



**FLORIDA  
BUILDING  
COMMISSION**

"STRONGER CODES THROUGH SCIENCE AND CONSENSUS"



**FACILITATOR'S SUMMARY REPORT OF THE  
DECEMBER 12, 2017  
FLORIDA BUILDING COMMISSION MEETING  
STUART, FLORIDA**

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



**CONSENSUS CENTER**

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FLORIDA BUILDING COMMISSION

DECEMBER 12, 2017 FACILITATOR’S MEETING SUMMARY REPORT

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**FLORIDA BUILDING COMMISSION**  
**DECEMBER 12, 2017 FACILITATOR'S SUMMARY REPORT**



## **OVERVIEW OF COMMISSION'S KEY ACTIONS AND DECISIONS**

**TUESDAY, DECEMBER 12, 2017**

### **I. PLENARY SESSION SUMMARY AND OVERVIEW**

At the December 12, 2017 meeting conducted in Stuart the Commission considered and decided on Chair's issues and recommendations, Executive Director's announcements and discussions, product and entity approvals, applications for accreditor and course approvals, accessibility waivers, petitions for declaratory statements, and recommendations from the Commission's various committees. Specific actions included voting: 1.) To approve COMcheck Version 4.0.8.0 Florida Review for demonstrating compliance with commercial building energy requirements for the 6<sup>th</sup> Edition (2017) Florida Building Code, Energy Conservation; and, 2.) To conditionally approve Energy Gauge Summit 6.0 for demonstrating compliance with commercial building energy requirements for the 6<sup>th</sup> Edition (2017) Florida Building Code, Energy Conservation subject to addressing DBPR staff's written comments.

*(Attachment 1—Meeting Evaluation Results)*

### **II. CHAIRMAN'S WELCOME**

Acting Chair Schock welcomed the Commission, DBPR staff and the public to Stuart and the December 12, 2017 plenary session of the Florida Building Commission. The Acting Chair noted that the primary focus for the December meeting was to consider regular procedural issues including product and entity approvals, applications for accreditor and course approvals, accessibility waivers, petitions for declaratory statements, and recommendations from the Commission's various committees.

The Acting Chair explained that if one wished to address the Commission on any of the issues before the Commission they should sign-in on the appropriate sheet(s), and as always, the Commission will provide an opportunity for public comment on each of the Commission's substantive discussion topics. The 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.

Acting Chair Schock 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.

### **III. COMMISSION ATTENDANCE**

The following Commissioners attended the Tuesday, December 12, 2017 meeting in Stuart:

Jim Schock (Acting Chair), Steve Bassett, James Batts, Bob Boyer, Donald Brown, Oscar Calleja, Jay Carlson, David Compton, Nan Dean, Kevin Flanagan, Shane Gerwig, David Gilson, Richard Goff, Jeff Gross, Robert Hamberger, Brian Langille, Brad Schiffer, Frederick Schilling, Jim Schock, Drew Smith, Jeff Stone, and Brian Swope.

(22 of the 26 currently seated Commissioners attended—85%).

#### *Absent Commissioners:*

Hamid Bahadori, Kelly Smith Burk, Charles Frank, and Diana Worrall.

### **DBPR STAFF PRESENT**

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

### **MEETING FACILITATION**

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



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### **PROJECT WEBPAGE**

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

### **IV. AGENDA REVIEW AND APPROVAL**

The Commission voted unanimously, 22 - 0 in favor, to approve the agenda for the December 12, 2017 meeting as amended. Following are the key agenda items approved for consideration:

- To Consider Regular Procedural Issues: Agenda Approval and Approval of the October 9-10, 2017 Meeting and the October 17, 2017 Teleconference Plenary Meeting Facilitator's Summary Reports and Meeting Minutes.
- To Consider/Decide on Chair's Discussion Issues/Recommendations.
- To Consider/Decide on Executive Director Announcements and Discussions.
- To Consider/Decide on Accessibility Waiver Applications.
- To Consider/Decide on Applications for Products & Product Approval Entities Approval.

- To Consider/Decide on Applications for Accreditor and Course Approval.
- To Receive a Briefing Regarding Legal Report.
- To Consider/Decide on Petitions for Declaratory Statements.
- ~~To Conduct Rule Hearing on Rule 61G20-2.001 if requested.~~ [A hearing was not requested]
- ~~To Conduct Rule Hearing on Rule 61G20-2.002 if requested.~~ [A hearing was not requested]
- To Consider Energy Code Compliance Software for the 6<sup>th</sup> Edition (2017) Florida Building Code, Energy Conservation.
- To Consider/Decide on Technical Advisory Committees (TACs): Code Administration, Energy, and Swimming Pool.
- 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 Needed Next Steps, Assignments, and Agenda Items for the Next Meeting—February 13, 2018 in Jacksonville, Florida.

