As Submitted (AS) and As Modified (AM).

Approval of consent agenda AGAINST APPROVAL as recommended by the TAC's. (Requires a motion to approve; no second should be offered; motion dies for lack of a second.) Commissioners should pull of any modification(s) that would prevent them from NOT offering a second. Standing motion to approve modifications with No Affirmative Recommendation (NAR, Without Second, and Withdrawn).

Commission will move to adopt four (4) standing motions to approve:

1. TAC's recommendations as submitted and as modified (AS and AM).
2. TAC's recommendations against approval (NAR, Without Second, and Withdrawn).
3. Modifications pulled off consent agenda(s) by a Commissioner for individual consideration.
4. Staff's recommendations regarding correlation issues and integration of Florida Specific modifications for the 2007 Code Update.

TAC chairs will pull off any modifications that the TAC's voted in favor of supporting a submitted comment, considered during the TAC's second review, that would change the TAC's original recommendation on the modification.

Commission Chair will pull off all modifications member's of the public wish to have the Commission consider individually.

Public comment on TAC's recommendations (by TAC).

Commissioners decide whether to pull any modification(s) based on comment(s). Commission consideration of modifications pulled for individual consideration.

Approval of the four (1 - 4) consent agendas as amended by the Commission (minus any modifications pulled for individual consideration). Standing motion to approve is in effect. Second offered and then a vote. No second should be offered for consent agenda(s) recommending against approval (NAR, Without Second, and Withdrawn).

Prior to public comment the Commission took the following actions:

Commission Actions:

Motion—The Commission voted unanimously, 20 – 0 in favor, to adopt the following motion:

1. Motion to approve the consent agenda(s) of the modifications for approval (AS and AM) as recommended by the Technical Advisory Committee’s (TAC’s), and amended by the FBC, based on the following findings:

- A. The amendment has a reasonable and substantial connection to the health, safety, and welfare of the general public; and,
- B. The amendment does not degrade the effectiveness of the Code and either strengthens or improves the Code or provides for innovation or new technology by allowing equivalent or better products, methods, or systems of construction; and,
- C. The Amendment does not discriminate against products, methods, or systems of construction of demonstrated capabilities; and,
- D. The Amendment has the following fiscal impact:
 - 1. The fiscal impact of enforcement imposed upon local government is as indicated by TAC review.
 - 2. The fiscal impact of compliance imposed upon property and building owners is as indicated by TAC review.
 - 3. The fiscal impact of compliance imposed upon industry is as indicated by TAC review.
- E. The Amendment’s benefits noted with regard to fiscal impact and efficacy outweigh the costs imposed.
- F. The Amendment addresses a Florida-specific need.
- G. The Amendment does not diminish requirements related to wind resistance or prevention of water intrusion contained in the Code or its referenced standards and criteria.

Motion—The Commission voted unanimously, 20 – 0 in favor, to adopt the following motion:

2. Motion to approve the consent agenda(s) AGAINST APPROVAL (NAR, Without Second, and Withdrawn) as recommended by the TAC’s, and amended by the FBC, based on the above findings (A – G).

Motion—The Commission voted unanimously, 20 – 0 in favor, to adopt the following motion:

3. Motion to approve each modification pulled off of the consent agendas of TAC recommendations for individual consideration, based on the above findings (A – G).

Motion—The Commission voted unanimously, 20 – 0 in favor, to adopt the following motion:

4. Motion to approve consent agenda of Staff’s recommendations regarding correlation issues and integration of Florida Specific modifications for the 2007 Code Update.

Following a review of the process and Commission adoption of the four motions, an opportunity was provided for public comment for each of the consent agendas for each of the Technical Advisory Committee Code areas.

Following Commission action on all of the proposed modifications, integration of Florida specific modifications, updates of reference standards, correlation issues, and action on local technical amendments the Commission took the following action:

Commission Actions:

Motion—The Commission voted unanimously, 16 – 0 in favor, to proceed with rule adoption for Rule 9B-3.047, the Florida Building Code, publishing a notice of rule adoption with a hearing at the August 2007 Commission meeting.

Commission Member Comment/Issues

Commissioner Norkunas requested legal to review options regarding considering amendments to the Accessibility Code.

Commission Member Agenda Items

Chairman Rodriguez invited Commission members to propose issues for the Commission’s next (August 2007) meeting.

No agenda items were proposed by Commissioners.

General Public Comment

Chairman Rodriguez invited members of the public to address the Commission on any issues under the Commission’s purview.

One member of the public provided comment to the Commission.

Adjourn

The Commission voted unanimously, 16 – 0 in favor, to adjourn the meeting at 12:50 PM.

ATTACHMENT 1

MEETING EVALUATION RESULTS

June 26 - 27, 2007—Miami Lakes, Florida

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

1. Please assess the overall meeting.

- 9.6 The background information was very useful.
- 9.6 The agenda packet was very useful.
- 9.6 The objectives for the meeting were stated at the outset.
- 9.7 Overall, the objectives of the meeting were fully achieved.
- 9.4 Accessibility Waiver Applications.
- 9.6 Requests for Declaratory Statements.
- 9.7 Approval of Products and Product Approval Entities.
- 9.8 Chairs Issues and Recommendations.
- 9.6 Commission's Workplan and Meeting Schedule Update.
- 9.7 TAC and POC Reports and Recommendations.
- 9.7 Rule Adoption Hearing on Rule 9B-3.004, Florida Building Commission.
- 9.7 Rule Adoption Hearing on Rule 9B-3.050, Florida Building Commission.
- 9.7 Rule Adoption Hearing on Rule 9B-7, Florida Accessibility Code.
- 9.7 Rule Adoption Hearing on Rule 9B-72, Product Approval.
- 9.7 Rule Development Workshop on Rule 9B-74, Prototype Building.
- 9.7 Rule Development Workshop on Rule 9B-3.0472, Carbon Monoxide Detectors.
- 9.7 Rule Development Workshop on Rule 9B-3.0475, Wind Mitigation Retrofits.
- 9.7 Rule Development Workshop on Rule 9B-3.0477, Electrical Bonding of Pool Decks.
- 9.1 Rule Development Workshop on Rule 9B-3.047, The Florida Building Code.

