



FLORIDA BUILDING COMMISSION

"STRONGER CODES THROUGH SCIENCE AND CONSENSUS"

Florida Department of
Business
Professional
Regulation

FACILITATOR'S SUMMARY REPORT OF THE DECEMBER 12, 2014 FLORIDA BUILDING COMMISSION MEETING DAYTONA BEACH, FLORIDA

PROCESS DESIGN, CONSENSUS-BUILDING AND FACILITATION BY



CONSENSUS CENTER

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FLORIDA BUILDING COMMISSION
OCTOBER 14, 2014 FACILITATOR’S MEETING SUMMARY REPORT

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FLORIDA BUILDING COMMISSION
DECEMBER 12, 2014 FACILITATOR'S SUMMARY REPORT



FLORIDA BUILDING COMMISSION

"STRONGER CODES THROUGH SCIENCE AND CONSENSUS"

OVERVIEW OF COMMISSION'S KEY ACTIONS AND DECISIONS

FRIDAY, DECEMBER 12, 2014

WELCOME AND INTRODUCTIONS

Chairman Browdy welcomed the Commission, DBPR staff and the public to Daytona Beach and the December 12, 2014 plenary session of the Florida Building Commission. The Chair noted the primary focus of the December meeting, in addition to considering regular procedural issues including product and entity approvals, applications for accreditor and course approvals, petitions for declaratory statements, accessibility waivers, and recommendations from the Commission's various committees, was for the purpose adopting the Statement of Estimated Regulatory Costs checklist related to the waiver application Rule, and to discuss Commission participation with the ICC code development process.

The 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 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 Chair noted that public input is welcome, but should be offered before there is a formal motion on the floor.

Chairman Browdy explained that some of the licensing boards located within the Department of Business and Professional Regulation, have adopted rules regarding continuing education credits for attending Florida Building Commission meetings and/or Technical Advisory Committee meetings. Participants whose board participates may sign-in on the laptop kiosk station located in the meeting room.

I. PLENARY SESSION SUMMARY AND OVERVIEW

At the December 12, 2014 meeting the Commission considered and decided on Chair's issues and recommendations, product and entity approvals, applications for accreditor and course approvals, petitions for declaratory statements, accessibility waivers, and recommendations from the Commission's various committees. The Commission: discussed participation in the ICC code development process and referred the issue to the *Code Coordination and Implementation Workgroup*; received a report on a binding interpretation issued by the Commission's Interim Binding Interpretation Panel; and Chairman Browdy appointed the *Code Coordination and Implementation Workgroup* members. Specific actions included: voting unanimously to revise the product approval deadline completion date for application submittal to provide additional time for the process; and approved the Summary of Statement of Estimated Regulatory Costs Checklist and Legislative Ratification as completed for Rule 61G20-4.001, Procedures (Waiver Application Form).

(Attachment 1—Meeting Evaluation Results)

II. COMMISSION ATTENDANCE

The following Commissioners attended the Friday, December 12, 2014 meeting:

Dick Browdy (Chair), Hamid Bahadori, Steve Bassett, James Batts, Bob Boyer, Donald Brown, Oscar Calleja, Jay Carlson, David Compton, Nan Dean, Kevin Flanagan, Charles Frank, David Gilson, Jeff Gross, Brian Langille, Beth Meyer, Darrell Phillips, Brad Schiffer, Frederick Schilling, Jim Schock, Drew Smith, Jeff Stone, Brian Swope, and Tim Tolbert.

(24 of 25 seated Commissioners attended).

Absent Commissioners:

Robert Hamberger.

DBPR STAFF PRESENT

Chris Burgwald, Jim Hammers, April Hammonds, Mo Madani, Marlita Peters, and Jim Richmond.

