

**FLORIDA BUILDING COMMISSION  
RULE ADOPTION TELECONFERENCE MEETING  
January 5, 2015  
10:00 AM**

**COMMISSIONERS PRESENT:**

Chairman Browdy	David Gilson
Hamid Bahadori (joined call prior to vote)	Jeffery Gross
Steven Bassett	Brian Langille
Bob Boyer	Beth Meyer (dropped from call )
Oscar Calleja	Darrell Phillips
Jay Carlson	Brad Schiffer
David Compton	Frederick Schilling, Jr.
Nanette (Nan) Dean (joined the call after the vote)	Jim Schock
Charles Frank	Drew Smith
Kevin Flanagan	Brian Swope

**COMMISSIONERS NOT PRESENT:**

James Batts	Jeff Stone
Don Brown	Tim Tolbert
Robert Hamberger	

**OTHERS PRESENT:**

Jim Richmond	April Hammonds
Mo Madani	Drew Winters
Nick DuVal	Jim Hammers
Chris Burgwald	Dick Wilhelm
Cam Fentriss	

**Welcome:**

Chairman Browdy welcomed all to the Rule Adoption Hearing Teleconference call. He then asked that Jeff Blair call role.

**Role Call:**

Jeff Blair called the role and a quorum was determined.

**Purpose of Meeting:**

Chairman Browdy advised that the purpose of today's call was to adopt the Florida Building Code 5<sup>th</sup> Edition 2014 and to address the statutory required triennial updating glitch modifications. He stated the actual rule subject to this meeting is Rule 61G20-1.1001 Florida Building Code Adopted Rule.

**Approval of Agenda:**

Jeff Blair stated that the meeting will begin with review of public comments received and proceed with any other comments on the rule and then to the Commission to review and discuss the notice of correction and JAPC's comments.

Jeff provided the agenda items and asked the Chairman to request a motion to approve agenda as posted.

Chairman Browdy asked for a motion to approve the agenda as posted on the BCIS.

Commissioner Compton entered the motion to approve the agenda. The motion was seconded by Commissioner Boyer. The motion passed unanimously.

**Written Comments:**

Jeff stated there was a written comment received and posted on the website from Mr. Ralph Koerber. He asked if Mr. Koerber was on the call to make any further statement. Mr. Koerber was not on the call. Jeff then asked if any Commissioner had any comment relevant to Mr. Koerber's comments. There were no further comments.

**Public Comments:**

Jeff then asked if there was any additional public comment relevant to the Proposed Rule Adoption. He stated he would collect names first and then allow them to speak to the Commission.

The first public request was from Eric Lacey, Responsible Energy Codes Alliance. The second request came from Brian Holland, National Electrical Manufacturers Association. Jeff then asked if there was any further requests, there being none he began public comments.

Eric Lacey, Responsible Energy Codes Alliance stated he had two comments. He said first was to voice support for the updates to the Florida Building Code particular the Energy Conservation portion, he said he knew a lot of hard work went into this and is a significant improvement over the previous edition.

Mr. Lacey stated his second comment would be a question and a comment. He stated the Federal minimum efficiency requirements for air-conditioner and heat pumps updated January 1<sup>st</sup> and will impact the performance applications and performance calculations and some of the things that builders used to comply. He further stated that this is the first update in several years and he wanted to make sure that those who are providing software and builders who are going to use the software understand that the air-conditioning efficiency rating that is going to be used for the baseline performance paths has been updated as of January 1<sup>st</sup>. Mr. Lacey further stated that the software will need to be updated, the forms will need to be updated and he wanted to make sure this would be on the radar for the Commission and staff's radar and to see if there have been any reminders produced or materials to help remind people that the update has taken place.

**Public Comments (cont):**

Mr. Madani responded that we are aware of this situation and the standards go into effect January 1<sup>st</sup>. He further stated that there are rules established by DOE which allows a manufacturer to use existing equipment that is already in the stock and market and are given about eighteen months. Mo said the equipment manufactured using series 13 still can be used until that date. He said we are relying on that and will continue to reference 13 until that allowance goes away. Mo said the (2014) 6<sup>th</sup> Edition speaks to National Standards as allowed by the industry so we are covered. He said in reference to the software, the software that is being used is within the Series 13, but the 14 could be used if needed but not required due to the 18 month grace period or grandfathering period.

Mr. Lacey stated there are two issues; the one you are talking about is a separate issue. He stated one is whether you can install a unit that was manufactured prior to January 1<sup>st</sup> and is not something that the Commission could affect. Mr. Lacey stated the issue is performance software goes and the requirements in the Code, but by Federal law the baseline has to be consistent with the Federal minimum, there should be no more software that references the SEER 13 but after January 1<sup>st</sup> should be referencing the SEER 14 for the baseline. He said he was sure there would be some trade off that will take place and there will be cleaning out of stock, but as far as the performance calculations goes it should be the SEER 14.