2. Please tell us how well the Facilitator helped the participants engage in the meeting.

- 9.7 The members followed the direction of the Facilitator.
- 9.8 The Facilitator made sure the concerns of all members were heard.
- 9.7 The Facilitator helped us arrange our time well.
- 9.8 Participant input was documented accurately.

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

- 9.4 Overall, I am very satisfied with the meeting.
- 9.8 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?

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

5. Members Evaluation Comments.

- Great staff at DCA.
- Meeting ended on time. Good job.
- Good work on covering a lot of work today.
- Agenda organization was not arranged well.
- I believe we could have done more work on this than the agenda allowed (Rule Development on Code).
- The tracking charts on the laptops were a bit hard to follow. Maybe we could have paper next time.

ATTACHMENT 2

COMMISSION'S UPDATED WORKPLAN AND MEETING SCHEDULE

(Adopted Unanimously June 27, 2007)

MEETING DATES

2006

January 23, 24 & 25 TACs	Tampa Embassy Suites
February 6 & 7 Cmsn	Orlando Rosen Plaza
March 20,21 & 22 Cmsn	Tampa Embassy Suites
May 1, 2, 3 & 4 Cmsn	Orlando Sheraton Safari
June 19 Cmsn	Destin Sandestin Beach Resort
July 10, 11 &12 Cmsn	Ft Lauderdale Seminole Hard Rock Hotel & Casino
August 21, 22 & 23 Cmsn	Miami Don Shula
October 9, 10 & 11 Cmsn	Tampa Embassy Suites
December 4, 5 & 6 Cmsn	Tampa Embassy Suites

Note: Based on experience developing the 2004 FBC, TAC meetings are scheduled separately from the Commission meeting for January 2006 and March 2007 to review proposed Code amendments for the Glitch Cycle and 2007 FBC Update respectively. Commission meetings are set for 2 weeks after those TAC meetings. This scheduling was established to avoid a week long Commission meetings and to avoid meetings in back to back weeks.

2007

February 5, 6 & 7 Cmsn	Tampa Embassy Suites, USF
March 12, 13, 14 & 15 TACs	St Augustine Casa Monica Hotel
March 26, 27 & 28 Cmsn	St Augustine Casa Monica Hotel
May 6, 7, 8 & 9 Cmsn	Tampa Embassy Suites, USF
June 24, 25, 26 & 27 Cmsn	Miami Lakes Don Shula Hotel
August 20, 21 & 22 Cmsn	Tampa Embassy Suites, USF
October 8, 9 & 10 Cmsn	Tampa Embassy Suites, USF
December 10, 11 & 12 Cmsn	Orlando Doubletree Hotel, Universal

2008

January 28,29 & 30 Cmsn	World Golf Village, St. Augustine
March 17, 18 & 19 Cmsn	Embassy Suites, Tampa
May 5, 6 & 7 Cmsn	Crowne Plaza, Melbourne
June 23, 24 & 25 Cmsn	Don Shula's Hotel, Miami Lakes
August 18, 19 & 20 Cmsn	Naples Grande, Naples
October 13, 14 & 15 Cmsn	Embassy Suites, Tampa
December 8, 9 & 10 Cmsn	Embassy Suites, Tampa

FLORIDA BUILDING COMMISSION 2007 WORKPLAN

1. **Recommendations for Report to 2007 Legislature**
 - Consider preliminary recommendations to Legislature 10/10/06
 - Approve recommendations to Legislature 12/04/06
 - Report transmitted to Legislature 2/08/07**

2. **Panhandle Hurricane Ivan Study**
 - Phase I**
 - Workshop in Panhandle to review studies 9/13/05
 - Commission approved consensus recommendation from workshop to conduct Panhandle windborne debris study 10/12/05
 - Hire contractor to conduct Panhandle windborne debris study
 - Phase I (study initiation data development for models) 10/05
 - Obtain budget amendment 11/05
 - Initiate Phase II (modify models and conduct simulations) 12/05
 - Commission receives preliminary report from researchers 2/07/06
 - Public hearing and decide recommendation to Legislature at Commission meeting 2/07/06
 - Meeting with Panhandle Building Officials 2/16/06
 - Recommendation to the Legislature (In Annual Report) 2/24/06
 - Contractor preliminary report presentation on study at Commission meeting 3/22/06
 - Contractor presentation on study at Commission meeting 5/3/06
 - Initiate amendment of Code as directed by 2006 Legislature
 - Special Commission meeting for Supplemental Rule Development 6/19/06
 - Workshop and contractor presentation at Destin
 - Supplemental Rule Development Workshop 7/11/06
 - Rule Adoption Hearing 8/22/06
 - Amendment to be implemented 3/08/07
 - HRAC considers recommendation for Phase II 7/11/06
 - Commission approved proceeding with Phase II 7/11/06
 - Phase II**
 - Line up funding 8/06-9/06
 - Contract with UF/ARA 12/06
 - Legislature redirects Code amendment during special session 1/07
 - See Task 17**
 - HRAC recommends redirection of Phase II 2/6/07
 - Commission votes to redirect project to evaluation of pressure coefficients for differing terrains 2/7/07
 - Scope of work redirected and renegotiated 2/07
 - See Tasks 18 & 19**

