



FLORIDA BUILDING COMMISSION

"STRONGER CODES THROUGH SCIENCE AND CONSENSUS"



**FACILITATOR'S SUMMARY REPORT OF THE
DECEMBER 11, 2018
FLORIDA BUILDING COMMISSION MEETING
TAMPA, FLORIDA**

PROCESS DESIGN, CONSENSUS-BUILDING AND FACILITATION BY



CONSENSUS CENTER

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FLORIDA BUILDING COMMISSION

DECEMBER 11, 2018 FACILITATOR'S MEETING SUMMARY REPORT

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FLORIDA BUILDING COMMISSION
DECEMBER 11, 2018 FACILITATOR'S SUMMARY REPORT



OVERVIEW OF COMMISSION'S KEY ACTIONS AND DECISIONS

TUESDAY, DECEMBER 11, 2018

I. PLENARY SESSION SUMMARY AND OVERVIEW

Prior to convening the December 11, 2018 meeting the Commission honored Chairman Jay Carlson who passed on December 7, 2018.

At the December 11, 2018 meeting conducted in Tampa 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 to: 1.) Accept UF's presentation/report regarding Hurricane Michael Initial Triage Damage Assessment effort; and, to approve using existing funds to expand the scope of work to conduct Phase II activities to include additional damage investigations/data collection, site visits to investigate the performance of building envelope products, and data processing and information extraction with the SOW to be negotiated and administered by DBPR staff.

(Attachment 1—Meeting Evaluation Results)

II. ACTING CHAIR'S WELCOME

Acting Chair, Jim Schock, opened the meeting by reporting the very sad news that Commission Chairman Jay Carlson passed away on December 7, 2018. On behalf of the Commission Jim offered their most sincere condolences to Jay's family and his many friends. Jay will be deeply missed and fondly remembered. Jay exhibited a fundamental commitment to fairness and consensus building since his appointment to the Commission in August 2013, and in his leadership as Chair since February 2018. A moment of silence was taken in Jay's honor and memory. Subsequently, Jay's wife Gina, and their two sons John and Jake each spoke in eulogy of Jay highlighting his kind spirit, commitment to fairness and his great respect and love for the building construction industry, and for the work of the Commission in support of good building codes. A short break was taken to allow participants the opportunity to offer condolences to Jay's family.

Acting Chair Schock then welcomed the Commission, DBPR staff and the public to Tampa and the December 11, 2018 plenary session of the Florida Building Commission. Commissioner Schock noted that as Chairman Carlson's designated Vice-Chair he would serve as Acting Chair until the Governor makes an appointment.

The Acting Chair noted that in addition to considering 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 primary focus of the December meeting was to accept a report from UF regarding the Hurricane Michael initial damage assessment project, and to decide on next steps regarding scope of work.

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.

III. COMMISSION ATTENDANCE

The following Commissioners attended the Tuesday, December 11, 2018 meeting in Tampa:

Jim Schock (Acting Chair), Hamid Bahadori, Steve Bassett, James Batts, Bob Boyer, Don Brown, Kelly Smith Burk, Oscar Calleja, Dave Compton, Nan Dean, Kevin Flanagan, Shane Gerwig, David Gilson, Richard Goff, Jeff Gross, Robert Hamberger, Brian Langille, Brad Schiffer, Fred Schilling, Drew Smith, Jeff Stone, Brian Swope, Don Whitehead, and Diana Worrall.

(26 of the 26 currently seated Commissioners attended—100%).

Absent Commissioners:

None.

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/>



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>

IV. AGENDA REVIEW AND APPROVAL

The Commission voted unanimously, 26 - 0 in favor, to approve the agenda for the December 11, 2018 meeting as posted/presented. Following are the key agenda items approved for consideration:

- 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 Review and Accept UF Presentation/Report Regarding Hurricane Michael Initial Triage Damage Assessment Effort.
- To Receive/Decide on Reports and Recommendations from Committees.
- To Hear Public Comment.
- To Review Needed Next Steps, Assignments, and Agenda Items for the Next Meeting—February 19, 2019 in Jacksonville, Florida.
- To Provide Orientation to New Commissioners.

Amendments to the Posted Agenda:

There were no amendments to the posted agenda.

(Attachment 4—December 11, 2018 Commission Agenda)

V. APPROVAL OF THE OCTOBER 8, 2018 FACILITATOR'S SUMMARY REPORT AND MEETING MINUTES

MOTION—The Commission voted unanimously, 26 - 0 in favor, to approve the October 8, 2018 Facilitator's Summary Report and Meeting Minutes as posted/presented.

