



# FLORIDA BUILDING COMMISSION

"STRONGER CODES THROUGH SCIENCE AND CONSENSUS"



**FACILITATOR'S SUMMARY REPORT OF THE  
FEBRUARY 19, 2019  
FLORIDA BUILDING COMMISSION MEETING  
JACKSONVILLE, FLORIDA**

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



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FLORIDA BUILDING COMMISSION

FEBRUARY 19, 2019 FACILITATOR’S MEETING SUMMARY REPORT

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**FLORIDA BUILDING COMMISSION**  
**FEBRUARY 19, 2019 FACILITATOR'S SUMMARY REPORT**



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

### **TUESDAY, FEBRUARY 19, 2019**

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

At the February 19, 2019 meeting conducted in Jacksonville the Commission considered and decided on Chair's issues and recommendations, Executive Director's announcements and discussions, product and entity approvals, applications for accreditator and course approvals, accessibility waivers, petitions for declaratory statements, and recommendations from the Commission's various committees. Specific actions included voting unanimously to: 1.) Approve conducting FBC Legislative Conference calls for the 2019 Session on March 15, 2019, and May 10, 2019; 2.) Approve the TACs' Code modification review and approval process for the 2020 Code Update Process—7<sup>th</sup> Edition, Florida Building Code (2020); 3.) Approve the TAC review process for public comments on TACs' Code modification recommendations for the 2020 Code Update Process—7<sup>th</sup> Edition, Florida Building Code (2020); 4.) Approve the Commission's Code modification approval process for the 2020 Code Update Process—7<sup>th</sup> Edition, Florida Building Code (2020); and, 5.) Approve the updated Workplan/Schedule for the 2020 Code Update Process—7<sup>th</sup> Edition, Florida Building Code (2020).

*(Attachment 1—Meeting Evaluation Results)*

#### **II. ACTING CHAIR'S WELCOME**

Acting Chair Schock welcomed the Commission, DBPR staff and the public to Jacksonville and the February 19, 2019 plenary session of the Florida Building Commission.

The Acting Chair noted that in addition to considering regular procedural issues including product and entity approvals, applications for accreditator and course approvals, accessibility waivers, petitions for declaratory statements, and recommendations from the Commission's various committees, the primary focus of the February meeting was to adopt the TAC Code Modification Review and Recommendation Process, the TAC Public Comment Review Process, and the Commission's Code Modification Approval Process for the 2020 Code Update Process.

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 Acting 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 Acting 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, February 19, 2019 meeting in Jacksonville:

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

(23 of the 26 currently seated Commissioners attended—88%).

*Absent Commissioners:*

David Compton, Drew Smith, 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/>



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, 23 - 0 in favor, to approve the agenda for the February 19, 2019 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 Consider/Decide on Commission and TAC 2020 Code Update Approval, Recommendation Processes, and Updated Workplan.
- 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—April 16, 2019 in Gainesville, Florida.
- To Provide Orientation to New Commissioners.

*Amendments to the Posted Agenda:*

There were no amendments to the posted agenda.

*(Attachment 4—February 19, 2019 Commission Agenda)*

**V. APPROVAL OF THE DECEMBER 11, 2018 FACILITATOR’S SUMMARY REPORT AND MEETING MINUTES**

**MOTION**—The Commission voted unanimously, 23 - 0 in favor, to approve the December 11, 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**

**Updated Commission Milestones**

The Acting Chair reminded participants that the Updated Commission Milestones document is linked to the February 19, 2019 FBC Agenda on the BCIS.

**VII. EXECUTIVE DIRECTOR ANNOUNCEMENTS AND DISCUSSIONS**

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

**Review of Relevant Bills**

Tom briefed the Commission on Building Code System relevant bills proposed for the 2019 Legislative Session, and answered members’ questions. The matrix of bills is available on the BCIS.

**Legislative Calls**

Tom noted that each year the Commission conducts Legislative Calls to discuss issues relevant to the Commission. Tom reported that for the 2019 Legislative Session calls are scheduled for March 15, 2019, and May 10, 2019 at 2:00 PM. There may be additional calls scheduled depending on the types of bills that get filed. Staff will notify the Commission if there is a need for any additional calls.

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, 23 – 0 in favor, to conduct FBC Legislative Conference calls for the 2019 Session on March 15, 2019, and May 10, 2019.

### **Proposed Code Modification Submittal Process Issues and Fixes**

Tom provided the Commission with an update on issue related to submittal of proposed Code modifications as follows:

BCIS Overwriting Saved Modifications:

- Staff reviewed all transactions in the BCIS and determined this was an isolated issue.
- Those impacted were contacted and allowed to resubmit overwritten modifications. We very much appreciate their cooperation and understanding in dealing with this issue (Mr. Crum and Mr. Holland).
- BCIS staff has put a fix in place that will hopefully prevent this from occurring in the future.