3. **Develop Window Labeling and Default Installation Criteria**

Appoint Work Group	2/22/06
Meeting	5/31/06
Meeting	11/1/06
Recommendation to Code Administration TAC and Commission	12/6/06
Code amendment submitted prior to	1/1/07
Adopted through 2007 FBC update	See Task 7
Work Group meets to identify fastening schedule info template for product approval applications	4/10/07

4. **Shutter and Garage Door Labeling**

Work Group appointed	8/22/06
Work Group meeting	9/14/06
:	11/13-14/06
Report to Code Administration TAC and Commission	12/06
Code amendments submitted for 2007 FBC by	1/1/07
Requirements implemented through 2007 FBC	See Task 7

5. **Evaluate Termite Protection Requirements**

Appoint Workgroup	3/06
Meeting	5/17/06
Recommendations to Commission	7/11/06
Code amendment submitted prior to	1/01/07
Adopted through 2007 FBC update	See Task 7
Workgroup meets with Plumbing Contractors and Pipe Mfgs	6/20/07

6. **Coordinate the Elevator Code and 2007 Florida Building Code updates with the Department of Business and Professional Regulation and The Elevator Advisory Council**

Initial staff meeting to establish protocols	9/6/06
Council reviews Code amendment proposals and advises Commission	See Task 7

7. **2007 Update to the Florida Building Code**

Design of Update Process	Apr-May 06
2006 International Codes published and available to the public	3/1/06
Supplement version of 2006 FBC amendments available	9/1/06
Commission selects 2006 I Codes as foundation for 2007 FBC <i>(Note: 2006 I Codes must be available to public for 6 months prior to selection)</i>	10/11/06
Replacement pages version of 2006 FBC amendments available	11/1/06
Proposed amendments to the 2006 I Codes with Florida amendments due date	1/1/07
Florida Specific amendment overlaps with 2006 I Codes, local amendments and 2008 FFPC correlation submitted amendments proposals by staff	1/1/07
Proposed amendments posted to the Web by (45 day min before TAC review)	1/15/07
45 day comment period ends	2/28/07
TACs review proposed Florida amendments and make recommendations	3/12-15/07
TAC recommendations posted to web (45 day min before Commission review)	4/13/07
45 day comment period ends	5/27/07

TACs review staff integration of prior Florida amendments into draft 2007 FBC and current Local amendments for comment	5/6-9/07
TACs review comments and prepare public comment for Rule Workshop	6/26&27/07
Commission considers TAC recommendations on proposed amendments via Rule Development Workshop	6/26&27/07
Rule Adoption Hearing	8/22/07
File Rule adopting the 2007 FBC	9/14/07
Printed Codes available to the public	1/1/08
Code implemented (6 months from publishing to web)	10/1/08

Subtasks:

Joint Fire TAC/Fire Code Advisory Council review of I Codes changes to FFPC conducted	10/06
Meetings	10/06, 12/6/06
Correlation committee review of Florida specific amendments overlap with 2006 I Codes	10/06-2/07
Fire TAC/Fire Code Advisory Council meet to review overlaps	4/9/07
Code books publication and printing	
<i>Provide 1st set of changes to ICC consisting of non-overlap Florida Specific changes as identified by staff</i>	<i>1/07</i>
<i>Provide 2nd set of changes to ICC consisting of changes as approved by the TACs</i>	<i>5/27/07</i>
<i>Provide 3rd set of changes to ICC consisting of changes as approved by the Commission at the Rule Workshop</i>	<i>7/27/07</i>

8. Glitch Amendments to the 2007 Florida Building Code

Printed 2007 Codes available to the public (<i>Note: Code implemented 10/1/08</i>)	1/1/08
Rule development workshop	6/25/08
Rule adoption hearing	8/27/08
File Rule and post Supplement to website	9/5/08
Glitch Rule effective	9/27/08
2007 FBC effective	10/1/08

9. Assess Transition to IECC as Base for Florida Energy Code

Appoint Workgroup	2/22/06
Hire Consultant to develop code comparisons	3/06
Meeting	6/22/06
Recommendation to Commission	7/11
Meeting	9/14/06
Meeting	11/15/06
Amendments proposed for 2007 FBC	1/1/07
Energy Code revisions thru adoption and implementation of 2007 FBC	See Task 7
Conduct workshop on energy efficiency and moisture control (Note: See Task 21 for follow-up)	2/28/07

- 10. Amend the Florida Accessibility Code for Building Construction**
- | | |
|---------------------------|---------|
| Rule development workshop | 3/28/07 |
| Rule adoption hearing | 6/27/07 |
| Rule effective | 8/07 |
- Note: Code amendment is only conducted to integrate current chap 553, Part II, F.S. parking requirements
- 11. Revise Rule 9B-3.004 to Allow Alternates for Committee Members and Rule 9B-3.050 to Limit the Annual Amendments Process**
- | | |
|--|----------|
| Appoint Ad Hoc Committee | 10/11/06 |
| Committee meeting | 12/06 |
| Rule development workshop | 2/7/07 |
| Supplemental rule development workshop | 3/28/07 |
| Rule adoption hearing | 6/27/07 |
| Rule effective | 8/07 |
- 12. Develop Product Validation Criteria for Methods of Demonstrating Compliance with Code**
- | | |
|--|-------------|
| Meeting | 2/7/06 |
| Meeting | 5/3&4/06 |
| Meeting | 6/1/06 |
| Recommendations to Commission | 7/11/06 |
| Recommendations reviewed and approved by Commission | 8/22/06 |
| Rule adoption schedule approved for amending the rule | 10/4/06 |
| Product Approval POC review of draft rule | 1/24/07 |
| Rule Workshop | 2/7/07 |
| Supplemental Rule Workshop | 3/28/07 |
| Meeting with Window mfgs regarding installation instruction info template for PA application | 4/10/07 |
| Supplemental Rule Workshop | 5/9/07 |
| Rule Adoption Hearing | 6/27/07 |
| Supplemental Rule Adoption Hearing | 8/22/07 |
| Rule effective | 9/07 |
| Design and implement essential BCIS modifications | 9/07- 12/07 |
| Implement rule changes | 1/08 |
- 13. Review and Address Code Administration Needs of Local Governments and Measures to Improve Uniform and Effective Enforcement of the Code**
- | | |
|--|--------|
| Assessment survey | 5-6/07 |
| Report to Code Administration TAC | 8/07 |
| Code Administration TAC Review and Develop Recommendations | 8/07 |
| Recommendations to Commission | 10/07 |