Amendments: There was no amendment offered to the meeting minutes.

VI. CHAIR'S DISCUSSION ISSUES AND RECOMMENDATIONS

Appointments

Acting Chair Schock reported as follows:

The Governor has made the following reappointment to the Commission:

Hamid Bahadori, of Lake Mary, is the vice president of Jansen Hughes, Inc., and is reappointed for a term beginning November 16, 2018, and ending February 7, 2021. The Acting Chair indicated that the Commission is pleased to retain Hamid as the Commission's Fire Protection Technologist representative.

The Governor has made the following new appointments to the Commission:

John Gatlin, of Tallahassee, is the chief engineer of the Florida Bureau of Fire Prevention. He fills the vacant State Insurance Representative seat and is appointed for a term beginning November 16, 2018, and ending March 11, 2021. The Acting Chair welcomed John to the Commission.

David John, of Tarpon Springs, is an engineering manager with Stan Weaver & Co. He succeeds Steven Bassett who is rolling off of the Commission as the Mechanical Engineer representative. David is appointed for a term beginning November 16, 2018, and ending December 8, 2021. The Acting Chair welcomed David to the Commission.

John Wiseman, of Nokomis, is the president of Core Construction Services of Florida, LLC. He fills the vacant General Contractor seat and is appointed for a term beginning November 16, 2018, and ending February 11, 2021. The Acting Chair welcomed John to the Commission.

Appreciation for Steve Bassett

On behalf of the Commission the Acting Chair appreciated Steve Bassett for his years of service on the Commission. Steve served multiple terms during the early years of the Commission before rolling-off. Subsequently he was once again appointed to the Commission on August 27, 2013 and served until he recently rolled-off on November 16, 2018. In addition, Steve served on the Energy TAC, multiple workgroups, and as the immediate past chair of the Mechanical TAC. We commend and thank Steve for his years of dedicated service to the citizens of Florida.

TAC Appointments

Structural TAC

The Acting Chair reported that Chairman Carlson approved the appointment of Michael Guerasio to the Structural TAC to replace the retiring Cris Fardelmann. Thanks to Michael for agreeing to serve, and thanks to Cris for his years of dedicated service on the TAC.

Swimming Pool TAC

The Acting Chair reported that Chairman Carlson approved the appointment of Michael Guerasio to the Swimming Pool TAC to replace the retiring Cris Fardelmann. Thanks to Michael for agreeing to serve, and again, thanks to Cris for his years of dedicated service on the TAC.

Workgroup Appointments

Fenestration Water Resistant Workgroup

The Acting Chair reported that Chairman Carlson approved the appointment of Craig Parrino to the Fenestration Water Resistant Workgroup. Thanks to Craig for agreeing to serve.

Residential Construction Cost Impact Workgroup

The Acting Chair reported that Chairman Carlson approved the appointment of David Hillman of Custom Design Renovations, LLC to replace Ed Dion on the Residential Construction Cost Impact Workgroup. Thanks to David for agreeing to serve.

Commission Approval Process and TAC Recommendation Process for the 2020 Code Update

The Acting Chair reported to the Commission that they would review and approve the Commission's Code Modification Approval Process, and the TAC Code Modification Recommendation Process and

the TAC Public Comment Review Process for the 2020 Code Update Process at the February 19, 2019 meeting.

Updated Commission Milestones

The Acting Chair reminded participants that the Updated Commission Milestones document is linked to the December 11, 2018 FBC Agenda on the BCIS.

VII. EXECUTIVE DIRECTOR ANNOUNCEMENTS AND DISCUSSIONS

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

February 2019 Meeting Date

Tom reminded participants that the February 19, 2019 Commission meeting will be in Jacksonville at the Hyatt Regency Downtown/Riverfront. In addition, the Fenestration Water Resistant Workgroup will meet on February 18, 2019 in Jacksonville, the day before the Commission Plenary Session.

Future 2019 Commission Meeting Dates

Tom reported that the April 2019 Commission meeting is scheduled for April 16, 2019. The June meeting is currently scheduled for June 18, 2019, and the August meeting is tentatively scheduled for some combination of August 12-14, 2019, meeting locations are all to be determined.

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. Lilo Casado Waiver #315 – 2205 NW 70 Avenue, Miami 33122

MOTION—The Commission voted unanimously, 26 – 0 in favor, to approve the Waiver Application for vertical accessibility to the warehouse and mezzanine on the grounds of economic hardship.

2. Greenview Hotel LLC Waiver #359 – 1671 Washington Avenue, Miami Beach 33139

MOTION—The Commission voted unanimously, 26 – 0 in favor, to grant the waiver for vertical accessibility to all levels on the grounds of technical infeasibility.