*Amendments to the Posted Agenda:*

Following are the amendments to the posted agenda:

- ~~To Conduct Rule Hearing on Rule 61G20-2.001 if requested.~~ [A hearing was not requested]
- ~~To Conduct Rule Hearing on Rule 61G20-2.002 if requested.~~ [A hearing was not requested]

*(Attachment 4—December 12, 2017 Commission Agenda)*

**V. OCTOBER 9 - 10, 2017 MEETING AND OCTOBER 17, 2017 TELECONFERENCE MEETING FACILITATOR'S SUMMARY REPORTS AND MEETING MINUTES**

**MOTION**—The Commission voted unanimously, 22 - 0 in favor, to approve October 9 - 10, 2017 Meeting and October 17, 2017 Teleconference Meeting Facilitator's Summary Reports and Minutes as presented/posted.

*Amendments:* There was one amendment offered and approved for the meeting minutes:

Commissioner Don Whitehead was in attendance for the meeting.

**VI. CHAIR'S DISCUSSION ISSUES AND RECOMMENDATIONS**

**Chair's Resignation**

Acting Chair Schock reported that Chairman Browdy resigned from the Commission effective October 23, 2017 due to health issues. The Chair served on the Commission and its predecessor body the Board of Building Codes and Standards from June 28, 1988 until October 23, 2017. Dick exemplified public service by effectively, fairly and civilly representing the homebuilders until his appointment as chair in October of 2011. Dick served on the Commission and Board of Building Codes and Standards for a total of 29 years, and served as Chair of the Commission for 6 of those years. Dick was an outstanding, fair and objective leader and will be missed by all. On behalf of the Commission the Acting Chair thanked Dick for his dedication and service to the citizens of Florida.

### **Appointments/Reappointments**

Acting Chair Schock reported that there were no appointments for the December 12, 2017 meeting.

### **Residential Construction Cost Impact Workgroup**

The Acting Chair noted that at the October meeting Chairman Browdy reported that at the request of stakeholders he was appointing a Residential Construction Cost Impact Workgroup. The appointments will be made at the February 13, 2017 meeting.

### **Commission's Updated Milestones**

The Acting Chair reminded Commissioners and participants that the updated Commission Milestones document is linked to the December 12, 2017 Commission agenda on the BCIS.

## **VII. EXECUTIVE DIRECTOR ANNOUNCEMENTS AND DISCUSSIONS**

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

### **Mary-Kathryn Smith**

Tom reported the sad news that retired DBPR staff person Mary-Kathryn Smith had recently passed away expectantly. Tom noted that Mary-Kathryn was responsible for accessibility issues during her tenure.

### **Implementation of Legislative Assignments**

The electronic registry required by 17-139, Laws of Florida, (HB 727) is now complete and operational.

### **Accessibility Advisory Council Appointment**

Tom reported that the Secretary had appointed Beth Meyer to the Accessibility Advisory Council, and all of the Council's seats are now filled. Beth was the immediate past Persons With Disabilities Representative to the Florida Building Commission.

### **Review of Relevant Bill's Proposed for the 2018 Legislative Session**

Tom reviewed relevant legislation proposed for the 2018 Session. Tom provided the Commission with a briefing on HB 299, SB 106, HB 23, SB 284, HB 327, HB 437, SB 387, HB 479, HB 655, SB 896, HB 589, and HB 725. Tom reminded the Commission that the Commission and DBPR do not take positions of yes or no on pending legislation. Tom indicated that when a bill is filed impacting the Commission, DBPR and staff provide an analysis of the bill and its impacts on the Commission and then ensure that the relevant legislative staff are made aware of the bill's ramifications to the Commission and the Code.

*(Attachment 7—Bill Matrix—2018 Legislative Session)*

### **Legislative Conference Call Meeting Dates (2018):**

Tom indicated that the dates proposed for 2018 Legislative teleconference calls are January 5<sup>th</sup>, January 26<sup>th</sup>, March 2<sup>nd</sup>, and March 16<sup>th</sup>.

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

*Commission Actions:*

**MOTION**—The Commission voted unanimously, 22 – 0 in favor, to conduct FBC Legislative Conference calls for the 2018 Session on January 5<sup>th</sup>, January 26<sup>th</sup>, March 2<sup>nd</sup>, and March 16<sup>th</sup>, 2018.

**VIII. CONSIDERATION OF ACCESSIBILITY WAIVER APPLICATIONS**

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

*Commission Actions Regarding Accessibility Waiver Applications:*

**1. Greenbrier Hotel – Waiver 277 - 3101 Indian Creek Drive, Miami Beach 33139**

**MOTION**—The Commission voted unanimously, 22 – 0 in favor, to grant the waiver for vertical accessibility to the second through fourth floors on the grounds of technical infeasibility and historical significance.

**2. 8635 Harding Ave. Apartments - Waiver 272 - 8635 Harding Ave. Miami Beach 33141**

**MOTION**—The Commission voted unanimously, 22 – 0 in favor, to grant the waiver on the grounds of economic hardship.

**3. Good Vibrations Only LLC – Waiver 280 - 809 Railroad Ave. Tallahassee 32310**

**MOTION**—The Commission voted unanimously, 22 – 0 in favor, to grant the waiver on the grounds of economic hardship.

**4. MSFM 17002010, Pepper Building, Garage #34 – Waiver 276 - 111 W. Madison Street Tallahassee 32399**

**MOTION**—The Commission voted unanimously, 22 – 0 in favor, to deny the waiver on the basis that the Commission does not have authority to grant the waiver.