MEETING FACILITATION

The meeting was facilitated by Jeff Blair from the FCRC Consensus Center at Florida State University. Information at: <http://consensus.fsu.edu/>



CONSENSUS CENTER

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>

III. AGENDA REVIEW AND APPROVAL

The Commission voted unanimously, 23 - 0 in favor, to approve the agenda for the December 12, 2014 meeting as presented/posted. Following are the key agenda items approved for consideration:

- To Consider Regular Procedural Issues: Agenda Approval and Approval of the October 14, 2014 Facilitator's Summary Report and Meeting Minutes, and November 13, 2014 Telephonic Meeting Minutes.
- To Consider/Decide on Chair's Discussion Issues/Recommendations.
- 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 Consider/Decide on Legal Issues: Petitions for Declaratory Statements.
- To Receive a Report of a Binding Interpretation.
- To Consider the Statement of Estimated Regulatory Costs Checklist Related to the Waiver Application Rule.
- To Review Issue of Commission Participation with the ICC Code Development Process.
- To Consider/Decide on Technical Advisory Committees (TACs): Accessibility; Mechanical; and Special Occupancy TAC Report/Recommendations.
- To Consider/Decide on Program Oversight Committees (POCs): Education and Product Approval POC Reports/Recommendations.
- To Receive Public Comment.
- To Discuss Commissioner Comments and Issues.
- To Review Committee Assignments and Issues for the Next Meeting—February 20, 2015 in Tampa, Florida.

Amendments to the Posted Agenda:

There were no amendments to the posted/presented Agenda.

(Attachment 4—December 12, 2014 Commission Agenda)

IV. APPROVAL OF THE OCTOBER 14, 2014 FACILITATOR'S SUMMARY REPORT AND MEETING MINUTES, AND NOVEMBER 13, 2014 MEETING MINUTES

MOTION—The Commission voted unanimously, 23 - 0 in favor, to approve the October 14, 2014 Facilitator's Summary Report and Meeting Minutes, and the November 13, 2014 Telephonic Meeting Minutes as presented/posted.

Amendments: There were no amendments offered.

V. CHAIR’S DISCUSSION ISSUES AND RECOMMENDATIONS

Code Coordination and Implementation Workgroup Appointments

Chairman Browdy noted that at the October 14, 2014 meeting the Commission voted unanimously to convene a *Code Coordination and Implementation Workgroup* to review and evaluate all of the regulatory requirements currently impacting the code development process (code update process), and to propose a legislative path for a more efficacious process and timetable for the implementation of the Florida Building Code update process. The Chair reminded participants that the Workgroup would conduct their first meeting on January 30, 2015 in Tallahassee, and made the following appointments to the Workgroup:

MEMBER	AFFILIATION
1. Dick Browdy	Florida Building Commission (FBC)
2. Tom Allen (ex officio)	ICC Code Development Process
3. Steve Bassett	Building Professionals: Mechanical Contractors
4. Jay Carlson	Building Professionals: General Contractors
5. David Compton	Design Professionals: Engineers
6. Kevin Flanagan	Building Professionals: Electrical Contractors
7. Charles Frank	Division of State Fire Marshal
8. Darrell Phillips	Education Facility Professionals: Public Education
9. Brad Schiffer	Design Professionals: Architects
10. Jim Schock	Building Officials
11. Drew Smith	Building Professionals: Home Builders
12. Steve Strawn	Building Product Manufacturers
13. Brian Swope	Building Professionals: Roofing and Sheet Metal Contractors
14. George Wiggins (ex officio)	Building Officials of Florida (BOAF)

Special Telephonic Meeting for Adoption of the FBC 5th Edition, 2014

The Chair reported that at the November 13, 2014 Telephonic Commission meeting the Commission moved to approve the Florida Building Code, 5th Edition (2014) as posted on the BCIS (Supplement plus the foundation code) for adoption by reference within Rule 61G20-1.001; authorizing the Department to publish a Notice of Proposed Rule with regard to the same and establishing within that notice a hearing date and time to be conducted by communications media technology, specifically conference call and webinar as soon as practicable. The Chair informed participants that the Commission would conduct the approved telephonic rule adoption hearing for the FBC, 5th Edition (2014) on January 5, 2015 at 10:00 AM.

