



**FLORIDA  
BUILDING  
COMMISSION**

"STRONGER CODES THROUGH SCIENCE AND CONSENSUS"

Florida Department of  
**Business  
Professional  
Regulation**

**FACILITATOR'S SUMMARY REPORT OF THE  
JANUARY 5, 2015  
TELECONFERENCE RULE ADOPTION HEARING**

*TALLAHASSEE, FLORIDA*

**PROCESS DESIGN, CONSENSUS-BUILDING AND FACILITATION BY**



**CONSENSUS CENTER**

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*This document is available in alternate formats upon request to DBPR, Codes & Standards,  
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## FLORIDA BUILDING COMMISSION

### JANUARY 5, 2015 TELECONFERENCE MEETING SUMMARY REPORT



## OVERVIEW OF COMMISSION'S KEY ACTIONS AND DECISIONS

### MONDAY, JANUARY 5, 2015

#### OPENING AND MEETING ATTENDANCE

The meeting was opened at 10:00 AM, and the following Commission members participated:

Dick Browdy (Chair), Hamid Bahadori, Steve Bassett, Bob Boyer, 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, and Brian Swope. (\*20 of 25 seated Commissioners participated)

*\*Although 20 members participated in total, only 18 members were present for each of the votes.*

#### *Absent Commissioners:*

James Batts, Donald Brown, Robert Hamberger, Jeff Stone, and Tim Tolbert.

#### **DBPR Staff Present**

Chris Burgwald, Nick Duval, Mo Madani, Jim Hammers, April Hammonds, Jim Richmond, and Drew Winters.

#### **Public Present**

Cam Fentriss, and Dick Wilhelm.

#### **Meeting Facilitation**

Commission meetings are 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>

## **STATEMENT OF TELECONFERENCE PARTICIPATION PROCESS**

Jeff Blair reviewed the teleconference participation process with participants reminding them that it is important to keep their phones on mute to minimize background noise, not to put their phones on hold, and to wait until invited to speak to avoid confusion and chaos. Jeff emphasized that all participants will have ample time to speak on all agenda items. Participants were reminded to state their names each time they speak.

## **AGENDA REVIEW AND APPROVAL**

The Commission voted unanimously, 18 - 0 in favor, to approve the agenda for the January 5, 2015 teleconference rule adoption hearing meeting as presented/posted. Following are the key agenda items approved for consideration:

- To Approve the Agenda.
- To Hold Public Hearing on the Adoption of the 5<sup>th</sup> Edition (2014) Florida Building Code.
- To Hear Public Comment.
- To Consider and Approve a Notice of Correction to Notice of Proposed Rule.

The agenda and relevant linked attachments are available at the following URL: [http://www.floridabuilding.org/fbc/commission/FBC\\_0115/FBC\\_Agenda\\_0115.htm](http://www.floridabuilding.org/fbc/commission/FBC_0115/FBC_Agenda_0115.htm)

*(Attachment I—Agenda)*

## **OVERVIEW**

At the November 13, 2014 Telephonic Commission meeting the Commission moved to approve the Florida Building Code, 5<sup>th</sup> 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. The January 5, 2015 telephonic/webinar rule adoption hearing for the FBC, 5<sup>th</sup> Edition (2014) was for the purpose of reviewing final submitted and verbal public comments, and deciding on proceeding with rule adoption.

## **RULE ADOPTION HEARING ON RULE 61G20-1.001 FLORIDA BUILDING CODE ADOPTED**

Chairman Browdy explained that the purpose of the hearing was to consider public comment and then to vote to proceed with rule adoption. Jeff Blair noted that one written comment was submitted from Ralph Koerber regarding Section 451.3.6.3 (comment is linked to the Agenda). Jeff asked whether the proponent was on the call and wished to speak, and the proponent was not present. Jeff then asked whether any members of the public wished to provide verbal comment to the Commission regarding Rule 61G20-1.001, Florida Building Code Adopted. Two members of the public offered comment, and a summary follows:

- Eric Lacey, Responsible Energy Code Alliance: indicated support for the Updated Florida Building Code, Energy. Asked whether the Commission was aware that effective January 1, 2015 the new Federal minimum efficiency requirements for heat pumps went into effect (changing the minimum SEER from 13 to 14). Asked if users understand that they must ensure their Energy Code compliance calculation software utilizes the new standards, and noted that the forms used in Florida will need to be updated to comply with the requirements.
- Mo Madani, DBPR: responded that the Commission is aware of the new Federal standards and that there is an 18 month grace period to use up existing equipment stock with the 13 SEER rating. Mo noted that in the short-term the existing requirements in the Florida Building Code comply based on the grace period, and that a request for a declaratory statement would be the best way to ensure stakeholders are aware of the new efficiency standards going forward.
- Brian Holland, National Electrical Manufacturers Association (NEMA): indicated that NEMA supports the Florida Building Code, 5<sup>th</sup> Edition (2014) and the adopted electrical code edition. 1.) Stated that it would be beneficial if in future Code Update notices that the edition of the NEC adopted in the updated FBC would be included in the publication notice. 2.) Brian also asked why the 2015 Code included the IRC, Electrical instead of reserving the section as with previous editions of the FBC?
- Jim Richmond, DBPR: responded to “Comment 1” that he agreed the notices should include the edition of the NEC adopted, and that the Commission would do so going forward.
- Mo Madani, DBPR: responded to “Comment 2” that the Commission’s Workplan for the Code Update for the Florida Building Code, 5<sup>th</sup> Edition (2014) contemplated including in the Residential Code the adopted edition of the IRC, Electrical, and the Updated Code reflects this decision.