- 14. Evaluate in-home waste water recycling in coordination with Department of Health and Department of Environmental Protection**
 Staff investigate DOH concerns and determine statutory authorities 10-12/06
 Department of Health meeting 2/12/07
- 15. Address implementation of the electrical systems requirements of the Energy Efficiency Code**
 Forum for discussion of requirements and their implementation 7/10/06
 Recommendations presented to the Commission 7/11/06
 Education and outreach
 Florida Board of Professional Engineers newsletter article
 Florida Engineering Society publication article 10/06
 Identification of Code enforcement and education issue by
 Building Code Education and Outreach Council 9/27/06
 Add notice to Commission's website 9/06
 Send notice to all parties registered on BCIS for electrical issues 9/06
 Notice Building Officials via BOAF 9/06
 BOAF Education Conference Course 5/07
 Include in Education and Outreach Contract for FY 07-08 7/07
 Outreach provided through project 8/07- 7/08
- 16. Develop capability to require education for validation entities and a training program.**
See Task 12.
Voted to withdraw from workplan 5/07
- 17. Amend the 2004 FBC to eliminate wind-borne debris protection exceptions less stringent than those of the 2006 IBC and 2006 IRC**
 Rule adoption hearing 3/28/07
 Rule effective 7/1/07
- 18. Develop Code-Plus criteria for insurance qualification**
 Determine policy direction 2/07
 Contract for development
 Phase I 5/07
 Reporting to HRAC 8/07
 Phase II 7/07
 Reporting to HRAC 10/07
 HRAC finalize recommended criteria 11/07
 Present to Commission and conduct public hearing 12/07
 Present in report to 2008 Legislature 2/08
- 19. Load Side - Wind Pressure Research**
 Commission approved redirection of WBD project Phase II 3/07
 Amend contract with UF/ARA 4/07
 Contract for Phase III 8/07

20. Resistance Side – Component and Cladding & MWFRS Research	
Legislature appropriates funding	5/07
HRAC develops research priority list	5/07-6/07
Contract with UF to conduct research	7/07
(Includes post hurricane building damage assessment survey contingency)	
Progress reporting at HRAC meetings	
Available results included in report to Legislature	
21. Latent load management for energy conservation and humidity control	
Conduct workshop on energy efficiency and moisture control	2/28/07
Develop education and outreach plan and coordinate with Education and Outreach Program Contractor	8/07 – 6/08
22. Develop a model energy efficiency ordinance for residential development	
Establish work group of stakeholders identified in law	7/07
Work group meetings	9/07 – 11/07
Draft ordinance delivered by work group	12/12/07
Commission public hearings	12/12/07
Recommendation finalized for report to 2008 Legislature	1/30/08
Report to 2008 Legislature	2/08
23. Evaluate Florida Energy Code for: residential cost effective baseline; commercial conservation enhancements, and; comparison to IECC, ASHRAE 90.1 and 90.2	
Establish work group of stakeholders identified in law	7/07
Enter into contract for study	7/07
Report from contractor	10/07
Stakeholder group and TAC develop recommendations	11/07
Public hearing at Commission	12/12/07
Recommendations finalized for report to 2008 Legislature	1/30/08
Report to 2008 Legislature	2/08
24. Develop and implement public awareness campaign on energy efficiency and benefits of Green Buildings	
Establish work group of stakeholders identified in law	7/07
Enter into contract for support services	7/07
Work group meetings	9/07 – 10/07
Plan Phase I approved by Commission	10/10/07
Website enhanced	10/07 – 12/07
Website launched	1/08
Plan Phase II approved by Commission	12/07
Phase II of campaign launched	2/08
25. Work with DCA to evaluate updated energy efficiency standards for energy using products	
Enter into contract for study	7/07
Report from contractor	10/07
DCA stakeholder group develops recommendations	11/07