Special Telephonic Meeting—Education, Course Approval

The Chair noted that revisions to Rule 61G20-6.002, F.A.C, have been adopted and went into effect as of November 19, 2014. As a result FBC advanced courses can now be submitted for approval using the Florida Building Code, 5th Edition (2014). The Chair informed participants that the Education POC would conduct a telephonic meeting for Education course approval on January 15, 2015 at 2:00 PM, and the Commission would conduct a telephonic meeting to consider advanced course approvals recommended by the POC on January 22, 2015 at 10:00 AM.

VI. CONSIDERATION OF ACCESSIBILITY WAIVER APPLICATIONS

April Hammonds, 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:

a. Samantha Hotel, 235 39th Street, Miami Beach

MOTION—The Commission voted unanimously, 24 - 0 in favor, to grant the waiver based on technical infeasibility.

b. Kappa Delta Sorority House, 555 West Jefferson Street, Tallahassee

MOTION—The Commission voted unanimously, 24 - 0 in favor, to deny the waiver on the basis that new construction should be accessible.

c. Alpha Gamma Delta Porch Enclosure, 517 West Park Avenue, Tallahassee

MOTION—The Commission voted unanimously, 24 - 0 in favor, to grant the waiver based on disproportionate cost.

d. Vela Rouge Hotel, 7130 Harding Avenue, Miami Beach

MOTION—The Commission voted unanimously, 24 - 0 in favor, to grant the waiver based on disproportionate cost.

e. Tiniciti III Preschool, 3111 S. W. 27TH Avenue, Miami

MOTION—The Commission voted unanimously, 24 - 0 in favor, to grant the waiver based on disproportionate cost, on the condition that the second floor toilet is made accessible to child standards.

f. Doitterer/Reese Building, 118 Centre Street, Fernandina Beach

MOTION—The Commission voted unanimously, 24 - 0 in favor, to grant the waiver based on disproportionate cost.

g. 7140 Abbot Avenue, 7140 Abbott Avenue, Miami Beach

MOTION—The Commission voted unanimously, 24 - 0 in favor, to grant the waiver to the extent that a waiver is needed.

VII. 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, 24 - 0 in favor, to approve the consent agenda of product approval entities as posted/presented.

MOTION—The Commission voted unanimously, 24 - 0 in favor, to approve the consent agenda of products recommended for approval as posted/presented.

Commission Actions Regarding Product Approval Applications With Comments:

MOTION—The Commission voted unanimously, 24 – 0 in favor, to conditionally approve product #11915-R4 based on the condition(s) recommended by the POC.

MOTION—The Commission voted unanimously, 24 – 0 in favor, to approve product #17214.

MOTION—The Commission voted unanimously, 24 – 0 in favor, to conditionally approve product #17290 based on the condition(s) recommended by the POC.

MOTION—The Commission voted unanimously, 24 – 0 in favor, to conditionally approve product #17300 based on the condition(s) recommended by the POC.

The complete results of Commission decisions regarding applications for product and entity approval are available on the BCIS.

(See BCIS Website for Linked Committee Report)

VIII. 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, 24 – 0 in favor, to approve the consent agenda for approval of advanced courses #: 651.0, 652.0, 653.0, 654.0, and 655.0.

MOTION—The Commission voted unanimously, 24 – 0 in favor, to approve Charles Barr as a Florida Building Commission Accreditor.

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

IX. CONSIDERATION OF PETITIONS FOR DECLARATORY STATEMENTS

Petitions For Declaratory Statements

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

DS 2014-129 by David Kramer, Building Code Administrator, of University of Florida

Motion—The Commission voted unanimously, 24 - 0 in favor, to defer action on the petition to allow the applicant to provide more information including cutsheets and drawings of shower stalls.

DS 2014-135 by Michael Ippolito, PE

Motion—The Commission voted unanimously, 24 - 0 in favor, to approve the Mechanical TAC's and Special Occupancy TAC's recommendations to deny the petition, due to general applicability (petition has no particular facts and circumstances and calls for a statement of general applicability).