**IX. CONSIDERATION OF APPLICATIONS FOR PRODUCT AND ENTITY APPROVAL**

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

*Commission Actions on the Consent Agendas for Approval:*

**MOTION**—The Commission voted unanimously, 21 - 0 in favor, to approve the consent agenda of product approval entities (9) as posted/presented.

**MOTION**—The Commission voted unanimously, 21 - 0 in favor, to approve the consent agenda of products (10) recommended for approval to the 2014 Code as posted/presented.

**MOTION**—The Commission voted unanimously, 21 - 0 in favor, to approve the consent agenda of products (940) recommended for approval to the 2017 Code as posted/presented.

*Commission Actions Regarding Product Approval Applications With Comments—2014 Code:*

There were no application with comments for the 2014 Code.



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

**MOTION**—The Commission voted unanimously, 21 – 0 in favor, to conditionally approve product FL 16294 R-3 based on the conditions requested by the applicant and recommended by DBPR staff.

**MOTION**—The Commission voted unanimously, 21 – 0 in favor, to conditionally approve product FL 17010 R-3 based on the conditions identified by public comment, accepted by the applicant, and recommended by DBPR staff.

**MOTION**—The Commission voted unanimously, 21 – 0 in favor, to conditionally approve product FL 19266 R-1 based on the conditions identified by public comment, accepted by the applicant, and recommended by DBPR staff.

**MOTION**—The Commission voted unanimously, 21 – 0 in favor, to conditionally approve product FL 20378 R-1 based on the conditions requested by the applicant and recommended by DBPR staff.

**MOTION**—The Commission voted unanimously, 21 – 0 in favor, to conditionally approve product FL 21146 R-2 based on the conditions identified by public comment, accepted by the applicant, and recommended by DBPR staff.

*Commission Actions Regarding DBPR Applications:*

There was no Commission action required regarding the December 2017 DBPR Applications.

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

*(See BCIS Website for Linked Committee Report)*

**XI. 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, 22 – 0 in favor, to approve advanced accredited course numbers: 840.0, 852.0, 865.0, 861.0, 851.0, 855.0, 856.0, 854.0, 853.0, 848.0, 844.0, 845.0, 863.0, and 864.0.

**MOTION**—The Commission voted unanimously, 22 – 0 in favor, to conditionally approve advanced accredited course number: 849.0.

**MOTION**—The Commission voted unanimously, 22 – 0 in favor, to approve administratively approved updated courses numbers: 635.2, 179.3, 169.3, 569.2, and 817.1.

**MOTION**—The Commission voted unanimously, 22 – 0 in favor, to approve administratively self-affirmed courses with one change numbers: 629.2 and 607.2.

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

**XI. LEGAL REPORT**

The Acting Chair noted that the Florida Accessibility Code for Building Construction (FACBC) was ready for certification concurrent with the effective date of the new ADA Standards for Accessible Design (SAD, 2010), and as reported numerous times since submittal in September of 2010 the

Commission waits for a decision by the Department of Justice (DOJ). The Commission requested that Justin periodically communicate with the DOJ regarding the status of the Commission's application for certification of the FACBC, and to provide updates to the Commission.

Justin Vogel reported that once again he was not able to speak with the DOJ regarding the Commission's pending application for certification of the Florida Accessibility Code for Building Construction (FACBC). Justin indicated that he left several phone messages and emails and the DOJ is no longer returning his calls.

Justin Vogel reported that the Florida Association of American Institute of Architects, Inc. (FAAIA) has filed a rule challenge to the Commission's adoption of the 6<sup>th</sup> Edition (2017) Florida Building Code. Justin noted that the FAAIA has challenged the rule as invalid based on their belief that the rule is an invalid exercise of the Commission's delegated authority regarding implementation of the triennial update process for the Florida Building Code. Justin noted that he would be representing the Commission on the matter.

## **XII. CONSIDERATION OF PETITIONS FOR DECLARATORY STATEMENTS**

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

### **1. DS 2017-070 by John (JC) Centera of Aquatic Design Services, LLC**

*Motion*—The Commission voted unanimously, 22 - 0 in favor, to approve the Swimming Pool POC's recommendation on the Petition (to approve staff's analysis (Option 2) as presented/posted for Q 1).

### **2. DS 2017-072 by Chris Birchfield of Global Fireproof Solutions, Inc.**

*Motion*—The Commission voted unanimously, 22 - 0 in favor, to approve the Product Approval POC's recommendation on the Petition (to approve staff's analysis as presented/posted for Q 1).