Mr. Madani advised Mr. Lacey that the issue is not a part of this hearing at this point, it is an issue that deals with the current 2010 Code and would be better handled as a maybe a declaratory statement or some type of clarification. Mo stated we need to move forward with the hearing and this subject can be addressed at a later date.

Jeff then opened the comments to Mr. Holland.

Brian Holland, National Electrical Manufacturers Association (NEMA), stated that NEMA and it's 400 plus member companies fully support the adoption of the 5<sup>th</sup> Edition 2014 Building Code and more importantly an effective date as early as law will allow. He further stated NEMA would like to extend its support and resources to the Commission and Staff in their efforts to streamline the adoption of future editions of the Code.

Mr. Holland advised that there were two minor issues that he would like to address. He said the first issue is there is absolutely no mention of National Electrical Code being adopted in the notice of proposed rule, anywhere on the Commission Website or any correspondence sent out to the Public on behalf of the Commission. Mr. Holland stated that the Electrical professionals simply ask that more effort be made to include the National Electrical Code Edition in your notices, he understands that it takes a little work to figure in the draft it is referenced but would be helpful.

Mr. Holland stated that the second issue is the integrated draft of the Florida Building Code Residential includes the Electrical appropriation for the 2012 IRC in Chapters 34-43. He said all previous editions of the code reserved these chapters with direct reference to the NEC.

**Public Comments (cont):**

Mr. Holland stated the question is if it is the Commissions' intent to include these Chapters in the residential volume of the Florida Building Code and if so could there please be clarification on this matter as it will have significant impact.

Mo said to clarify the first issue, when the work plan is put together, the NEC is singled out. He stated that the second issue dealing with residential code and came up when they were drafting the 2014 code, he said there was a work plan and was staff outlined and it was agreed that the provisions of the electrical code should remain in the residential code. He said they are consistent with the base document of 2011 NEC. Mo said there was no need to remove them; he said it would have been removed if there was an updated issue to the NEC, however at this point it was decided to keep them as there was no conflict.

Jim Richmond added that on the first issue from Mr. Holland. He said that in reviewing of proposed rule notice does include reference to the foundation codes and the 2011 NEC is not called out, but in the future should be added just as a point of information in the text of the notices. Mr. Richmond said that he apologized to Mr. Holland and his constituents for any inconvenience.

Jeff Blair advised Chairman Browdy that we will go back to the Commission to see if there are any additional comments or to consider any changes from the comments. He advised if there are no further comments we can proceed with Rule adoption.

Chairman Browdy asked if the Commissioners had any questions or comments on Mr. Lacey's comments or Mr. Holland's comments. There were no comments from the Commission.

Chairman Browdy then asked if there any further comments from the Commission. He said there being none the meeting could move forward to the agenda.

**Adoption of Rule 61G20-1.1001 Florida Building Code:**

Jeff Blair stated we would now proceed with motion to adopt Rule 61G20-1.1001 Florida Building Code.

Chairman Browdy requested a motion from the Commission to adopt Rule 61G20-1.1001 Florida Building Code.

Commissioner Bahadori entered a motion to adopt Rule 61G20-1.1001 Florida Building Code. Commissioner Compton seconded the motion, the motion passed unanimously.

**Notice of Correction and JAPC notice:**

Chairman Browdy requested a motion to approve the Notice of Correction.

Commissioner Schock entered a motion to approve the Notice of Correction. Commissioner Compton seconded the motion, the motion passed unanimously.

April Hammonds, Esq. clarified the notice of correction and that the title is for the FAR procedure.

Chairman Browdy requested an additional roll call to confirm the 18 member participation.

Jeff Blair confirmed that there were 18 voting members.

Chairman Browdy asked for general public comment. There being none.

Chairman Browdy asked for the upcoming meetings prior to the next Full Plenary Meeting.

January 14, special meeting of ED POC and January 22<sup>nd</sup> the full Commission will have a conference call for ED POC recommendations, also January 30 for the new Workgroup.

Chairman Browdy then requested any further Commission comment.

Commissioner Schock asked for verification if we are still on track for the June 30, 2015 adoption of the Code.

Mo Madani advised yes.

Commissioner Calleja asked if the notice of correction shows the June 30<sup>th</sup> date on it.

Chairman Browdy stated yes.

Commissioner Boyer entered a motion to adjourn. Commissioner Compton seconded the motion. The motion passed unanimously and adjourned at 10:30 am.