	Recommendations finalized for report to 2008 Legislature	1/30/08
	Report to 2008 Legislature	2/08
26.	Loss costs relativities studies for wind insurance credits	
	Office of Insurance Regulation project- follow lead	TBD
27.	Develop mitigation techniques for retrofit of existing site-built residential buildings:	
	Identify techniques for initial adoption	5/07-6/07
	Commission initiates rule development for techniques and retrofit mandates	5/09/07
	Rule development workshop	6/27/07
	Non-rule workshop	7/??/07
	Rule adoption hearing	8/22/07
	Rule effective	10/01/07
	Adopt techniques and retrofit mandates in 2007 FBC via Glitch Amend Cycle	2008
	See Glitch Amendment Task 8 schedule	
28.	Electrical bonding and grounding for swimming pool decks:	
	Notify building departments/pool bonding alternative authorized by law	5/07
	Develop alternative technique to NEC	5/07-6/07
	Commission initiates rule authorizing alternative technique	5/09/07
	Rule development workshop	6/27/07
	Adopt the alternative in the 2007 FBC	8/22/07
	Rule effective	10/1/07
	Adopt alternative technique in 2007 FBC via Glitch Amendment Cycle	2008
	See Glitch Amendment Task 8 schedule	
29.	Evaluate elimination of gravel and stone roofing systems	
	Appoint work group to eval science, alternatives, business impact and birds	7/07
	Contract with UF to provide technical assistance	7/07
	Report to Commission	12/07
	Amend 2007 FBC as determined by study in Glitch Cycle	2008
	See Glitch Amendment Task 8 schedule	
30.	Evaluate warehouse expansion sprinkler requirements and amend FBC as appropriate	
	Notify building departments and post on website new requirement of SB 404	7/07
	Fire TAC reviews comment on mods 2151, 2152, 2153 and 2492 recommend to Commission	6/26/07
	Rule development workshop on 2007 FBC	6/27/07
	Rule adoption hearing on 2007 FBC	8/22/07
	Criteria effective with 2007 FBC	10/1/08
31.	Develop penalty rules for Product Approval Validation Entities	
	Adopt in the 2007 amendment of rule 9B-72	
	Comment at Rule Adoption Hearing on 9B-72	6/26/07

	Supplemental Rule Adoption Hearing	8/22/07
	Rule effective	9/07
	Rule implemented (see Task 12)	1/08
32.	Implement requirements of law for carbon monoxide detectors	
	Commission initiates special rule development and adoption for buildings with fuel burning appliances, fireplaces or attached garages and sleeping rooms	5/9/07
	Rule development workshop	6/27/07
	Rule adoption hearing	8/22/07
	Rule effective	7/1/08
	Adopt and implement above requirements and DBPR hotels with fuel fired boiler requirements in 2007 FBC in Glitch Cycle	2008
	See Glitch Amendment Task 8 schedule	
33.	Delay elimination of the internal pressure design option in WBD regions	
	Notify building departments and post on website the option remains legal until June 1, 2007	5/07
34.	Develop and implement strategy for low and moderate income “Affordable Housing” consideration in FBC development	
	Appoint workgroup	7/07
	Workgroup meetings	8/07-10/07
	Workgroup recommendation to Commission	10/10/07
	Public hearing on Commission recommendations to 2008 Legislature	12/12/07
	Commission report to 2008 Legislature	2/08
35.	Report to 2008 Legislature	
	Commission identifies and receives draft recommendations	10/10/07 & 12/12/07
	Public hearing on recommendations	12/12/07
	Commission report to 2008 Legislature	2/08
36.	Develop Instruction for Manufacturers Obtaining Product Approval via Associations	
	Chairman assigns task to Shutter and Garage Door Labeling workgroup	6/27/07
	Workgroup meeting	9/07
	Recommendation to POC and Commission	10/07

2007 Legislature Directed Tasks Through Regular Session

CS/HB 7123 Energy

Action required:

1. Form Work Group and Develop model energy efficiency ordinance for residential construction.
2. Conduct study to evaluate cost effective baseline for Florida Energy Code residential requirements, determine cost effective standards for commercial buildings and compare to the International Energy Conservation Code and ASHRAE 90.1 and 90.2 in consultation with designated others.
3. Develop and implement a public awareness campaign on energy efficiency and benefits of Green Building in consultation with others.
4. Work with DCA to evaluate updated energy efficiency standards for energy using products

CS/HB 7057 Wind Loss Mitigation Studies and FBC Mitigation Requirements and Standards

Action required:

1. Consult with Office of Insurance Regulation on “lost cost relativities” study.
2. Develop mitigation techniques for retrofit of existing site-built residential buildings:
 - o Prescriptive gable end bracing techniques
 - o Secondary water barrier requirements and standards
 - o Prescriptive roof-to-wall attachment techniques (not to exceed 15% of reproofing cost)
 - o Strengthening/correction roof deck attachment/fastening
 - o Opening protection
3. Adopt for site-built residential buildings by October 1, 2007:
 - o Mitigation techniques
 - o Requirement that roof replacement requires secondary water barrier and roof deck attachment/fastening
 - o Requirement that within WBD region roof replacement for buildings insured for \$300K or more must also have roof-to-wall connections upgraded
 - o Requirement that any permitted activity valued at \$50K or more for buildings located within the WBD region and insured for \$750K or more must also provide for openings protection
4. Adopt in 2007 FBC:
 - o Requirements of 2) and 3).

CS for CS for SB 2836 Building Code

Action required:

1. Electrical bonding and grounding for swimming pool decks:
 - o Notify building departments about pool bonding alternative authorized by law.
 - o Review swimming pool electrical bonding requirements of NEC and develop alternative technique
 - o Adopt a rule authorizing use of the alternative technique.
 - o Adopt the alternative in the 2007 FBC.
2. Gravel or stone roofing systems
 - a) Determine and document the following if eliminate systems from Code:
 - o Scientific basis or reason for elimination

- An available alternative equivalent in cost and durability
 - Whether elimination will unnecessarily restrict or eliminate business or consumer choice in roofing systems
 - Whether elimination will negatively affect the nesting habitat of any species of nesting bird; coordination with Fish and Wildlife Conservation Commission
- b) Adopt a rule by chap 120 to preserve use of gravel or stone roofing systems if the above conditions cannot be determined and documented
3. Warehouse expansion sprinkler requirements:
- Review modifications 2151, 2152, 2153, and 2492 and determine based on public comment if there is a continuing need for any Florida specific requirement of the Code the modifications seek to repeal
 - Adopt or modify the modifications by chapter 120 only for inclusion in next edition of FBC
4. Energy Code evaluation-
- Conduct study to evaluate cost effective baseline for Florida Energy Code residential requirements, determine cost effective standards for commercial buildings and compare to the International Energy Conservation Code and ASHRAE 90.1 and 90.2 in consultation with designated others.