Amount of Code Modifications Submitted

- There were over 1,000 code modifications submitted. We appreciate everyone's hard work and cooperation with staff to get these modifications submitted and verified in a timely manner.
- Staff is aware that the code modification module is not always the most cooperative piece of technology. The Department is continuing to explore possible upgrades and modifications to the BCIS. Updating the code modification module would be one of the first priorities.
- While there is a lot of work to do during the meetings in March staff believes there is adequate time for the TACs to review all the modifications that have been submitted. If it turns out that one or more of the TACs is unable to finish their review we will set up additional meetings until the work is complete. The July TAC meetings and August Commission meeting have not been booked yet. So, if the work plan needs to be adjusted we have the flexibility to do so.
- Additionally, once this process is complete, staff, the new chairperson, and the commission will likely evaluate whether some tweaks and adjustments need to be made to the process.

### **Future Meetings**

#### **Future 2019 Commission Meeting Dates**

Tom reported that the April 2019 Commission meeting is scheduled for April 16, 2019 in Gainesville. The June meeting is scheduled for June 18, 2019 in Sarasota, and the August meeting is tentatively scheduled for some combination of August 13-15, 2019, meeting location to be determined.

### **Travel**

Tom reported that DBPR's travel reporting is migrating from paper to online, and that he did not think it would impact the Commission. Tom noted that he would keep the Commission informed on the matter.

## **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. 1233 Collins #330-1233 Collins Avenue, Miami Beach, 33139**

*MOTION*—The Commission voted unanimously, 23 – 0 in favor, to approve the Waiver Application for vertical accessibility to the second floor on the grounds of the historical nature/significance of the building.

**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, 23 - 0 in favor, to approve the consent agenda of product approval entities (29) as posted/presented.

*MOTION*—The Commission voted unanimously, 23 - 0 in favor, to approve the consent agenda of products (116) 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, 23 – 0 in favor, to conditionally approve product FL 13061-R6 based on the conditions requested by the applicant and recommended by DBPR staff.

*MOTION*—The Commission voted unanimously, 23 – 0 in favor, to approve product FL 14313-R10.

*MOTION*—The Commission voted unanimously, 23 – 0 in favor, to approve product FL 14370-R4.

*MOTION*—The Commission voted unanimously, 23 – 0 in favor, to conditionally approve product FL 14428-R6 based on the conditions requested by the applicant and recommended by DBPR staff.

*MOTION*—The Commission voted unanimously, 23 – 0 in favor, to approve product FL 15099-R11.

*MOTION*—The Commission voted unanimously, 23 – 0 in favor, to approve product FL 15551-R6.

*MOTION*—The Commission voted unanimously, 23 – 0 in favor, to approve product FL 15768-R6.

*MOTION*—The Commission voted unanimously, 23 – 0 in favor, to approve product FL 15780-R9.

*MOTION*—The Commission voted unanimously, 23 – 0 in favor, to approve product FL 15781-R9.

*MOTION*—The Commission voted unanimously, 23 – 0 in favor, to approve product FL 16854-R9.

*MOTION*—The Commission voted unanimously, 23 – 0 in favor, to approve product FL 23505-R2.

*MOTION*—The Commission voted unanimously, 23 – 0 in favor, to approve product FL 28131.

*MOTION*—The Commission voted unanimously, 23 – 0 in favor, to conditionally approve product FL 28682 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 February 2019 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 number: 924.0.

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

## **XI. LEGAL REPORT**

Justin Vogel, Commission Legal Counsel, indicated that there were no legal issues to report for the February 2019 meeting.

## **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.

### **1DS 2018-076 by Lorenzo Cobiella of Lineaire Designs, LLC.**

**Motion**—The Commission voted unanimously, 23 - 0 in favor, to approve the Structural TAC’s recommendation on the Petition (to approve staff’s analysis (Option 2) as presented/posted for Q1, and staff’s analysis as presented/posted for Q2).

### **2. DS 2019-001 by Jalal Farooq of AL-Farooq Corporation.**

**Motion**—The Commission voted unanimously, 23 - 0 in favor, to approve the Product Approval POC’s recommendation on the Petition (to approve staff’s analysis for Q1).