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, 26 - 0 in favor, to approve the consent agenda of product approval entities (19) as posted/presented.

MOTION—The Commission voted unanimously, 26 - 0 in favor, to approve the consent agenda of products (136) recommended for approval to the 2017 Code as posted/presented.

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

MOTION—The Commission voted unanimously, 26 – 0 in favor, to conditionally approve product FL 28368 based on the conditions requested by the applicant and recommended by DBPR staff.

Commission Actions Regarding DBPR Applications:

There was no Commission action required regarding the December 2018 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)

X. 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, 26 – 0 in favor, to approve advanced accredited course numbers: 917.0, and 922.0.

MOTION—The Commission voted unanimously, 26 – 0 in favor, to approve administratively approved updated course: 270.2.

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

XI. LEGAL REPORT

Rule Challenge Decision Appeal

Background. In December of 2017 the Florida Association of American Institute of Architects, Inc. (FAAIA) filed a rule challenge to the Commission’s adoption of Rule 61G20-2.002 (Statewide Amendments to the Florida Building Code) regarding the Code Update Process for development of the 7th Edition (2020) Florida Building Code. In February of 2018 the Division of Administrative Hearings’ (DOAH) assigned Administrative Law Judge (ALJ) ruled that the challenged provisions of Rule 61G20-2.002(2) were a valid exercise of delegated authority as to the objections raised, and the Petition (Rule challenge) was dismissed. The FAAIA subsequently filed an appeal to the District Courts of Appeals (1st DCA).

At the December 11, 2018 meeting Justin reported that on October 26, 2018 the First District Court of Appeal State of Florida ruled to affirm DOAH’s ruling in favor of the Florida Building Commission (Per Curiam. Affirmed.), specifically that the challenged provisions of Rule 61G20-2.002(2) are a valid exercise of delegated authority as to the objections raised. Justin noted, that the Commission would proceed with the 2020 Code Update Process pursuant to the Commission’s approved Workplan Schedule.

Justin responded to Commissioner Brown's question from the October 2018 meeting by reporting that Commissioners are not personally liable for any accidental omission(s) as a result of the Commission not adopting statutorily mandated I-Codes changes in the course of conducting the triennial update process.

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 2018-070 by Michael Savage, Sr. of Marion County Department of Building Safety.

Motion—The Commission voted unanimously, 26 - 0 in favor, to approve the Electrical TAC's and the Code Administration TAC's recommendation on the Petition (to approve staff's analysis (Option 2) as presented/posted for Q1).

2. DS 2018-072 by Greg Miller of Palm Beach County Building Advisory Board.

Motion—The Commission voted, 25 - 1 in favor, to approve the Energy TAC's recommendation on the Petition (to approve staff's analysis for Q1 (Part a and b) and Q2 (Part a and b)).

XIII. UF PRESENTATION REGARDING HURRICANE MICHAEL INITIAL TRIAGE DAMAGE ASSESSMENT INITIATIVE APPROVAL

Acting Chairman Schock reported that the Department (DBPR) has an annual contract with UF to investigate storm damage in the event that a Category III or greater hurricane impacts Florida (Titled: Survey and Investigation of Buildings Damaged by Category III, IV, and V Hurricanes). Immediately after Hurricane Irma for example, UF deployed their Building Codes Triage Team to investigate and collect buildings damage data from the impacts of the Hurricane and reported back to the Commission at the October 9, 2017 meeting, and subsequently at the April 30, 2018 teleconference meeting UF reported on the expanded scope of the project including a formal damage assessment regarding the impacts of Hurricane Irma and the effectiveness of the Florida Building Code. Of interest, the primary focus of the investigations pursuant to the contract are related to residential construction. Additionally, at the June 12, 2018 meeting Dr. Prevatt (UF) provided a presentation for the research project titled: "Survey and Investigation of Buildings Damaged by Category III, IV, and V Hurricanes in FY 2017-2018."

Dr. Prevatt of UF provided the Commission with a presentation regarding UF's Hurricane Michael Initial Triage Damage Assessment Effort Report.

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, 26 – 0 in favor, to accept UF's presentation/report regarding Hurricane Michael Initial Triage Damage Assessment effort; and, to approve using existing funds to expand the scope of work to conduct Phase II activities to include additional damage investigations/data collection, site visits to investigate the performance of building envelope products, and data processing and information extraction with the SOW to be negotiated and administered by DBPR staff.

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 11, 2018 Agenda):

http://www.floridabuilding.org/fbc/commission/FBC_1218/index.htm.