CS for CS for SB 1822 Carbon Monoxide Detectors

Action required:

1. Adopt a rule to require CO detectors in buildings with fossil fuel burning heater or appliance (including boiler in public lodging), fireplace, or attached garage and rooms used for sleeping purposes effective by July 1,2008.
2. Include requirements in next revision/(edition) of FBC.
3. Work with DBPR on chapter 4, FBC, Building requirements for public lodging buildings with both sleeping rooms and combustion fired boilers in the building.

CS for SB 404 Sprinkling Existing Portions of Warehouse Expansions

Action required:

1. Post notice of statutory requirement on website and notify building departments.
2. Include new provision of law in 2007 FBC update.

CS for SB 2498 Delayed Elimination of Design for Internal Pressure

Action Required:

1. Notification to building departments and industry.

2007 Legislature Directed Tasks Through Special Session

Florida Building Code Amendments:

- “...eliminate all exceptions that provide less stringent requirements.” than the 2006 IBC and IRC for wind-borne debris protection.
[HB 1A Section 10 (1)]

Citizens Insurance criteria for buildings built within 2500 feet of the coast after 2009:

- “...develop voluntary “Code Plus” guidelines for increasing the hurricane resistance of buildings.”
- [HB 1A Sections 10 (2) and 21 627.351(6)(a)6.]

ATTACHMENT 3
FLORIDA BUILDING COMMISSION
HURRICANE RESEARCH ADVISORY COMMITTEE
REPORT TO THE FLORIDA BUILDING COMMISSION

MAY 9, 2007

Tampa, Florida

Meeting Design & Facilitation By

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TIFF (Uncompressed) decompressor
are needed to see this picture.

Report By Jeff A. Blair
Florida Conflict Resolution Consortium
Florida State University



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This document is available in alternate formats upon request to Dept. of Community Affairs, Codes & Standards, 2555 Shumard Oak Blvd., Tallahassee, FL 32399, (850) 487-1824.

FLORIDA BUILDING COMMISSION

HURRICANE RESEARCH ADVISORY COMMITTEE REPORT

May 9, 2007

OVERVIEW

At the January 26, 2005 Commission meeting, Chairman Rodriguez appointed a small coordinating group consisting of Commissioners and other stakeholder representatives, charged with identifying what research is being conducted related to building failure issues resulting from the 2004 hurricanes, identifying any research gaps on key issues identified but not being researched, and finally, to ensure that the Commission is provided with all relevant research findings on each of the major issues, prior to the Commission considering code enhancements resulting from lessons learned.

Following is the chronology of events and subsequent Commission actions resulting from the 2004 hurricanes.

- Hurricane Charley hit on August 13, 2004 near Cayo Costa, Florida.
- Commission met in Miami on August 29 – 31, 2004 and staff presented early observations from the storm.
- Hurricane Francis hit on September 6, 2004 over Southern Hutchinson Island, Florida.
- Hurricane Ivan hit on September 16, 2004 between Gulf Shores, Alabama and Pensacola, Florida.
- Hurricane Jeanne hit on September 26, 2004 near Stuart, Florida.
- The Commission met on October 18 – 19, 2004, following three additional hurricanes and presented preliminary data collected from the four storms.
- The Commission met on December 6 – 8, 2004 and a hurricane researchers workshop co-sponsored by the Commission and the Institute for Business and Home Safety, was held on December 6, 2004.
- On January 12, 2005 the Florida Homebuilders Association released an assessment report concerning water intrusion during the 2004 hurricanes.
- At the Commission's January 2005 Commission meeting the Chair convened a workgroup to assist the Commission by ensuring they have all relevant research on each of the key issues identified during the hurricane assessments to assist the Commission with any needed code enhancements.
- At the Commission's January 2005 meeting, the Florida Home Builders Association presented findings and recommendations regarding water intrusion.
- On February 11 – 13, 2005, the Commission, the Department of Community Affairs, and the International Code Council jointly sponsored a Hurricane Symposium on the Impact of the 2004 Hurricanes on the Built Environment.
- On March 16, 2005 the Commission held a joint session with the Hurricane Research Advisory Committee and heard presentations and recommendations on studies related to water intrusion, building code performance, roof tiles, and the design of aluminum structures.
- At the May 10, 2005 meeting of the Hurricane Research Advisory Council the committee heard additional presentations and recommendations on water intrusion, and a window

assessment failure study. In addition, at the May 10, 2005 meeting of the Hurricane Research Advisory Council, the committee was asked to make the following preliminary determinations relative to the various recommendations: First, based on the studies and related recommendations, do members support the recommendation, and second should the recommendation be recommended for early implementation (as a part of the legislative authorization for expedited code amendment implementation for hurricane related provisions) or should it be reviewed and considered through the regular Commission code amendment process. The HRAC evaluated each of the options and identified a preliminary list of options recommended for expedited code adoption as well as options that were recommended for adoption through the normal code amendment process.