## **XIII. APPROVAL OF ENERGY CODE COMPLIANCE SOFTWARE FOR 6<sup>TH</sup> EDITION (2017) FBC**

Acting Chair Schock explained that at the October 17, 2017 meeting the Commission voted to approve Energy Code Compliance Software for the 6<sup>th</sup> Edition (2017) Florida Building Code, Energy Conservation, specifically EnergyGauge USA 6.0 for demonstrating compliance with residential building energy requirements. In addition, the Commission voted to conditionally approve the Energy Code Compliance Software for the 6<sup>th</sup> Edition (2017) Florida Building Code, Energy Conservation, specifically Right-Suite Universal 2017 (using Right-Energy Florida 2017) for demonstrating compliance with residential building energy requirements for new construction, single-family houses.

The Acting Chair indicated that the Commission was being asked to approved Energy Code Compliance Software for the 6<sup>th</sup> Edition (2017) Florida Building Code, Energy Conservation, specifically COMcheck Version 4.0.8.0 Florida Review for demonstrating compliance with commercial building energy requirements; and, Energy Gauge Summit 6.0 for demonstrating compliance with commercial building energy requirements.

The Energy TAC reviewed the COMcheck Version 4.0.8.0 Florida Review and recommended approval, and Energy Gauge Summit 6.0. and recommended approval pursuant to addressing DBPR staff's written

comments. Commissioner Smith provided the Energy TAC's recommendations and there were no questions.

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

***Commission Actions:***

**MOTION**—The Commission voted unanimously, 22 – 0 in favor, to approve COMcheck Version 4.0.8.0 Florida Review for demonstrating compliance with commercial building energy requirements for the 6<sup>th</sup> Edition (2017) Florida Building Code, Energy Conservation.

**MOTION**—The Commission voted unanimously, 22 – 0 in favor, to conditionally approve Energy Gauge Summit 6.0 for demonstrating compliance with commercial building energy requirements for the 6<sup>th</sup> Edition (2017) Florida Building Code, Energy Conservation subject to addressing DBPR staff's written comments.

#### **XIV. COMMITTEE REPORTS AND RECOMMENDATIONS**

Acting Chair Schock requested TAC and POC chairs to confine their reports to a brief summary of any key recommendations, emphasizing any issues requiring an action from the Commission. The Chair requested if the TAC/POC requires Commission action, to frame the needed action in the form of a proposed motion. This will ensure that the Commission understands exactly what the TAC/POC's are recommending, and the subsequent action requested of the Commission. Acceptance of a committee report does not approve any recommendations contained within the report, and specific recommendations must be considered by separate motions. Committee reports are linked to the following URL (linked to Commission's December 12, 2017 Agenda):

[http://www.floridabuilding.org/fbc/commission/fbc\\_1217/index.htm](http://www.floridabuilding.org/fbc/commission/fbc_1217/index.htm).

##### **Code Administration TAC**

Commissioner Carlson presented the TAC's report and recommendations.

***Commission Action:***

**MOTION**—The Commission voted unanimously, 22 – 0 in favor, to accept the TAC's report as presented/posted (October 31, 2017).

*(See Agenda for Linked Committee Report)*

##### **Education POC**

Commissioner Dean presented the POC's report and recommendations.

***Commission Action:***

**MOTION**—The Commission voted unanimously, 22 – 0 in favor, to accept the POC's report as presented/posted (November 28, 2017).

*(See Agenda for Linked Committee Report)*

## **Energy TAC**

Commissioner Smith presented the TAC's reports and recommendations.

### ***Commission Action:***

**MOTION**—The Commission voted unanimously, 22 – 0 in favor, to accept the TAC's reports as presented/posted (October 17, 2017 and November 29, 2017).

*(See Agenda for Linked Committee Report)*

## **Product Approval POC**

Commissioner Stone presented the Committee's report and recommendations.

### ***Commission Action:***

**MOTION**—The Commission voted unanimously, 22 – 0 in favor, to accept the POC's report as presented/posted (November 30, 2017).

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

## **Swimming Pool TAC**

Commissioner Batts presented the TAC's report and recommendations.

### ***Commission Action:***

**MOTION**—The Commission voted unanimously, 22 – 0 in favor, to accept the TAC's report as presented/posted (November 29, 2017).

*(See Agenda for Linked Committee Report)*

## **OTHER COMMISSION ACTIONS**

There were no additional Commission actions taken during the December 12, 2017 meeting.

## **STAFF ASSIGNMENTS FROM JUNE 2017 MEETING**

Provide the Commission with the number of accessibility waiver applications for the fiscal year 2016-17 including the number of applications approved and denied.

## **XVIII. GENERAL PUBLIC COMMENT**

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

### ***Public Comments:***

- Keith Cullum, Simpson Strong-Tie: thanked DBPR staff for their hard work getting the many product approvals completed for the 2017 Code.
- Mike Fisher, Kellen: indicated that his company has business with the DOJ and he would be willing to assist DBPR staff with getting a response back from DOJ regarding certification of the FACBC. Noted that Monroe County was in the process of considering a local technical amendment regarding roofing performance requirements as a result of observations of damage from Hurricane Irma.