## **XIII. APPROVAL OF TAC CODE MODIFICATION REVIEW AND RECOMMENDATION PROCESS, TAC PUBLIC COMMENT REVIEW PROCESS, AND COMMISSION’S CODE APPROVAL PROCESS**

Acting Chair Schock indicated that proposed Code modifications to the Florida Building Code would be reviewed by the Commission’s TACs in meetings conducted during the week of March 14 - 26, 2019. The TACs’ recommendations regarding proposed Code modifications will subsequently be posted to the Commission’s website for a minimum of 45 days and the public will be provided an opportunity to comment on the TACs’ recommendations during this time-frame (second 45-day review period). The TACs will meet for a second time during the week of July 8-12, 2019 to review the public comments, and provide TAC comments to the Commission regarding whether the submitted comments address their concerns regarding their recommendations on proposed code modifications (TAC feedback on public comments to the Commission). In addition, the Residential Construction Cost Impact Workgroup will review the TACs’ recommendations and provide comments regarding costs/impacts of the TACs’ recommended modifications for approval relevant to the Residential Building Code (amendments identified as impactful). These comments will be incorporated into the TACs’ consent agendas of recommendations.

The Commission will consider the TACs' recommendations concurrent with the August 2019 Commission meeting, conduct rule development workshops on February 4, 2020 and April 7, 2020, and conduct a rule adoption hearing on the final version of the Code on June 8, 2020.

Acting Chair Schock noted that the Commission would now review and approve the TAC Code Modification Review and Recommendation Process, the TAC Public Comment Review Process, and the Commission's Code Modification Approval Process for the 2020 Code Update Process. In addition, there is revised Workplan/Schedule for the Code Update Process for approval.

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, 23 – 0 in favor, to approve the TACs' Code modification review and approval process for the 2020 Code Update Process—7<sup>th</sup> Edition, Florida Building Code (2020).

**MOTION**—The Commission voted unanimously, 23 – 0 in favor, to approve the TAC review process for public comments on TACs' Code modification recommendations for the 2020 Code Update Process—7<sup>th</sup> Edition, Florida Building Code (2020).

**MOTION**—The Commission voted unanimously, 23 – 0 in favor, to approve the Commission's Code modification approval process for the 2020 Code Update Process—7<sup>th</sup> Edition, Florida Building Code (2020).

**MOTION**—The Commission voted unanimously, 23 – 0 in favor, to approve the updated Workplan/Schedule for the 2020 Code Update Process—7<sup>th</sup> Edition, Florida Building Code (2020).

#### **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 February 19, 2019 Agenda):

[http://www.floridabuilding.org/fbc/commission/FBC\\_0219/index.htm](http://www.floridabuilding.org/fbc/commission/FBC_0219/index.htm).

#### **Education POC**

Commissioner Dean presented the POC's report and recommendations.

***Commission Action:***

**MOTION**—The Commission voted unanimously, 23 – 0 in favor, to accept the POC's report as presented/posted (February 5, 2019). (*See Agenda for Linked Committee Report*)

### **Fenestration Water Resistance Workgroup**

Jeff Blair, Workgroup Facilitator, presented the Workgroup's report and recommendations.

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

**MOTION**—The Commission voted unanimously, 23 – 0 in favor, to accept the Fenestration Water Resistance Workgroup's report as presented/posted (February 18, 2019).

*(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, 23 – 0 in favor, to accept the POC's report as presented/posted (February 7, 2019).

*(See Agenda for Linked Committee Report)*

### **Structural TAC**

Commissioner Schock presented the TAC's report and recommendations.

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

**MOTION**—The Commission voted unanimously, 23 – 0 in favor, to accept the TAC's report as presented/posted (February 7, 2019).

*(See Agenda for Linked Committee Report)*

### **OTHER COMMISSION ACTIONS**

There were no additional Commission actions taken during the February 19, 2019 meeting.

### **STAFF ASSIGNMENTS FROM THE FEBRUARY 19, 2019 MEETING**

There were no staff assignments resulting from the February 19, 2019 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:***

- Joe Belcher: stated that he thought the current facilitator should be retained, and whether there was anything that could be done in support.
- Dick Wilhelm: "me too" to the facilitator.
- John Faranelli: stated that the BCIS system for submitting Code modifications needs a major overall and not "tweaks."
- Jim Bickford: noted that he had submitted 55 Code modifications, and there are major problems with

the submittal system.

- Joe Crum: stated he was frustrated with the Code modification submittal system.
- Ann Russo, BOAF: echoed the problems with the Code Modification system. Indicated that the web-based submittal system is cumbersome.
- Joe Hetzel: indicated that the BCIS system for Code submittals did not allow him to save, copy, and then paste the same rationale applicable to other Code modifications he submitted.