- At the June 28, 2005 meeting of the Hurricane Research Advisory Council the committee was asked to further consider those options that received a consensus for the recommendations and a 50% or greater level of support for expedited code adoption. The HRAC evaluated these as well as additional options identified by members. At the conclusion of the June meeting, the HRAC reached consensus on a package of recommendations for submittal to the Commission. The recommendations were for amendments recommend for expedited code adoption.
- Hurricane Dennis hit on July 10, 2005 in the Western Florida Panhandle region of the State, between Pensacola Beach and Navarre Beach Florida.
- At the August 23, 2005 meeting the HRAC evaluated the issues for consideration during the 2006 annual code amendment process, and identified issues that needed additional information or development prior to developing recommendations and that should be deferred for future code changes.
- The Commission adopted a draft package of code amendments following public comment received during the rule development workshop conducted at the August 2005 meeting.
- Hurricane Katrina landed on August 25, 2005 near the Miami-Dade Broward County Line in Florida, and on August 29, 2005 hit Plaquemines Parish Louisiana just south of Buras La, and again at the Gulf Coast border of Louisiana and Mississippi.
- At the October 10, 2005 meeting members reviewed the results of Commission action regarding expedited code amendments, and reviewed assignments and project status.
- The Commission conducted a rule adoption hearing at the October 11, 2005 meeting, and adopted a final package of expedited Code amendments
- Hurricane Wilma landed on October 24, 2005 near Cape Romano Florida and crossed the Florida Peninsula just north of Palm Beach.
- At the December 6, 2005 meeting, members heard presentations on observations from Hurricane Wilma damage to South Florida.
- At the February 6, 2006 meeting, members reviewed the status of Committee proposed code amendments, heard an update on the Panhandle Windborne Debris Study, and voted to recommend DCA seek funding authority to support completion of a wind and water infiltration testing facility, and for conducting testing specific to building code development.
- At the March 21, 2006 meeting members heard an update on the Panhandle Windborne Debris Region Study. Members reviewed the status of the Committee's hurricane provision recommendations, and identified additional issues that should be evaluated. The Committee offered a list of issues that need additional research and prioritized the issues based on a five-point ranking scale.
- At the July 11, 2006 meeting members reviewed the final results of ARA's Panhandle Windborne Debris Region Study, and voted to recommend that the Commission continue with

Phase II of the windborne debris study, as recommended by ARA, including post hurricane assessments of windborne debris damages resulting from any 2006 storms. The recommendation is to conduct a research study, with the results serving as the basis for a 2008 Statewide implementation of windspeed/terrain-dependent WBD criteria.

- At the August 22, 2006 meeting members received an update on several projects, and were asked to consider recommendations for developing consensus on the assumptions used in the cost-benefit analysis used for the winborne debris study.
- At the February 6, 2007 meeting members received updates on various air and water infiltration research projects from product manufacturers and researchers, and voted to recommend funding to conduct terrain effects studies for wind pressure design and develop insurance qualifying criteria for buildings built within 2500 feet of the coast after 2009, based on the performance goal of developing criteria based on a 250 year storm event.
- At the May 9, 2007 meeting members received updates on the status of the committee’s recommended hurricane protection amendments being considered during development of the 2007 Florida Building Code and received updates on various air and water infiltration research projects from product manufacturers and researchers. The committee also received a status report on the Phase II Wind Borne Debris Study and developed a list of research issues for Phase III of the Study and for the components and cladding study to be conducted in FY 2007-08.

MEMBERS AND REPRESENTATION

At the January 26, 2005 Commission meeting, Chairman Rodriguez appointed a small coordinating group consisting of Commissioners and other stakeholder representatives, charged with identifying what research is being conducted related to building failure issues resulting from the 2004 hurricanes, identifying any research gaps on key issues identified but not being researched, and finally, to ensure that the Commission is provided with all relevant research findings on each of the major issues, prior to the Commission considering code enhancements resulting from lessons learned.

Raul L. Rodriguez, AIA, Chair of the Florida Building Commission, has made the following appointments to the Hurricane Research Advisory Council. Members are charged with representing their stakeholder group’s interests, and working with other interest groups to develop consensus package(s) of recommendations for submittal to the Commission.

Raul Rodriguez, AIA, Chair	Architects
Chris Schulte	Roofing contractors
Do Kim, P.E.	Insurance industry
Nick D'Andrea, CBO	Building officials
George Wiggins, CBO	Local government
Craig Parrino, P.E.	Product manufacturers (concrete products)
Tim Reinhold, PhD, P.E.	Insurance industry/Researchers
Joe Crum, CBO (President, BOAF)	Building officials
Jack Glenn, CBO	Home builders
Dave Olmstead	Product manufacturers (windows)
John Ingargiola	Federal government (FEMA)

REPORT OF THE MAY 9, 2007 MEETING

Opening and Meeting Attendance

The meeting started at 10:00 AM, and the following Council members were present: Nick D'Andrea, Jack Glenn, Dave Olmstead, Craig Parrino, Tim Reinhold, and Chris Schulte.

DCA Staff Present

Rick Dixon, Mo Madani, and Betty Stevens.

Meeting Facilitation

The meeting was facilitated by Jeff Blair from the Florida Conflict Resolution Consortium at Florida State University. Information at: <http://consensus.fsu.edu/>

Project Webpage

Information on the project, including agenda packets, meeting reports, and related documents may be found in downloadable formats at the project webpage below:

<http://consensus.fsu.edu/FBC/hrac.html>

Meeting Objectives

- To Review Status of Hurricane Resistance Related Amendment Initiatives for the 2007 Florida Building Code
- To Receive an Update on Window Installation Default Prescriptive Criteria for Water Control
- To Receive an Update on Voluntary Standard for Window Water Leakage
- To Receive an Update on the University of Florida/ARA Research Project
- To Receive an Update on the Institute for Business and Home Safety Research Facility Initiative
- To Review Outcome and Directives from 2007 Regular Legislative Session
- To Identify Research and Development Priorities

Review Status of Commission/HRAC Code Enhancement Initiatives

Rick Dixon provided the Committee with an update on the status of hurricane/storm related code enhancements proposed by the Committee and answered member's questions.