## **XIX. COMMISSION MEMBER COMMENTS AND ISSUES**

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

### *Commission Member Comments:*

- Steve Bassett: noted that his term had expired and he has enjoyed working with the Commission during his second term as a Commissioner. Wished everyone merry Holiday season.
- Jim Schock: wished everyone Happy Holidays, and appreciated the Commissioners and the public for their hard work and service.

## **XX. NEXT COMMISSION MEETING OVERVIEW AND ISSUES**

The February 13, 2018 meeting in Jacksonville will focus on the Commission's regular procedural and substantive issues, and rule development initiatives as needed. In addition, the Lightning Protection Workgroup will meet on February 12, 2017 in Jacksonville.

*(Attachment 5—Commission Meeting Schedule)*

## **ADJOURNMENT**

The Chair thanked Commission members, staff and the public for their attendance and participation, and adjourned the meeting at 9:40 A.M. on Tuesday, December 12, 2017.

**ATTACHMENT 1**  
**FLORIDA BUILDING COMMISSION MEETING EVALUATION RESULTS**

**DECEMBER 12, 2017—STUART, FLORIDA**

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

**Number of Respondents: 20 of 22 (91%) Commissioners present completed meeting evaluations.**

**1. OVERALL MEETING ASSESSMENT.**

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

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

- 9.9 Chair's Issues and Recommendations.
- 9.8 Executive Director Announcements and Discussions.
- 9.9 Applications for Accessibility Waiver Applications Approvals.
- 9.9 Applications for Products and Product Approval Entities Approvals.
- 9.9 Applications for Accreditor and Course Approvals.
- 9.8 Briefing Regarding Legal Report
- 9.9 Legal Issues: Petitions for Declaratory Statements.
- 9.9 Approval of Energy Code Compliance Software for the 5<sup>th</sup> Edition (2014) FBC, Energy Code.
- 9.9 TAC, POC, Committee, and Workgroup Reports and Recommendations.

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

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

**4. MEMBERS LEVEL OF SATISFACTION WITH THE MEETING.**

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

**5. HOW WELL THE NEXT STEPS WERE COMMUNICATED.**

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

**6. WHAT MEMBERS LIKED BEST ABOUT THE MEETING.**

- Staff was very helpful.
- Short and sweet.
- Good meeting room.
- Good location. Meeting on agenda. Good sound and lighting in meeting room.

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

*None were offered.*

**8. OTHER GENERAL COMMENTS.**

*None were offered.*

**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
DOJ	U.S. Department of Justice
EPA	U.S. Environmental Protection Agency
FACBC	Florida Accessibility Code for Building Construction
FAR	Florida Administrative Register (previously FAW)
FBC	Florida Building Code
FBC	Florida Building Commission
FECC	Florida Energy and Conservation Code
IBC	International Building Code
ICC	International Code Council
POC	Program Oversight Committee (Education and Product Approval)
SAD	ADA Standards for Accessibility Design
TAC	Technical Advisory Committee



## ATTACHMENT 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.

**CONSENSUS PROCESS.** The Florida Building Commission (FBC) seeks to develop consensus decisions on its recommendations and policy decisions. General consensus is a participatory process whereby, on matters of substance, the members strive for agreements which all of the members can accept, support, live with or agree not to oppose. In instances where, after vigorously exploring possible ways to enhance the members' support for the final decision on substantive decisions, and the Commission finds that 100 percent acceptance or support is not achievable, final decisions require at least 75 percent favorable vote of all members present and voting. This super majority decision rule underscores the importance of actively developing consensus throughout the process on substantive issues with the participation of all members and which all can live with and support.

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

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

**ATTACHMENT 4  
DECEMBER 12, 2017 MEETING AGENDA**

**FLORIDA BUILDING COMMISSION  
PLENARY SESSION  
DECEMBER 12, 2017  
HUTCHINSON ISLAND MARRIOTT  
555 NE OCEAN BOULEVARD  
STUART, FLORIDA 34996**

***MEETING OBJECTIVES***

- To Approve Regular Procedural Topics (Agenda and Minutes).
- To Consider/Decide on Chair's Discussion Issues/Recommendations.
- To Consider/Decide on Executive Director Announcements and Discussions.
- To Consider/Decide on Accessibility Waiver Applications.
- To Consider/Decide on Approvals and Revocations of Products and Product Approval Entities.
- To Consider Applications for Accreditor and Course Approval.
- To Receive a Briefing Regarding Legal Report
- To Consider/Decide on Petitions for Declaratory Statements.
- To Conduct Rule Hearing on Rule 61G20-2.001 if requested.
- To Conduct Rule Hearing on Rule 61G20-2.002 if requested.
- To Consider Approval of Energy Code Compliance Software for the 6<sup>th</sup> Edition (2017) Florida Building Code, Energy Conservation.
- 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*

October 17, 2017	10.00 a.m.	Energy Technical Advisory Committee
October 31, 2017	2:00 p.m.	Code Administration Technical Advisory Committee
November 28, 2017	10:00 a.m.	Education Program Oversight Committee
November 29, 2017	10:00 a.m.	Energy Technical Advisory Committee
November 29, 2017	2:00 p.m.	Swimming Pool Technical Advisory Committee
November 30, 2017	10:00 a.m.	Product Approval Program Oversight Committee
November 30, 2017	2:00 p.m.	<a href="#">Accessibility Advisory Council</a>

***MEETING AGENDA—DECEMBER 12, 2017***

*All Agenda Times—including Adjournment—are Approximate and Subject to Change*

8:30 a.m.	1.)	Welcome and Opening, Roll Call
	2.)	Review and Approval of Meeting Agenda
	3.)	Review and Approval of Previous Meeting Minutes and Facilitator Report for October 9-10, 2017 and Teleconference Call for October 17, 2017.