DS 2014-142 by Robert S. Fine, Esq. of Greenberg Traurig, P.A.

Motion—The Commission voted unanimously, 24 - 0 in favor, to approve the Accessibility TAC's recommendations on the Petition as presented (to approve staff's recommendations).

X. BINDING INTERPRETATION REPORT

PETITION #112 BY RAYMOND MASCIANA OF CAPE CORAL

April Hammonds, FBC Legal Counsel, provided the Commission with a summary of the petition and the binding interpretation issued by the Panel. April reported that the purpose of the agenda item was to brief the Commission only. Petition #112 by Raymond Masciana of Cape Coral pertained to whether fire rated doors are permitted in a rated wall assembly to interconnect the living spaces of separated dwelling units. The Commission's appointed Interim Binding Interpretation Panel (appointed August 22, 2014) was convened to hear the petition on November 17, 2014, and issued a binding interpretation on the Petition. The Panel ruled that the answer is yes pursuant to Section 104.1 of the FBC. April advised that the Commission should not discuss the substance of the Petition and/or the Binding Interpretation issued, since Binding Interpretation appeals go to the Commission as the appellate body for the same.

XI. STATEMENT OF ESTIMATED REGULATORY COSTS (SERC) CHECKLIST, RULE 61G20-4.001, PROCEDURES (WAIVER APPLICATION FORM)

Chairman Browdy reported that in order to take the next step in the rule adoption process for Rule 61G20-4.001, Procedures (waiver application form) the Commission needed to approve the Statement of Estimated Regulatory Costs checklist and to charge the Chair with executing the same. The Chair read the analysis as follows:

The agency has determined this rule will not have an adverse impact on small business or likely increase directly or indirectly costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency. The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Commission conducted an analysis of the proposed rule's potential economic impact and determined that it did not exceed any of the criteria established in Section 120.541(2)(a), F.S.

Following questions and answers, public comment and discussion, the Commission took the following action:

Commission Actions:

MOTION—The Commission voted unanimously, 24 – 0 in favor, to approve the Statement of Estimated Regulatory Costs and Legislative Ratification as completed for Rule 61G20-4.001, Procedures, and authorized the Chair to execute the same.

XII. COMMISSION PARTICIPATION WITH THE ICC CODE DEVELOPMENT PROCESS

Chairman Browdy explained that at the October 14, 2014 meeting Commissioner Stone indicated that he has participated in the ICC code development process over the years and thought it would be beneficial for the Commission to participate in the process going forward. Commissioner Boyer suggested that the issue of ICC participation by the Commission should be added to the scope of review for the *Code Coordination and Implementation Workgroup*. The Chair noted that he had advised that once the Commission agreed to a strategy, any request for a Commissioner to attend an ICC code hearings should be sent formally in a letter to DBPR. The Chair reflected that historically local building officials have represented Florida in the ICC code development process, and the Commission has relied on this strategy regarding participation in the same.

The Chair noted that DBPR staff also reminded participants that in the past the Commission voted to fund Mo Madani to attend an ICC code hearing. There were also comments from staff regarding difficulties with getting approval for out-of-state travel, and that any requests to attend an ICC code hearing must be done months in advance. Legal staff also indicated that only a single Commission member could attend ICC code hearings due to the Sunshine Law's prohibition regarding members communicating with each other on substantive issues outside of a noticed meeting.

At the December 12, 2014 meeting the Chair offered April Hammonds an opportunity to provide a legal perspective on the issue of Commissioner participation with the ICC code development process. April advised that there are definite concern with multiple commissioners attending and participating in the ICC code development process related to the Sunshine Law's requirements prohibiting two or more members from discussing issues that may foreseeably come before the Commission outside of a properly noticed Commission meeting, and this could also present Code of Ethics concerns for members. April explained that Commissioners participating in discussions on ICC code amendments during an ICC code process could then be placed in a position of having to make decisions on the same amendment at a subsequent FBC code update process. This could be problematic from several perspectives including: 1.) If the amendment was approved for the IBC it would be then also be approved by the Commission for Florida when the foundation codes were adopted; 2.) If the amendment was denied at the ICC, and then came up for consideration during an FBC code update cycle this could also be a Sunshine violation when commissioners discussed the same amendment; and 3.) An amendment would be hard to justify as a Florida specific amendment if it was denied at the ICC with Commissioner participation, and this also could have an adverse impact on the Code Update and/or the Glitch Amendment process.