*Public Comments Submitted Regarding Commissioner Brown's Letter:*

- Doug Buck, FHBA: there is a need to motivate consumers to make decisions on the construction design of their homes to reduce their risks. The Florida Building Code is a cost effective Code, and is effectively more than a minimum Code. Changes have been made to make the Code more stringent during each Code cycle. There is a need for incentives by the insurance industry. Currently they use a loss relativity analysis, and if the potential risk is not high relative to the potential damage, then different building standards don't yield any significant insurance savings.
- Eric Stafford, IBHS: Florida is already not far from the standards in IBHS' Fortified programs. There are a couple of details that could be added to the Code to get closer to the standard such as requiring a sealed deck. The FBC is already beyond the IBC for wind requirements. Homes impacted by Hurricane Michael and built to the Florida Building Code, fared well. There were however, issues with roofing, soffit, and siding that should be evaluated.
- Jamie Gascon, MDC: The Florida Building Code is a robust Code. Noted that if homeowners wanted to build a "Code Plus" home they could build to the HVHZ standards.
- Mike Silvers, FRSMA: the requirements of the Code for roofing are complicated, and they can be overwhelming for contractors. Mike stated that as the Code becomes more complicated, and the building professionals' licensing requirements are being reduced, that this creates a problem for compliance.
- Joe Crum: noted he has been involved in the Commission's Code development process since day one. Stated that the Florida Building Code is a great Code, and is based on the ICC. The adoption of the I-Codes as the base code should be reestablished.

## **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:*

- Don Brown: provided a letter linked to the Commission's agenda regarding voluntary "Code-Plus" education to consumers. Commissioner Brown indicated that he was concerned that consumers think the Florida Building Code is the gold standard, and don't understand that the FBC is a minimum Code. He noted that he understands that increased design standards increase costs, and that education on voluntary Code would be beneficial to homeowners. Indicated that a culture change is needed in coastal communities regarding the FBC, and the availability of higher design standards. There is a need to inform consumers of their options for construction standards.
- Jim Schock: the Commission should set up a process to review the MAT report from Hurricane Michael. Noted that the Report will indicate there are issues with roofing, siding, and soffits. Noted

that adoption of ASCE 7-16 will help. Suggested an Appendix to the Code could be developed that would provide Code-Plus standards, such as flood and water intrusion, and using CRS standards.

- Brian Swope: started that the Code already does what is being discussed. The issue is one of education to contractor so they educate consumers on their options.
- Kevin Flanagan: the Code is a minimum standard. Indicated support for consumer education, and insurance incentives.
- Bob Boyer: noted that education is the key.
- Mo Madani: reported that in 2007 the Commission was instructed by the Legislature to do a study on Code-Plus standards, and UF and ARA were hired to conduct the study and provide recommendations. The Report is available on the BCIS.
- David Gilson: indicated that if an appendix is developed it would become a defacto standard. The issue is that there is a need for the Legislature to encourage the use of Code-Plus standards, by requiring the insurance industry to provide meaningful insurance premium rebates.
- Shane Gerwig: asked given the public comments regarding problems with the Code modification submittal process, whether staff was confident that all submitted Code modification proposals are accounted for.
- Tom Campbell, DBPR: responded that staff was able to view all of the submitted Code modifications, even those that were overridden, and that staff worked with proponents to ensure all submitted Code modifications were accounted for.

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

The April 16, 2019 meeting in Gainesville will focus on the Commission's regular procedural and substantive issues.

*(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 10:52 AM on Tuesday, February 19, 2019.

## **NEW COMMISSIONER ORIENTATION**

DBPR staff provided the three new Commissioners (John Gatlin, David John, and John Wiseman) with an additional brief orientation to the Commission.

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

**FEBRUARY 19, 2019—JACKSONVILLE, FLORIDA**

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

**Number of Respondents: 20 of 23 (87%) Commissioners present completed meeting evaluations.**

**1. OVERALL MEETING ASSESSMENT.**

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

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

- 9.8 Chair's Issues and Recommendations.
- 9.8 Executive Director Announcements and Discussions.
- 9.8 Applications for Accessibility Waiver Applications Approvals.
- 9.8 Applications for Products and Product Approval Entities Approvals.
- 9.8 Applications for Accreditor and Course Approvals.
- 9.8 Legal Report Briefing.
- 9.8 Petitions for Declaratory Statements.
- 9.9 Commission and TAC 2020 Code Update Approval, and Recommendation Processes Approval.
- 9.9 TAC, POC, Committee, and Workgroup Reports and Recommendations.

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

- 9.8 The members followed the direction of the Facilitator.
- 9.8 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.
- 9.8 I am satisfied with the outcome of the meeting.

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

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

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

- Facilitation, time, agenda.
- I liked the meeting room with a window. Nice change.
- Provided information.
- Presentation of materials.
- Time.

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

- Coffee.
- No issues.

**8. OTHER GENERAL COMMENTS.**

- Good job Jeff Blair.
- The meeting place is very nice.
- None at this time. Thank you.

**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**  
**FEBRUARY 19, 2019 MEETING AGENDA**

**FLORIDA BUILDING COMMISSION**  
**PLENARY SESSION**  
**FEBRUARY 19, 2019**  
**HYATT REGENCY JACKSONVILLE RIVERFRONT**  
**225 EAST COASTLINE DRIVE**  
**JACKSONVILLE, FLORIDA 32202**

***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 Consider/Decide on Commission and TAC 2020 Code Update Approval, and Recommendation Processes Approval.
- 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.