4.)	<p><b>Chair’s Discussion Issues:</b></p> <p>TAC Appointments</p> <p><a href="#">Updated Milestones</a></p>
5.)	<p><b>Executive Director Announcements and Discussions:</b></p> <p>Bill Matrix</p> <p>Bills: HB 299, HB 725, and SB 106</p> <p>Legislative Conference Calls (all at 2pm): January 5<sup>th</sup>, January 26<sup>th</sup>, March 2<sup>nd</sup>, and March 16<sup>th</sup></p>
6.)	<p><b>Accessibility Waiver Applications (Accessibility Advisory Council Report)</b></p> <ol style="list-style-type: none"> <li>1. Greenbrier Hotel – Waiver 277 - 3101 Indian Creek Drive, Miami Beach 33139 - Issue: Vertical accessibility to all levels. Staff Analysis</li> <li>2. 8635 Harding Ave. Apartments - Waiver 272 - 8635 Harding Ave. Miami Beach 33141 - Issue: Vertical accessibility to the second floor. Staff Analysis</li> <li>3. Good Vibrations Only LLC – Waiver 280 - 809 Railroad Ave. Tallahassee 32310 - Issue: Vertical accessibility to raised areas. Staff Analysis</li> <li>4. 4. MSFM 17002010, Pepper Building, Garage #34 – Waiver 276 - 111 W. Madison Street Tallahassee 32399 - Issue: Accessible parking. Staff Analysis</li> </ol>
7.)	Applications for Product and Entity Approval
8.)	Applications for Accreditor and Course Approval
9.)	Legal Report
10.)	<p><b>Declaratory Statements:</b></p> <ol style="list-style-type: none"> <li>1. DS 2017-070 by John (JC) Centera of Aquatic Design Services, LLC</li> <li>2. DS 2017-072 by Chris Birchfield of Global Fireproof Solutions, Inc.</li> </ol>
11.)	To Conduct Rule Hearing on Rule 61G20-2.001 if requested.
12.)	To Conduct Rule Hearing on Rule 61G20-2.002 if requested.
13.)	To Consider Approval of Energy Code Compliance Software for the 6 <sup>th</sup> Edition (2017) Florida Building Code, Energy Conservation
14.)	<p><b>Committee Reports:</b></p> <ol style="list-style-type: none"> <li>a) Code Administration Technical Advisory Committee (October 31, 2017)</li> <li>b) Education Program Oversight Committee (November 28, 2017)</li> <li>c) Energy Technical Advisory Committee; (October 17, 2017 and November 29, 2017)</li> <li>d) Product Approval Program Oversight Committee Report (November 30, 2017)</li> <li>e) Swimming Pool Technical Advisory Committee (November 29, 2017)</li> </ol>
15.)	Public Comment
16.)	Commissioner Comment
17.)	Adjourn

**ATTACHMENT 5**  
**COMMISSION'S UPDATED MEETING SCHEDULE AND CODE UPDATE WORKPLAN**

(UPDATED DECEMBER 12, 2017)

**COMMISSION APPROVED MEETING SCHEDULE**

FY 2017-2018	LOCATION
August 7-8, 2017	Deerfield Beach (Embassy Suites)
October 10, 2017	Tallahassee (Doubletree)
December 12, 2017	Stuart (Marriott Resort Hutchison Island)
February 13, 2018	Jacksonville (Embassy Suites Jacksonville Baymeadows)
April 8 – 10, 2018	Orlando (Marriott and Lake Mary)
June 10 - 15, 2018	Orlando (Embassy Suites Orlando North)

**COMMISSION'S UPDATED 2017 CODE UPDATE WORKPLAN**

**6<sup>TH</sup> EDITION (2017) FBC CODE UPDATE DEVELOPMENT TASKS**  
**ADOPTED UNANIMOUSLY AUGUST 18, 2016**  
**REVISED JUNE 8, 2016, OCTOBER 13, 2016, AND APRIL 4, 2017**

**Hold Glitch Correction Phase after the Effective Date of the 6<sup>th</sup> Edition (2017) FBC, if needed - Rulemaking via Integrated Code**