Following public comments Commissioners were invited to discuss the comments, and to decide whether any of the comments suggested a need to make any changes to Rule 61G20-1.001, Florida Building Code Adopted. There were no Commissioner questions and/or discussion regarding the public comments, and Chairman Browdy requested a motion to proceed with rule adoption for Rule 61G20-1.001, Florida Building Code Adopted. Following the opportunity for questions and answers, public comment and discussion, the Commission took the following action:

### ***Commission Actions:***

**MOTION**—The Commission voted unanimously, 18 – 0 in favor, to proceed with rule adoption for Rule 61G20-1.001, Florida Building Code Adopted.

## **CONSIDER AND APPROVE A NOTICE OF CORRECTION TO NOTICE OF PROPOSED RULE**

Jeff Blair explained that this agenda item was to approve corrections to the Notice of Proposed Rule based on written comments provided in a letter from the Joint Administrative Procedures Committee (JAPC) dated December 12, 2014. The Notice of Correction and the JAPC letter are linked to the following URL:

[http://www.floridabuilding.org/fbc/commission/FBC\\_0115/FBC\\_Agenda\\_0115.htm](http://www.floridabuilding.org/fbc/commission/FBC_0115/FBC_Agenda_0115.htm)

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

### ***Commission Actions:***

**MOTION**—The Commission voted unanimously, 18 – 0 in favor, to approve the Notice of Correction as drafted and posted to the BCIS.

## **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.

*There were no general public comments offered.*

## **COMMISSION MEMBER COMMENT**

Chairman Browdy invited Commission members to offer any general comments to the Commission. Following are Commissioner Comments:

- Jim Schock: asked whether based on the action taken during the rule adoption hearing is the Florida Building Code, 5<sup>th</sup> Edition (2014) still on track for becoming effective at midnight on June 30, 2015.
- Mo Madani: responded that yes, the Code is on track for becoming effective at midnight on June 30, 2015.
- Oscar Calleja: asked whether with the adoption of the Notice of Correction the Code would now officially be effective on June 30, 2015.
- Jim Richmond: responded that the Code's official effective date was determined when the Commission voted to make the effective date midnight on June 30, 2015.

## **ADJOURN**

The Chair thanked Commission members, staff and the public for their participation, and adjourned the meeting at 10:30 AM on Monday, January 5, 2015 following an unanimous vote of 18 – 0 in favor of adjournment.

**ATTACHMENT I**  
**MEETING AGENDA**

**FLORIDA BUILDING COMMISSION**  
**RULE ADOPTION HEARING CONFERENCE CALL/WEBINAR**  
**JANUARY 5, 2015**  
**TALLAHASSEE, FLORIDA**  
**CALL-IN NUMBER: 866-899-4679,**  
**OR**  
**1-626 521 0016**

**CODE: 478-483-605**

<https://global.gotomeeting.com/join/716194317>

***MEETING OBJECTIVES***

- To Approve the Agenda
- To Hold Public Hearing on the Adoption of the 5<sup>th</sup> Edition (2014) Florida Building Code
- To Hear Public Comment.
- To Consider and Approve a Notice of Correction to Notice of Proposed Rule.

***MEETING AGENDA***

<b>10:00 a.m.</b>	<b>1.)</b>	<b>Welcome and Opening, Roll Call</b>
	<b>2.)</b>	<b>Review and Approval of Meeting Agenda</b>
	<b>3.)</b>	<b>Rule Adoption Hearing on Rule 61G20-1.001 Florida Building Code Adopted</b>  <a href="#"><u>Notice of Proposed Rule</u></a>  <a href="#"><u>5<sup>th</sup> Edition (2014) Florida Building Code</u></a>
	<b>4.)</b>	<b>Discuss and Consider Public Comments Received on the Proposed Rule</b> <a href="#"><u>Comment 1</u></a>
	<b>5.)</b>	<b>Consider and Approve a Notice of Correction to Notice of Proposed Rule. (</b> <a href="#"><u>Notice of Correction</u></a> ) ( <a href="#"><u>JAPC Letter</u></a> )
	<b>6.)</b>	<b>Public Comment</b>
	<b>7.)</b>	<b>Commissioner Comment</b>
	<b>8.)</b>	<i><b>Adjourn</b></i>