

**FLORIDA BUILDING COMMISSION
LEGISLATIVE TELECONFERENCE MEETING
CALL-IN NUMBER: United States: 1-(866) 899-4679
WEB PARTICIPATION URL: <https://global.gotomeeting.com/join/272658565>
MEETING ID/ACCESS CODE: 272-658-565
January 26, 2018
2:00 p.m.**

MINUTES

COMMISSIONERS PRESENT:

Acting Chairman Schock	Nan Dean
Seven Bassett	Shane Gerwig
James Batts	Robert Hamberger
Bob Boyer	Brian Langille
Donald Brown	Brad Schiffer
Kelley Smith Burk	Fred Schilling
Oscar Calleja	Drew Smith
E.J. Carlson	Jeff Stone
David Compton	Don Whitehead

COMMISSIONERS NOT PRESENT:

Hamid Bahadori	Kevin Flanagan
Charlie Frank	David Gilson
Richard Goff	Jeffrey Gross
Brian Swope	Diana Worrall

OTHERS PRESENT:

Thomas Campbell	Mo Madani
Justin Vogel	Chris Howell
Jim Hammers	

MEETING FACILITATION:

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

Welcome:

Mr. Blair opened the meeting at 2:00 p.m., Friday, January 26, 2018 and provided the teleconference participation process.

Acting Chairman Schock welcomed the Commissioners, staff and members of the public to the call and advised the purpose of the meeting was to receive an update on relevant Legislative actions, legal issues and to consider approval of the Energy Code Compliance Software for the 6th Edition (2017) Florida Building Code, Energy Conservation. He then asked Mr. Blair to perform roll call.

Mr. Blair called roll and a quorum was determined with 17 members present on the call.

Agenda:

Mr. Blair provided an overview of the agenda for today's teleconference call.

Acting Chairman Schock asked for a motion to approve the agenda as posted.

A motion was entered by Commissioner Boyer to approve the agenda as posted. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 17 to 0.

Chairman's Discussion/Issues:

Acting Chairman Schock advised that he was appointing Brian Swope to the Lightning Protection Workgroup.

Legislative Update and Bill Matrix: (ATTACHMENT A)

Mr. Campbell advised that the matrix was attached to the agenda providing the current status of all of the bills that could affect the Commission. He stated that HB 299 reducing the size of the Commission is in the same status and is waiting to be heard. Mr. Campbell stated there is no companion for this bill. In addition Mr. Campbell advised that he had added SB 908 and HB 723 which does not directly impact the Commission but does have impact on contractors and he felt the bills could be of interest for the members. Mr. Campbell provided the dates and times of the remaining meetings.

Public Comments: None

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Legal Report:

Justin Vogel, Esq. provided an update to the Commission on the status of the rule challenge reporting that both parties submitted recommended orders to the Division of Administrative Hearings (DOAH) on January 18, 2018, and it is anticipated that the Administrative Law Judge (ALJ) will issue the final order in mid-February. He also indicated that he would brief the Commission on what the impacts to the development of the 7th Edition (2020) Florida Building Code would be relative to both parties' when orders are received.

Commissioner Hamberger joined the call. The record reflects a total of 18 members were currently on the call.

To Consider Approval of Energy Code Compliance Software for the 6th Edition (2017) Florida Building Code, Energy Conservation:

Acting Chairman Schock stated that periodically the Commission is requested to consider approval of Energy Code Compliance Software for specific editions of the Florida Building Code, Energy Conservation.

Acting Chairman Shock advised that the Commission is now being asked to consider approving Energy Code Compliance Software for the 6th Edition (2017) Florida Building Code, Energy Conservation, specifically REScheck version 4.6.5.0 Florida for demonstrating compliance with residential building energy requirements.

Acting Chairman Schock stated that Commissioner Smith will provide the Energy TAC's recommendation and Mr. Madani will provide any technical background needed and answer members' questions.