The Commission discussed this issue at length and many members felt there was a need for the Commission to participate in the ICC code development process since the International Building Code (IBC) serves as the foundation codes for the Florida Building Code. Commissioners indicated that there should be an evacuation of how the Commission could legally and effectively participate in the ICC code development process going forward. After extensive discussion the Commission agreed to add this issue to the scope of review for the *Code Coordination and Implementation Workgroup* for evaluation and recommendations.

XIII. COMMITTEE REPORTS AND RECOMMENDATIONS

Chairman Browdy 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. The Chair explained that the complete reports/minutes would be linked to the committees' subsequent agendas for approval by the respective committees. Committee reports are available at the following URL (linked to Commission's December 12, 2014 Agenda):

http://www.floridabuilding.org/fbc/commission/FBC_1214/index.htm

Accessibility TAC

Commissioner Gross presented the TAC's reports and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 24 – 0 in favor, to accept the TAC's reports as presented/posted (December 3, 2014).

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

Education POC

Commissioner Dean presented the POC's reports and any recommendations.

Commission Actions:

MOTION—The Commission voted unanimously, 24 – 0 in favor, to accept the POC's report as presented/posted (December 4, 2014).

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

Mechanical TAC

Commissioner Bassett presented the TAC's reports and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 24 – 0 in favor, to accept the TAC's reports as presented/posted (December 2, 2014).

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

Product Approval POC

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

Commission Action:

MOTION—The Commission voted unanimously, 24 – 0 in favor, to accept the POC's report as presented/posted (December 1, 2014).

MOTION—The Commission voted unanimously, 24 – 0 in favor, to revise the product approval deadline completion date for application submittal to provide additional time for the process, per the revised deadline dates posted on-line.

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

Special Occupancy TAC

Commissioner Phillips presented the TAC's report and any recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 24 – 0 in favor, to accept the TAC's report as presented/posted (December 2, 2014).

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

OTHER COMMISSION ACTIONS

There were no additional Commission actions.

XIV. 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, Chairman Browdy invited members of the public to address the Commission on any issues under the Commission's purview.

Public Comments:

- Tom Allen, ICC: thanked the Commission for their work, and noted that the 2018 ICC code development process is currently accepting proposed amendments.
- Jamie Gascon, Miami-Dade County: asked when product approvals can be submitted for approval to the 5th Edition, FBC (2014)?
- Mo Madani, DBPR: responded that products can be submitted for approval to the 5th Edition, FBC (2014) immediately after the Commission conducts the rule adoption hearing for the FBC, 5th Edition (2014) on January 5, 2015 and the Code is adopted.
- Joe Crum, BOAF: indicated that he is looking forward to the discussions on commissioner participation with the ICC code development process referred to the *Code Coordination and Implementation Workgroup* for evaluation. Indicated that going forward he expects the ICC will be more receptive to Florida's proposed code amendments.

XV. COMMISSION MEMBER COMMENT AND ISSUES

Chairman Browdy invited Commission members to offer any general comments to the Commission, or identify any issues or agenda items for the next Commission meeting.

Commission Member Comments:

- Tim Tolbert: indicated that with all due respect to South Florida, if the South Florida Building Code is adopted, the Panhandle will secede from the State.
- Steve Bassett: indicated he felt the Commission should look at accessibility for residential dwellings. Thanked staff for the seating chart. Suggested that the Commissioner's individual nameplates should indicate the Commissioner's representation, and should have the member's name on the reverse side in addition to the front side.
- Jim Schock: expressed concern that the Accessibility Advisory Council continues to have difficulty in achieving quorums for their meetings. Asked what effort is being made to contact and remind members prior to meetings?