**COMMISSION COMMITTEE TELECONFERENCE/WEBINAR MEETINGS**

February 5, 2019	10:00 a.m.	Education Program Oversight Committee
February 6, 2019	2:00 p.m.	Accessibility Advisory Council
February 7, 2019	10:00 a.m.	Product Approval Program Oversight Committee
February 7, 2019	2:00 p.m.	Structural Technical Advisory Committee

**COMMISSION COMMITTEE MEETING—ON SITE**

February 18, 2019	11:00 a.m.	Fenestration Water Resistance Workgroup
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## *MEETING AGENDA—FEBRUARY 19, 2019*

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

8:30 a.m.	1.)	<b>Welcome and Opening, Roll Call</b>
	2.)	<b>Review and Approval of Meeting Agenda</b>
	3.)	<b>Review and Approval of Previous Meeting Minutes and Facilitator Report for (December 11, 2018)</b>
	4.)	<b>Chair’s Discussion Issues:</b>
	5.)	<b>Executive Director Announcements and Discussions:</b>  <b>Future Meetings:</b>
	6.)	<b>Accessibility Waiver Applications: (Accessibility Advisory Council Report)</b> 1. 1233 Collins #330-1233 Collins Avenue, Miami Beach, 33139
	7.)	<b>Applications for Product (2014) (2017) and Entity Approval</b>
	8.)	<b>Applications for Accreditor and Course Approval</b>
	9.)	<b>Legal Report</b>
	10.)	<b>Declaratory Statement:</b> 1. DS 2018-076 by Lorenzo Cobiella of Lineaire Designs, LLC (staff analysis) 2. DS 2019-001 by Jalal Farooq of AL-Farooq Corporation (staff analysis)
	11.)	<b>7th Edition, Florida Building Code (2020) Update Process:</b>  1. <b>Approval of TAC Code Modification Review and Recommendation Process</b> 2. <b>Approval of TAC Review Process for Public Comments on TACs’ Code Modification Recommendations</b> 3. <b>Approval of the Commission’s Code Modification Approval Process</b>  <b>Status Update:</b>
	12.)	<b>Committee Reports:</b>  Education Program Oversight Committee (February 5, 2019) Fenestration Water Resistance Workgroup (February 18, 2019) Product Approval Program Oversight Committee (February 7, 2019) Structural Technical Advisory Committee (February 7, 2019)
	13.)	<b>Commissioner Comment</b>
	14.)	<b>Public Comment</b>
	15.)	<b>Adjourn Commission Plenary Session</b>
		<b>*Additional New Commissioner Orientation (following conclusion of plenary session)</b>

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

(UPDATED FEBRUARY 19, 2019)

**COMMISSION APPROVED MEETING SCHEDULE**

DATE FY 2018/2019	LOCATION
August 14-15, 2018	Coral Gables [August 15 Plenary] (Biltmore Hotel)
October 8, 2018	Sarasota (Embassy Suites Sarasota)
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	Gainesville
June 18, 2019	Sarasota
August 13-15, 2019	TBD

**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	<b>1/2/2018</b>
Staff post on Commission website analysis of the 2018 I-Code change (Tracking Charts and code change monographs)	<b>5/1/2018</b>
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.	<b>06/7-22/2018</b>
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)	<b>7/30/2018</b>
Deadline for requesting amendments (2018 I-Codes changes) to be pulled of the consent agenda for individual consideration.	<b>9/3/2018</b>
Commission considers TACs’ recommendations regarding the latest changes to the	<b>10/8-9/2018</b>

model codes that are needed to accommodate the specific needs of this state – on site meeting (Embassy Suites - Sarasota)	
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) TACs meetings - 4-day on-site meetings	3/14-26/2019
TACs recommendations posted to the website	4/12/2019
<b>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. RCCIWG meeting – on-site meeting (TBD</b>	5/6/2019
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 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
Commission considers TAC recommendations (2 <sup>nd</sup> 45 day comment period) Commission – 2-day meeting	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>	Feb. 4, 2020 April 7, 2020
Integrated Draft 7 <sup>th</sup> Edition (2020) FBC – Posted online	April 20, 2020
<b>Final Rule Hearing</b> 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 6

### COMMISSION AND TAC CODE APPROVAL AND RECOMMENDATIONS PROCESSES

#### TAC CODE MODIFICATION REVIEW AND RECOMMENDATION PROCESS

##### MARCH 2019 TAC MEETINGS

#### 2020 CODE UPDATE PROCESS—7<sup>TH</sup> EDITION, FLORIDA BUILDING CODE (2020) (ADOPTED UNANIMOUSLY FEBRUARY 19, 2019)