12. 6 <sup>TH</sup> EDITION (2017) UPDATE TO THE FLORIDA BUILDING CODE	
TASK	SCHEDULE
<i>Primary Code Development Phase:</i>	
2014 NEC published and available to the public;	08/2013
2015 International Codes published and available to the public;	05/2014
Commission selects 2015 I Codes and 2014 NEC as foundation for 6 <sup>th</sup> Edition (2017) FBC ( <i>April 2015 Commission meeting</i> )	04/14/2015
Staff evaluates Florida amendments resulting from direction of the Legislature and Commission initiatives to propose for inclusion in the 6 <sup>th</sup> Edition (2017) FBC and publish " <b>Preliminary Supplement</b> ". Amendments are compiled in 2015 I – Codes format.	3/2015 – 6/2015
2015 I Codes plus the Preliminary Supplement – posted online	6/30/2015
Period for public to propose modifications to the 2015 I Codes and the <b>Preliminary Supplement</b>	7/1/2015 – 1/3/2016
Proposed amendments reviewed by staff and posted to the Commission website	1/13/2016
1 <sup>st</sup> 45 day comment period ends ( <i>By law -45 day min before TAC review</i> )	2/25/2016

Staff post on Commission website proposed code changes (Tracking Charts and Detail Reports)	3/21/2016
TACs consider proposed modifications including comments from the 1 <sup>st</sup> 45 day comment period and adopt recommendations TACs meetings - 4-day on-site meetings in conjunction with the April 2016 Commission meeting	4/1-15/2016
TACs recommendations posted to the website	<b>5/6/2016</b>
2 <sup>nd</sup> 45 day comment period ends ( <i>by law – 45 day min before Commission review</i> )	6/21/2016
Staff post on Commission website proposed code changes with comments (Tracking Chats and Details Reports)	6/30/2016
TACs consider public comments on their actions and prepare public comment for consideration by the Commission. <i>TACs meetings – 4-day meetings [2-day on-site (Gainesville) and 2 – day via conference/webinar]</i>	7/18-21/2016
Staff post on Commission website TACs consideration of public comments	8/1/2016
Commission considers TAC recommendations at <b>Rule development Workshops</b> - Commission – 2-day meeting	8/16-17/2016
Draft 6 <sup>th</sup> Edition (2017) FBC (Florida Supplement plus I Codes) posted online <b>Provide Supplements to ICC for integration into the 2015 I-Code</b>	9/19/2016
<b>Rule development Workshops</b>	<b>12/13/2016</b> <b>2/7/2017</b> <b>4/4/2017</b>
Integrated Draft 6 <sup>th</sup> Edition (2017) FBC – Posted online	4/21/2017
<b>Final Rule Hearing</b> on 6 <sup>th</sup> Edition (2017) FBC/Commission approves final version of Code 6 <sup>th</sup> Edition (2017) Florida Fire Prevention Code available in final format	<b>6/8/13/2017</b>
Rule Submitted to Secretary of State and Supplement/Integrated posted online – subject to addressing all JAPC's concerns	<b>TBD</b>
Printed Code available - subject to negotiation with ICC	<b>TBD</b>
2017FBC ( <b>6<sup>th</sup> edition</b> ) effective date (6 – months after publication)	<b>12/31/2017</b>
<b><i>Glitch Correction Phase: after effective date, if needed</i></b>	
Period to propose glitch modifications to draft 6 <sup>th</sup> Edition (2017) FBC	<b>TBD</b>
Post Tracking/Detail reports online	<b>TBD</b>
TACs consider proposed glitch modifications and develop public comment via conference call/Webinars	<b>TBD</b>
Commission considers proposed glitch mods and TAC comments (Rule Development Workshop) Commission – 2-day meeting	<b>TBD</b>
Draft Supplement to the 6 <sup>th</sup> Edition (2017) FBC posted online	<b>TBD</b>

<i>Final Rule Hearing</i> on adoption of the Supplement to the 6 <sup>th</sup> Edition (2017) FBC/Commission	<b>TBD</b>
Rule Submitted to Secretary of State and Supplement posted online – subject to addressing all JAPC’s concerns	<b>TBD</b>
Final supplement available for download	<b>TBD</b>
Supplement to 2017 FBC ( <b>6<sup>th</sup> edition</b> ) effective date	<b>TBD</b>
553.73(7)(e) A rule updating the Florida Building Code in accordance with this subsection shall take effect <u>no sooner than 6 months</u> after publication of the updated code. Any amendment to the Florida Building Code which is adopted upon a finding by the commission that the amendment is necessary to protect the public from immediate threat of harm takes effect immediately.	