- Jim Richmond, FBC Executive Director: responded that staff frequently makes efforts to contact members prior to meetings, and that some Council members have disabilities and health problems that make participation problematic. Jim noted that staff makes every attempt to ensure there is a quorum at Council meetings and will continue to do so going forward.
- Brad Schiffer: indicated he would rather receive the Binding Interpretation reports after the appeal window had passed so the Commission could discuss the results.
- April Hammonds, FBC Counsel: advised that the Commission has no role in the Binding Interpretations process, and the interpretations were designed to be handled by BOAF. April indicated that the Commission should refrain from having discussion regarding Binding Interpretations.
- Dick Browdy, FBC Chair: stated that he is proud of the Commission's work product for 2014, and that the Commission has made Florida's built environment safer. The Chair wished all participants Happy Holidays and a Happy New Year.

XVI. NEXT COMMISSION MEETING OVERVIEW AND ISSUES

The February 20, 2015 Commission meeting in Tampa, Florida will focus on routine Commission procedural matters including Chair's issues and recommendations, updates of the Workplan, product and entity approvals, applications for accreditor and course approvals, petitions for declaratory statements, accessibility waivers, and recommendations from the Commission's various committees. In addition, the Commission will conduct scheduled rule development initiatives.

STAFF ASSIGNMENTS FROM THE DECEMBER 2014 MEETING

There were no specific staff assignments.

ADJOURNMENT

The Chair thanked Commission members and the public for their attendance and participation, and adjourned the meeting at 10:20 A.M. on Friday, December 12, 2014.

ATTACHMENT 1
FLORIDA BUILDING COMMISSION MEETING EVALUATION RESULTS

DECEMBER 12, 2014—DAYTONA BEACH, FLORIDA

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

Number of Respondents: 20 of 24 Commissioners present completed meeting evaluations.

1. OVERALL MEETING ASSESSMENT.

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

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

- 9.8 ___ Chairs Issues and Recommendations.
- 9.8 ___ Accessibility Waiver Applications.
- 9.8 ___ Approvals of Products and Product Approval Entities.
- 9.8 ___ Applications for Accreditor and Course Approvals.
- 9.8 ___ Petitions for Requests for Declaratory Statements.
- 9.8 ___ Binding Interpretation Report.
- 9.8 ___ SERC Checklist Related to the Waiver Application Rule Decision.
- 9.8 ___ Commission Participation with the ICC Code Development Process Discussion.
- 9.8 ___ TAC, POC and/or Committee Reports and Recommendations.

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

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

4. MEMBERS LEVEL OF SATISFACTION WITH THE MEETING.

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

5. HOW WELL THE NEXT STEPS WERE COMMUNICATED.

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

6. WHAT MEMBERS LIKED BEST ABOUT THE MEETING.

- Well formulated and good discussions.
- Nice meeting facility.
- Easy to hear speakers. Room seemed very appropriate for the meeting.
- Room.
- Date/time.

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

- Coffee.

8. OTHER GENERAL COMMENTS.

- Very good meeting.

COMMENTS ON SPECIFIC AGENDA ITEMS

None were offered.

PUBLIC-MEETING EVALUATION AND COMMENT RESULTS

None were offered.

ATTACHMENT 2
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
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 3

FLORIDA BUILDING COMMISSION HISTORY AND OVERVIEW

HISTORY

Following Hurricane Andrew in 1992, 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.