Proposed Code modifications to the Florida Building Code will be reviewed by the Commission's TACs in meetings conducted during the week of March 14 - 26, 2019. The TACs' recommendations regarding proposed Code modifications will subsequently be posted to the Commission's website for a minimum of 45 days and the public will be provided an opportunity to comment on the TACs' recommendations during this time-frame (second 45-day review period). The TACs will meet for a second time during the week of July 8-12, 2019 to review the public comments, and provide TAC comments to the Commission regarding whether the submitted comments address their concerns regarding their recommendations on proposed code modifications (TAC feedback on public comments to the Commission). In addition, the Residential Construction Cost Impact Workgroup will review the TACs' recommendations and provide comments regarding costs/impacts of the TACs' recommended modifications for approval relevant to the Residential Building Code (amendments identified as impactful). These comments will be incorporated into the TACs' consent agendas of recommendations.

The Commission will consider the TACs' recommendations concurrent with the August, 2019 Commission meeting, conduct rule development workshops on February 4, 2020 and April 7, 2020, and conduct a rule adoption hearing on the final version of the Code on June 8, 2020.

#### CODE MODIFICATION REVIEW AND CONSIDERATION PROCESS

Facilitator will serve as moderator and assist with adopted process and groundrules.

- One person speaks at a time.
- Limit your comment and be concise.
- Comments are limited to a maximum of three-minutes (3) per person.
- Do not read lengthy prepared statements; Summarize and submit complete text of comment for the record.
- Offer new points and/or state agreement with previous speakers; Please do not repeat what has been stated.
- Chair/Facilitator may terminate a comment if it is repeating previous comments, and not simply stating agreement or offering new points.
- The TAC wants to hear all view-points to ensure all perspectives are considered, and not repeats of the same views.
  
- Facilitator will introduce each modification.
- Proponents of proposed modification will speak first.
- Opponents of proposed modification will follow proponents.
- Proponents/opponents will be allowed one (1) collective brief counterpoint opportunity to address any new point(s) raised by previous speakers(s), but only if they address new points

specific to the comment(s) raised by the speaker(s) and if they provide new points. No repeating of previous comments/points.

- ☛ ***Withdrawal of Proposal:*** A code modification proposal may be withdrawn by the proponent at any time prior to the TAC's consideration of that proposal.
- ☛ Standing motion to approve will be in effect.
- ☛ TAC will vote in favor of the Standing Motion to Approve (found on page 3) prior to considering proposed modifications.
- ☛ Findings Considered: rationale, Florida specific need, does not diminish requirements related to wind resistance or prevention of water intrusion, and fiscal impact data reviewed.
- ☛ Clarifying questions by TAC members only.
- ☛ Staff, proponent, or specified commenter will respond to TAC Member's questions.
- ☛ Once a motion (second to the standing motion) is on the floor, discussion is limited to TAC members except as allowed by the Chair/Facilitator.
- ☛ **TAC Amendments.** TAC members should avoid spending time revising a code modification proposal, and instead TAC members should focus on providing a proponent with constructive comments for possible revision of their modification during the 2<sup>nd</sup> 45 - day review/comment period. This approach will ensure that consideration of modifications are completed within the time frame allocated for the meeting.
- ☛ Any TAC revisions (amendments) to proposed modifications: require additional public comment, and TAC analysis of findings, rationale, and fiscal impact.
- ☛ ***Amendments:*** Amendments to proposed Code modifications may be suggested by any person participating in the TAC meeting. The person proposing the amendment is deemed to be the proponent of the modification. All amendments must be written, unless determined by the Chair to be either editorial or minor in nature. The proponent of the amendment shall provide an electronic version in an editable format, and 20 hard copies to staff for distribution to the TAC.
- ☛ A proposed amendment shall not be considered by the TAC if it:
  - Is not legible;
  - Changes the scope of the original proposal; or,
  - Is not readily understood so that a proper assessment of its impact on the original proposal of the Code can be determined.
- ☛ **Rationale for No Affirmative Recommendation (NAR).** TAC members are encouraged to provide feedback regarding their reason for not recommending the approval of a Code modification proposal.
- ☛ The standing motion to approve will be in effect, a second is required in order to vote for the modification—Only motions to approve may be considered.
- ☛ Motions to deny are not allowed by Commission Rules.
- ☛ If a modification does not receive a second it will be deemed to have received no affirmative recommendation (NAR).
- ☛ All modifications must be voted on individually.
- ☛ Motions require a two-thirds (67%) favorable vote for approval; those with less than a two-thirds favorable vote, are deemed to have received no affirmative recommendation (NAR).