Commissioner Smith stated that the Energy TAC met on January 19, 2018 and reviewed the REScheck software for demonstrating compliance with residential building energy requirements and is recommending conditional approval with the condition that the vendor correct the program consistent with DBPR staff's comments.

Acting Chairman Schock asked for a motion to conditionally approve Energy Code Compliance Software for the 6th Edition (2017) Florida Building Code, Energy Conservation, specifically REScheck version 4.6.5.0 Florida for demonstrating compliance with residential building energy requirements.

To Consider Approval of Energy Code Compliance Software for the 6th Edition (2017) Florida Building Code, Energy Conservation (cont.):

Commissioner Schiffer entered a motion to approve the Energy Code Compliance Software for the 6th Edition (2017) Florida Building Code, Energy Conservation, specifically REScheck version 4.6.5.0 Florida for demonstrating compliance with residential building energy requirements, conditioned on the vendor correcting the program consistent with DBPR staff's written comments. Commissioner Calleja seconded the motion. The motion passed unanimously with a vote of 18 to 0.

Commissioner Comments: None

Public Comments: None

Acting Chairman Schock thanked the Commissioner members, staff and the public for their participation and requested a closing roll call.

Closing Roll Call:

Mr. Blair performed the closing roll call; there were 18 Commissioners remaining on the call.

Adjournment:

Acting Chairman Schock said there being no further business before the Commission the meeting would stand adjourned at 2:16 p.m.

ATTACHMENT A:

Changes since January 5, 2017 legislative update are written in red.

Bill #	Sponsor	Summary	Committees of Reference	Recent Activity
HB 299	McClain	Reduces the size of the Commission from 27 members to 11 members.	Careers & Comp Subco. 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	Fitzhagan	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.	Health and Human Services Committee	Passed House 79-23. Awaiting Senate referrals.
SB 284 HB 327 HB 437 SB 372 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	Oversight, Transparency, and Admin Subco. Local, Federal, and Veterans Affairs Subco. Government Accountability Committee	Referred to committees and subcommittees.

		specified timeframe; repeals provision relating to reasonable opportunity to be heard at public meetings; provides penalties.		
CS/CS 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	Passed Local, Federal, and Veterans Affairs Subco., as a committee substitute. Passed Careers and Comp. Subco., as a CS/CS.
CS/SB 1144	Perry		Community Affairs Approp. Subco., Finance and Tax Appropriations	Passed Community Affairs Committee as a committee substitute.
HB 1077	Diamond	Defines open permits. Creates disclosures, procedures, and standards for closing "open permits." Requires the Building Commission to adopt procedures to encourage property owners and builders to timely close out permits.	Careers and Comp. Subco. Local, Federal, and Veterans Affairs Subco. Commerce Committee	Referred to subcommittees and committees.
SB 1322	Powell		Regulated Industries Community Affairs Rules	
SB 1312	Thurston	Requires the Florida Building Code to contain a provision mandating all state-subsidized developments have an operational emergency power source that provides an independent source of electric power for at least one week during a power outage.	Community Affairs Regulated Industries Rules	Referred to committees.
SB 908	Steube	Construction Bonds; Requires notice of nonpayment to be verified; provides notice of	Judiciary Community Affairs	Referred to committees and

HB 723	McClain	<p>nonpayment requirements; provides that claimant or lienor who serves fraudulent notice of nonpayment shall be deprived of rights under bond; requires notice of nonpayment to be in prescribed form; provides that provision relating to attorney's fees applies to certain suits brought by contractors; deems contractors to be insureds or beneficiaries for certain purposes; provides that contractor may record notice identifying bond as conditional payment bond prior to project commencement in order for duty of surety to pay lienors to be coextensive with contractor's duty to pay.</p>	<p>Rules</p> <p>Careers and Compton Subco. Civil Justice Claims Subco. Commerce Committee</p>	<p>subcommittees.</p>
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