** The 2014 Legislature amended Section 553.74 (1) F.S., to add a 27th member representing the Department of Agriculture and Consumer Services' Office of Energy, effective July 1, 2014.*

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 58 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 4
DECEMBER 12, 2014 MEETING AGENDA**

**FLORIDA BUILDING COMMISSION
PLENARY SESSION

DECEMBER 12, 2014
THE PLAZA HISTORIC BEACH RESORT AND SPA
600 NORTH ATLANTIC BOULEVARD
DAYTONA BEACH, FLORIDA**

MEETING OBJECTIVES

- To Approve Regular Procedural Topics (Agenda and Minutes)
- To Consider/Decide on Chair's Discussion Issues/Recommendations.
- To Consider/Decide on Accessibility Waiver Applications.
- To Consider/Decide on Approvals and Revocations of Products and Product Approval Entities.
- To Consider/Decide on Petitions for Declaratory Statement.
- To Receive a Report of a Binding Interpretation.
- To Consider Applications for Accreditor and Course Approval.
- To Consider the Statement of Estimated Regulatory Costs Checklist Related to the Waiver Application Rule
- To Review Issue of Commission Participation with the ICC Code Development Process
- 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.

Committee and Workgroup Meetings held in conjunction with the Plenary Session

Meetings are held by teleconference and webinar unless otherwise indicated by site identification

December 1	10:00 a.m.	Product Approval Program Oversight Committee
December 1	2:00 p.m.	Accessibility Advisory Council
December 2	8:30 a.m.	Special Occupancy Technical Advisory Committee
December 2	10:30 a.m.	Mechanical Technical Advisory Committee
December 2	1:00 p.m.	Accessibility Technical Advisory Committee
December 4	10:00 a.m.	Education Program Oversight Committee

MEETING AGENDA—DECEMBER 12, 2014

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 Minutes: October 14, 2014; November 13, 2013 Facilitator’s Summary Report: October 14, 2014
	4.)	Chair’s Discussion Issues: Special Telephonic Meeting – Code Adoption January 5 th , 2015, at 10:00 a.m. Special Telephonic Meeting – Education, Course Approval January, 2015
	5.)	Accessibility Waiver Applications
		(a). Samantha Hotel, 235 39th Street, Miami Beach (b). Kappa Delta Sorority House, 555 West Jefferson Street, Tallahassee (c). Alpha Gamma Delta Porch Enclosure, 517 West Park Avenue, Tallahassee (d). Vela Rouge Hotel, 7130 Harding Avenue, Miami Beach (e). Tiniciti III Preschool, 3111 S. W. 27TH Avenue, Miami (f). Doitterer/Reese Building, 118 Centre Street, Fernandina Beach (g). 7140 Abbot Avenue, 7140 Abbott Avenue, Miami Beach
	6.)	Applications for Product and Entity Approval
	7.)	Applications for Accreditor and Course Approval
	8.)	Petitions for Declaratory Statement
		DS 2014-129 by David Kramer, Building Code Administrator, of University of Florida DS 2014-135 by Michael Ippolito, PE DS 2014-142 by Robert S. Fine, Esq. of Greenberg Traurig, P.A.
	9.)	Binding Interpretations: Petition #112 by Raymond Masciana of Cape Coral
	10.)	Statement of Estimated Regulatory Costs Checklist, Rule 61G20-4.001, Procedures (Waiver Application Form)
	11.)	Commission Participation with ICC Development Processes

	12.)	Committee Reports
		a. Accessibility Technical Advisory Committee b. Education Program Oversight Committee c. Mechanical Technical Advisory Committee d. Product Approval Program Oversight Committee e. Special Occupancy Technical Advisory Committee
	13.)	Public Comment
	14.)	Commissioner Comment
	15.)	<i>Adjourn</i>

ATTACHMENT 5
COMMISSION’S UPDATED MEETING SCHEDULE AND WORKPLAN

(UPDATED DECEMBER 12, 2014)

COMMISSION MEETING SCHEDULE

2015	LOCATION
February 20, 2015	Tampa (Holiday Inn Westshore)
April 14, 2015	Gainesville (Hilton)
June 19, 2015	Gainesville (Hilton)
August 2015	TBD
October 2015	TBD
December 2015	TBD

ACCESSIBILITY COUNCIL	EDUCATION POC	PRODUCT APPROVAL POC
February 9, 2015	February 12, 2015	February 5, 2015
April 6, 2015	April 9, 2015	April 2, 2015
June 8, 2015	June 11, 2015	June 4, 2015