**ATTACHMENT 6**  
**COMMISSION'S 2020 CODE UPDATE DEVELOPMENT WORKPLAN**

**7<sup>TH</sup> EDITION (2020) FBC CODE UPDATE DEVELOPMENT TASKS**

<b>7<sup>TH</sup> EDITION (2020) UPDATE TO THE FLORIDA BUILDING CODE—</b>	
<b>TASK</b>	<b>SCHEDULE</b>
<i>Primary Code Development Phase:</i>	
2017 NEC published and available to the public;	10/2016
2018 International Codes published and available to the public;	09/2017
Commission selects 2018 I Codes “model codes” and 2017 NEC to conduct its review	10/10/2017
Staff post complete listing of the code changes to the I Codes online	1/2/2018
TACs review the changes to the I Codes and make recommendations to the Commission regarding those changes that are needed to accommodate the specific needs of this state.	06/11-22/2018
Staff post TACs’ recommendations online for further public review	07/10/2018
Commission considers TACs’ recommendations regarding the latest changes to the model codes that are needed to accommodate the specific needs of this state	10/10/2018
Staff post Commission’s recommendations online	11/1/2018
Period for public to propose modifications to the 6 <sup>th</sup> Edition (2017) FBC and the Commission’s approved changes to the model codes needed to accommodate the specific needs of this state	11/2/2018 – 12/15/2018
Proposed amendments reviewed by staff and posted to the Commission website	1/2/2019
1 <sup>st</sup> 45 day comment period ends ( <i>By law -45 day min before TAC review</i> )	2/18/2019
Staff post on Commission website proposed code changes (Tracking Charts and Detail Reports)	3/1/2019
TACs consider proposed modifications (1 <sup>st</sup> 45 day comment period) <i>TACs meetings - 4-day on-site meetings in conjunction with the October Commission meeting</i>	3/18-21/2019
TACs recommendations posted to the website	4/12/2019
2 <sup>nd</sup> 45 day comment period ends ( <i>by law – 45 day min before Commission review</i> )	6/14/2019
Staff post on Commission website proposed code changes with comments (Tracking Chats and Details Reports)	6/21/2019
TACs consider public comments on their actions on the proposed mods <i>TACs meetings – 4-day meetings [2-day on-site (Gainesville) and 2 – day via conference/webinar]</i>	7/8-12/2019
Staff post on Commission website TACs consideration of public comments	7/22/2019
Commission considers TAC recommendations (2 <sup>nd</sup> 45 day comment period) <i>Commission – 2-day meeting</i>	8/12-13/2019
7 <sup>th</sup> Edition (2020) FBC (6 <sup>th</sup> Edition (2017) FBC, Florida Supplement and Commission’s approved I Codes) posted online	9/19/2019



<b>Provide Supplements to ICC for integration into the 6<sup>th</sup> Edition (2017) FBC</b>	
<b>Rule development Workshops</b>	February 4, 2020 April 7, 2020
Integrated Draft 7 <sup>th</sup> Edition (2020) FBC – Posted online	April 20, 2020
<i>Final Rule Hearing</i> on 7 <sup>th</sup> Edition (2020) FBC/Commission approves final version of Code 7 <sup>th</sup> Edition (2020) Florida Fire Prevention Code available in final format	June 8, 2020
Rule Submitted to Secretary of State and Supplement/Integrated posted online – subject to addressing all JAPC’s concerns	<b>TBD</b>
Printed Code available - subject to negotiation with ICC	<b>TBD</b>
2020FBC ( <b>7<sup>th</sup> edition</b> ) effective date (6 – months after publication)	<b>12/31/2020</b>
553.73(7)(e) A rule updating the Florida Building Code in accordance with this subsection shall take effect <u>no sooner than 6 months</u> after publication of the updated code. Any amendment to the Florida Building Code which is adopted upon a finding by the commission that the amendment is necessary to protect the public from immediate threat of harm takes effect immediately.	

**ATTACHMENT 7**  
**BILL MATRIX—2018 LEGISLATIVE SESSION**

Bill #	Sponsor	Summary	Committees of Reference	Recent Activity
HB 299	McClain	Reduces the size of the Commission from 27 members to 11 members.	<del>Careers &amp; Comp Subco.</del> Commerce Committee	Careers and Comp Subco., voted 10-4 in favor. Now, in Commerce Committee.
SB 106	Campbell	Fire Safety Standards; Authorizing certain buildings to have specified balcony guard openings, etc.	Community Affairs Banking and Insurance Rules	Referred to committees and subcommittees.
HB 23	Fitzhegan	Creates standards for recovery care centers. The commission, with technical assistance from AHCA, is to update current special occupancy standards to include recovery care centers.	<del>Health and Human Services Committee</del>	HHS Committee voted 14-3 in favor.
SB 284 HB 327 HB 437 SB 387 HB 479 HB 655 SB 896	Book Richardson Lee Garcia Williams Edwards Farmer	Requiring nursing facilities to have emergency power supply available to keep essential functions operational.		Referred to committees and subcommittees.
HB 589	Newton	Public Meetings; Specifies that certain boards and commissions are subject to public meetings requirements; revises public meeting notice requirements; provides that member of public has right to speak at public meeting; requires members of board or commission to respond to questions made at public meetings within a specified timeframe; repeals provision relating to reasonable opportunity to be heard at public meetings; provides penalties.	Oversight, Transparency, and Admin Subco. Local, Federal, and Veterans Affairs Subco. Government Accountability Committee	Referred to committees and subcommittees.
HB 725	Williamson	Permit Fees; Requires governing body of local government to post its permit and inspection fee schedules & link to annual building permit & inspection utilization report on its website; provides reporting requirements.	Local, Federal, and Veterans Affairs Subco. Careers and Comp. Subco. Government Accountability Committee	Referred to subcommittees and committees.