- In order for a Technical Advisory Committee to make a favorable recommendation to the Commission, the proposal must receive a two-thirds vote of the members present at the Technical Advisory Committee meeting and at least half of the regular members must be present in order to conduct a meeting. [Section 553.73 (3) (b), F.S.]

## **STANDING MOTION TO APPROVE MODIFICATIONS TO THE FLORIDA BUILDING CODE**

Facilitator will read the following motion, ask for a motion and second to approve, and the TAC will then vote in favor.

Move to recommend approval of the proposed modifications by the Technical Advisory Committee (TAC) based on the following findings [Section 553.73 (9)(a) and (9)(b), F.S.]:

- A. The modification is needed in order to accommodate the specific needs of this state; and
- B. The modification has a reasonable and substantial connection to the health, safety, and welfare of the general public; and
- C. The modification strengthens or improves the Florida Building Code, or in the case of innovation or new technology, will provide equivalent or better products or methods or systems of construction; and
- D. The modification does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities; and
- E. The modification does not degrade the effectiveness of the Florida Building Code; and
- F. The modification has the following fiscal impact:
  - 1. The fiscal impact of enforcement imposed upon local government is as indicated by the proponent.
  - 2. The fiscal impact of compliance imposed upon building and property owners is as indicated by the proponent.
  - 3. The fiscal impact of compliance imposed upon industry is as indicated by the proponent.
  - 4. The fiscal impact of compliance imposed upon small business is as indicated by the proponent (no impact or as specified by the proponent).
- G. The modification's benefits noted with regard to fiscal impact and efficacy outweigh the costs imposed.
- H. The modification does not diminish requirements related to wind resistance or prevention of water intrusion contained in the Code or its referenced standards and criteria.

**TAC REVIEW PROCESS FOR PUBLIC COMMENTS ON TACs’  
CODE MODIFICATION RECOMMENDATIONS  
JULY 2019 TAC MEETINGS  
2020 CODE UPDATE PROCESS—7<sup>TH</sup> EDITION, FLORIDA BUILDING CODE (2020)  
(ADOPTED UNANIMOUSLY FEBRUARY 19, 2019)**

**TAC REVIEW PROCESS FOR PUBLIC COMMENTS ON TACs’ CODE MODIFICATION  
RECOMMENDATIONS**

- ☛ Facilitator will serve as moderator and assist with adopted process and groundrules.
- ☛ One person speaks at a time.
- ☛ Limit your comment and be concise.
- ☛ Facilitator will limit comments to a maximum of three-minutes (3) per person.
- ☛ Do not read lengthy prepared statements; Summarize and submit complete text of comment for the record.
- ☛ Offer new points and/or state agreement with previous speakers; Please do not repeat what has been stated.
- ☛ Facilitator may terminate a comment if it is repeating previous comments, and not simply stating agreement or offering new points.
- ☛ The TAC wants to hear all view-points to ensure all perspectives are considered, and not repeats of the same views.
- ☛ Facilitator will introduce each comment on TAC recommendations.
- ☛ Proponents of proposed comment will speak first.
- ☛ Opponents of proposed comment will follow proponents.
- ☛ Proponents/opponents will be allowed one (1) collective brief counterpoint opportunity to address any new point(s) raised by previous speakers(s), but only if they address new points specific to the comment(s) raised by the speaker(s) and if they provide new points. No repeating of previous comments/points.
- ☛ ***Withdrawal of Comment:*** A comment on a TAC recommendation regarding a proposed code modification may be withdrawn by the proponent at any time prior to the TAC consideration of that comment.

## TAC REVIEW OF PUBLIC COMMENTS ON TACS' CODE RECOMMENDATIONS

### PROCESS

- After public input on a public comment on a TAC recommendation, the TAC will discuss the comment to determine a “sense of the TAC” through a non-binding straw poll of whether they support or do not support the comment.
- In conducting the straw polls the TAC should consider whether the public comment sufficiently addresses the TAC’s concern(s) regarding the proposed code modification, or does not address the TAC’s concern(s). 67% (two-thirds) threshold used for straw poll.
- A proposed comment shall not be considered by the TAC if it:
  - Is not legible;
  - Changes the scope of the original proposed modification and/or TAC’s recommendation regarding the modification; or,
  - Is not readily understood so that a proper assessment of its impact on the original proposed modification and/or TAC’s recommendation regarding the modification can be determined.
- TACs should not attempt to revise or amend the comments in any way.
- TAC’s comments will be submitted to the Commission as TAC’s comments on public comments submitted regarding TAC’s recommendations on proposed modifications to the Florida Building Code.
- The Commission will receive the TACs’ recommendations regarding proposed Code modifications (TAC recommendations developed during the March 2019 TAC meetings) and TAC comments on public comments submitted on TAC recommendations developed during the July 2019 TAC meetings.