Code Administration TAC

Commissioner Gerwig presented the TAC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 21 – 0 in favor, to accept the TAC's report as presented/posted (November 27, 2018). (*See Agenda for Linked Committee Report*)

Education POC

Commissioner Dean presented the POC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 21 – 0 in favor, to accept the POC's report as presented/posted (November 28, 2018). (*See Agenda for Linked Committee Report*)

Electrical TAC

Commissioner Flanagan presented the TAC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 25 – 0 in favor, to accept the TAC's report as presented/posted (November 27, 2018). (*See Agenda for Linked Committee Report*)

Energy TAC

Commissioner Smith presented the TAC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 26 – 0 in favor, to accept the TAC's report as presented/posted (November 29, 2018). (*See Agenda for Linked Committee Report*)

Product Approval POC

Commissioner Stone presented the POC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 26 – 0 in favor, to accept the POC's report as presented/posted (November 29, 2018).

(*See Agenda for Linked Committee Report*)

OTHER COMMISSION ACTIONS

There were no additional Commission actions taken during the December 11, 2018 meeting.

STAFF ASSIGNMENTS FROM THE DECEMBER 11, 2018 MEETING

There were no staff assignments resulting from the December 11, 2018 Commission meeting.

XVI. 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:

- There were no additional public comments offered.

XVI. 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:

- Kevin Flanagan: thanked staff for organizing time to remember Chairman Carlson, and requested that a card be sent to Jay's family from the Commission.
- Brad Schiffer: requested that flowers be sent to Jay's service on behalf of the Commission.
- John Wiseman: reported that there would be a celebration of life for Jay on January 12, 2019 and he would make sure that the Commission is provided with the details.

XVII. NEXT COMMISSION MEETING OVERVIEW AND ISSUES

The February 19, 2019 meeting in Jacksonville will focus on the Commission's regular procedural and substantive issues, and approval of the TAC Code Modification Recommendation Process and the Commission's Code Modification Approval Process for the 7th Edition, Florida Building Code (2020).

(Attachment 5—Commission Meeting Schedule)

ADJOURNMENT

The Acting Chair thanked Commission members, staff and the public for their attendance and participation, and adjourned the meeting at 11:42 on Tuesday, January 11, 2018.

NEW COMMISSIONER ORIENTATION

DBPR staff (Tom Campbell, Mo Madani and Justin Vogel) and the Facilitator (Jeff Blair) provided the three new Commissioners (John Gatlin, David John, and John Wiseman) with a brief orientation to the Commission.

ATTACHMENT 1
FLORIDA BUILDING COMMISSION MEETING EVALUATION RESULTS

DECEMBER 11, 2018—TAMPA, FLORIDA

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

Number of Respondents: 19 of 26 (73%) 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.
- 9.9 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.
- 9.9 Legal Report Briefing.
- 9.9 Petitions for Declaratory Statements.
- 9.9 UF Report Regarding Hurricane Michael Initial Triage Damage Assessment Effort Approval.
- 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.

- Dr. Prevatt report – very informative.

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

- Sound quality is poor – had difficulty understanding discussion.

8. OTHER GENERAL COMMENTS.

- Good job Jeff Blair.

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 11, 2018 MEETING AGENDA**

**FLORIDA BUILDING COMMISSION
PLENARY SESSION
DECEMBER 11, 2018
EMBASSY SUITES TAMPA-USF
3705 SPECTRUM BOULEVARD
TAMPA, FLORIDA 33612**

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 Statement.
- To Review and Accept UF Presentation/Report Regarding Hurricane Michael Initial Triage Damage Assessment Effort.
- 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.
- To Provide Orientation to New Commissioners.

Committee and Workgroup Meetings held in conjunction with the Plenary Session

Meetings are held by teleconference and webinar unless otherwise indicated

November 27, 2018	10:00 a.m.	Electrical Technical Advisory Committee concurrent with Code Administration Technical Advisory Committee
November 27, 2018	2:00 p.m.	Accessibility Advisory Council
November 28, 2018	10:00 a.m.	Education Program Oversight Committee
November 29, 2018	10:00 a.m.	Product Approval Program Oversight Committee
November 29, 2018	2:00 p.m.	Energy Technical Advisory Committee

MEETING AGENDA—DECEMBER 11, 2018

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 8, 2018)
	4.)	Chair's Discussion Issues:

5.)	Executive Director Announcements and Discussions: Future Meetings:
6.)	Accessibility Waiver Applications: (Accessibility Advisory Council Report) 1. Lilo Casado Waiver #315 - 2205 NW 70 Avenue, Miami 33122 2. Greenview Hotel (Greenview Hotel LLC) Waiver #359 - 1671 Washington Avenue, Miami Beach 33139
7.)	Applications for Product (2014) (2017) and Entity Approval
8.)	Applications for Accreditor and Course Approval
9.)	Legal Report
10.)	Declaratory Statement: DS 2018-070 by Michael Savage, Sr. of Marion County Department of Building Safety DS 2018-072 by Greg Miller of Palm Beach County Building Advisory Board
11.)	To Review and Accept UF Presentation/Report Regarding Hurricane Michael Initial Triage Damage Assessment Effort
12.)	Committee Reports:
	Code Administration Technical Advisory Committee (November 27, 2018) Education Program Oversight Committee (November 28, 2018) Electrical Technical Advisory Committee (November 27, 2018) Energy Technical Advisory Committee (November 29, 2018) Product Approval Program Oversight Committee (November 29, 2018)
13.)	Commissioner Comment
14.)	Public Comment
15.)	Adjourn Commission Plenary Session
16.)	*New Commissioner Orientation (following conclusion of plenary session)

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

(UPDATED DECEMBER 11, 2018)

COMMISSION APPROVED MEETING SCHEDULE

DATE	LOCATION
August 14 -15, 2018	Coral Gables [August 15 Plenary] (Biltmore Hotel)
October 8 - 9, 2018	Sarasota (Embassy Suites)
December 11, 2018	Tampa (Embassy Suites USF)
February 19, 2019	Jacksonville (Hyatt Regency Downtown/Riverfront)
March 18-22, 2019	Altamonte Springs (Embassy Suites) TAC Meetings for submitted Code modifications
April 16, 2019	TBD
June 18, 2019	TBD
August 12-14, 2019	TBD

COMMISSION'S 2020 CODE UPDATE DEVELOPMENT WORKPLAN

7TH EDITION (2020) FBC CODE UPDATE DEVELOPMENT TASKS

7TH EDITION (2020) UPDATE TO THE FLORIDA BUILDING CODE—	
TASK	SCHEDULE
<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
Staff post on Commission website analysis of the 2018 I-Code change (Tracking Charts and code change monographs)	5/1/2018
TACs review the 2018 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. TACs meetings - 11-day on-site meetings – for more detail see TAC meeting schedule	06/7-22/2018
Staff post TACs’ recommendations online for further public review	7/7/2018
Residential Construction Cost Impact Workgroup (RCCIWG) review the TACs’ recommendations with regard to the 2018 changes to the International Residential Code (IRC) and provide comments to the Commission on impactful code changes. RCCIWG meeting – on-site meeting (Orlando Marriott Lake Mary)	7/30/2018
Deadline for requesting amendments (2018 I-Codes changes) to be pulled of the consent agenda for individual consideration	9/3/2018
Commission considers TACs’ recommendations regarding the latest changes to the model codes that are needed to accommodate the specific needs of this state – on site	10/8-9/2018

meeting (Embassy Suites - Sarasota)	
Staff post Commission's recommendations online	11/1/2018
Period for public to propose modifications to the 6 th 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 st 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 st 45 day comment period) TACs meetings - 4-day on-site meetings	3/18-21/2019
TACs recommendations posted to the website	4/12/2019
2 nd 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 TACs meetings – 4-day meetings [2-day on-site and 2 – day via conference/webinar]	7/8-12/2019
Staff post on Commission website TACs consideration of public comments	7/22/2019
Residential Construction Cost Impact Workgroup (RCCIWG) reviews the TACs' recommendations with regard to the proposed modifications to the Florida Residential Code (FRC) and provides comments to the Commission on impactful code changes.	8/1/2019
RCCIWG meeting – on-site meeting (TBD)	
Commission considers TAC recommendations (2 nd 45 day comment period) Commission – 2-day meeting	8/12-13/2019
7 th Edition (2020) FBC (6 th Edition (2017) FBC, Florida Supplement and Commission's approved I Codes) posted online	9/19/2019
Provide Supplements to ICC for integration into the 6th Edition (2017) FBC	
Rule development Workshops	February 4, 2020 April 7, 2020
Integrated Draft 7 th Edition (2020) FBC – Posted online	April 20, 2020
Final Rule Hearing on 7 th Edition (2020) FBC/Commission approves final version of Code 7 th 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	TBD
Printed Code available - subject to negotiation with ICC	TBD
2020 FBC (7th edition) effective date (6 – months after publication)	12/31/2020
553.73(7)(e) A rule updating the Florida Building Code in accordance with this subsection shall take effect <u>no</u> sooner than 6 months 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.	