Overview

- Consensus issues were implemented in the 2005 expedited process.
- Glitch amendments were implemented in December of 2006.
- Some amendments were not implemented due to lack of consensus or a need for additional research.
- Other amendments are being considered during the 2007 Code Update process.
- Research is still needed on some issues, such as: sealing of masonry walls, soffit systems, window water infiltration standards, aggregate roof blow-off, testing procedures for hurricane zones, lightening protection systems, and tile roof systems.

Update on Window Installation Default Prescriptive Criteria Initiatives

Dick Wilhelm provided the Committee with an update on window installation default prescriptive criteria initiative and answered member's questions.

Overview

- FMA is working with the masonry industry to address that industry's concerns with the FMA code change proposal
- A comment will be submitted for Commission consideration at the rule development workshop on the 2007 FBC

Update on Voluntary Standard for Window Water Leakage Initiative

Sigi Valentine provided the Committee with an update on the voluntary standard for window water leakage initiative and answered member's questions.

Overview

- The draft standard has been balloted with AAMA membership and comments are being responded to

Update on University of Florida Hurricane Research

Dr. Kurt Gurley from the University of Florida, Department of Civil and Coastal Engineering, provided the Committee with an update on hurricane research and answered member's questions.

Overview

- Wind tunnel tests on different roof shapes and shielding configurations are scheduled to be conducted at the University of Western Ontario in mid-May.
- Test facilities are being modified and impact tests on opening protection systems will begin by the end of May.
- Boundary layer models have been updated and wind speed determinations for 500 year, 250 year and 100 year recurrence interval hurricanes are being developed.

Institute for Business and Home Safety Hurricane Research Initiative

Tim Reinhold provided the Committee with an overview of IBHS research initiatives and answered member's questions.

Overview

- IBHS has secured 5 million dollars to fund research efforts and needs 8.1 million to fully fund currently planned initiatives.
- Wind and water intrusion studies on 2 story buildings with 140 mph winds, and one story buildings with 170 mph winds are being planned.
- Proposals have been submitted by 3 universities and are under review.

Review Implementation Status of Directives from the Special Legislative Session

Rick Dixon provided the Committee with an overview of the Special Session Legislation and answered member's questions.

Overview

The Commission must:

- Remove the interior pressure design option.
- Retain the storage shed exception mandated in 553.73(8).
- Address structural panel opening protection.
- Address the sun room exception from opening protection not in the 2006 I-Code.
- Revise the wind speed map to take out the Panhandle exception.
- Revise the definition of "Wind Borne Debris Region" to remove the Panhandle exception.
- Address the exceptions from opening protection for replacement of windows and doors in the Florida Building Code, Existing Building.

Status

Rule amendment is complete and Code changes will be implemented July 1, 2007.

Review Outcome and Directives of the Regular Legislative Session

Rick Dixon provided the summary of hurricane protection directives as follows.

CS/HB 7057 Wind Loss Mitigation Studies and FBC Mitigation Requirements and Standards

Action required:

3. Consult with Office of Insurance Regulation on “lost cost relativities” study.
4. Develop mitigation techniques for retrofit of existing site-built residential buildings:
 - Prescriptive gable end bracing techniques
 - Secondary water barrier requirements and standards
 - Prescriptive roof-to-wall attachment techniques (not to exceed 15% of reproofing cost)
 - Strengthening/correction roof deck attachment/fastening
 - Opening protection
3. Adopt for site-built residential buildings by October 1, 2007:
 - Mitigation techniques
 - Requirement that roof replacement requires secondary water barrier and roof deck attachment/fastening
 - Requirement that within WBD region roof replacement for buildings insured for \$300K or more must also have roof-to-wall connections upgraded
 - Requirement that any permitted activity valued at \$50K or more for buildings located within the WBD region and insured for \$750K or more must also provide for openings protection
4. Adopt in 2007 FBC:
 - Requirements of 2) and 3).

Discussion of Code Development and Research

Rick Dixon provided the Committee with an overview next steps in code development and research and answered member’s questions.

Failures Identified in 2004 Hurricanes

- Soffit Failures
- Tile Roof Failures
- Aluminum Structure Failures
- Water Intrusion Through Walls, Windows and Doors

Research Issues Identified by HRAC

- Criteria for wind resistant soffits
- Criteria for wind-driven rain resistance of soffits
- Water managed window and door installation criteria
- Water managed criteria for dryer vents, electrical panel boxes, electrical boxes and vent fan hoods
- Soffit venting alternative designs
- Unvented attic alternative designs
- Water control for masonry, wood and other wall system types

- Blow-off resistance of aggregate on built-up and sprayed polyurethane foam roofs
- Window water leakage test and performance criteria for hurricane prone regions
- Securement of Lightning protection systems
- Wall paint
- Pressure coefficients for roof systems
- Attached structures
- Roof wall connection for mitigation
- Secondary water barrier standard development
- Protect habitat of birds/roof nesting- chuckle
- Impact of fencing/WBD
- Facing of Signs/ WBD
- Water control capability/necessity for shutter
- Rating system for opening protection product water resistance
- Probabilities of opening protection damage/failure and water intrusion do to that failure
- Field applied window films
- Implications of tile roof damage and WBD
- Installation contribution to product failures (end use to identify mandatory inspections)
- Certification of window installers (installation improvement)
- Education component
- Roof deck vents wind/water
- In-swing doors

Discussion of Post Hurricane Damage Assessment Survey Preparation

Tim Reinhold and Kurt Gurley advised UF and IBHS had developed a data recording tool that identified standard data to be collected. Rick Dixon indicated the current UF/ARA contract has a task authorizing field surveys after hurricanes. The committee agreed this data collection is critical to code development and efforts should be organized to collect both statistically significant data and to have respective building systems experts investigate systems performance.

Committee Actions:

The Committee determined research issues that need to be pursued through the FY 2007-08 research contracts.