The Commission will consider the TACs’ recommendations concurrent with the August 12-13, 2019 Commission meeting, conduct rule development workshops on February 4, 2020 and April 7, 2020, and conduct a rule adoption hearing on the final version of the Code on June 8, 2020.

**COMMISSION CODE MODIFICATION APPROVAL PROCESS**  
**2020 CODE UPDATE PROCESS—7<sup>TH</sup> EDITION, FLORIDA BUILDING CODE (2020)**  
**(ADOPTED UNANIMOUSLY FEBRUARY 19, 2019)**

Proposed Code modifications to the Florida Building Code will be reviewed by the Commission’s TACs in meetings conducted during the week of March 14 - 26, 2019. The TACs’ recommendations regarding proposed Code modifications will subsequently be posted to the Commission’s website for a minimum of 45 days and the public will be provided an opportunity to comment on the TACs’ recommendations during this time-frame (second 45-day review period). The TACs will meet for a second time during the week of July 8-12, 2019 to review the public comments, and provide TAC comments to the Commission regarding whether the submitted comments address their concerns regarding their recommendations on proposed code modifications (TAC feedback on public comments to the Commission). In addition, the Residential Construction Cost Impact Workgroup will review the TACs’ recommendations and provide comments regarding costs/impacts of the TACs’ recommended modifications for approval relevant to the Residential Building Code (amendments identified as impactful). These comments will be incorporated into the TACs’ consent agendas of recommendations.

The Commission will consider the TACs’ recommendations concurrent with the August, 2019 Commission meeting, conduct rule development workshops on February 4, 2020 and April 7, 2020, and conduct a rule adoption hearing on the final version of the Code on June 8, 2020.

The Commission will consider the TACs’ recommendations on two (2) consent agenda per topical code area. Any Commissioner may pull any modification for individual consideration.

After the Commission takes action on all of the proposed code modifications they will move to proceed with rule adoption for Rule 61G20-1.001(1), Florida Building Code Adopted, for the purpose of adopting approved modifications to the Florida Building Code.

The TAC’s recommendations regarding proposed code modifications for the 2020 Code Update are arranged on two (2) consent agenda as follows:

**TAC’s Recommendations are on Two Consent Agenda Per TAC (By Code Areas):**

1. **“Consent Agenda”:** Approval of consent agenda of TAC’s recommendations regarding proposed modifications that **did not receive** public comment during the comment period. The Commission votes to approve the TAC’s recommendations on the modifications as posted incorporating the findings (A – H) for those modifications recommended for approval. The Consent Agenda includes the TAC’s recommendations “For Approval”: As Modified (AM), and As Submitted (AS); and, “Against Approval”: No Affirmative Recommendation (NAR, Without Second, and Withdrawn). Standing motion to approve is in effect, a second is needed and the Commission votes in favor of the consent agenda. Commissioners should pull-off any modifications(s) that would prevent them from offering a second and approving the consent agenda.
2. **“Consent Agenda 2”:** Approval of consent agenda of TAC’s recommendations regarding proposed modifications that **received** public comment during the comment period. The Commission votes to approve the TAC’s recommendations on the modifications as posted

incorporating the findings (A – H) for those modifications recommended for approval. The Consent Agenda includes the TAC’s recommendations “For Approval”: As Modified (AM), and As Submitted (AS); and, “Against Approval”: No Affirmative Recommendation (NAR, Without Second, and Withdrawn). Standing motion to approve is in effect, a second is needed and the Commission votes in favor of the consent agenda. Commissioners should pull of any modifications(s)\* that would prevent them from offering a second and approving the consent agenda.

\* TAC chairs will pull all modifications that their respective TAC commented favorably regarding the public comment (defined as two-thirds or greater in support that the comment addresses TAC concerns and the TAC supports the public comment relative to their original recommendation). Modifications that the TAC commented on favorably are listed by TAC on a separate document (matrix). The Commission will consider all pulled modifications individually. Each individually considered modification requires a second to the standing motion to approve.

#### **COMMISSION WILL MOVE TO ADOPT FOUR (4) STANDING MOTIONS TO APPROVE:**

1. **“Consent Agenda #1”:** TAC’s recommendations regarding proposed modifications that **did not receive** public comment during the comment period.
2. **“Consent Agenda #2”:** TAC’s recommendations regarding proposed modifications that **received** public comment during the comment period.
3. **“Pulled Modifications”:** Modifications pulled-off of the consent agenda(s) by a Commissioner for individual consideration.
4. **“Correlation Issues”:** Staff’s recommendations regarding correlation issues for the 2020 Code Update.

TAC chairs will pull off any amendments that the TAC’s provided a favorable comment on that would change the TAC’s original recommendation on the modification (comments considered during the TAC’s public comment review process).

Any Commissioner may pull any amendment for individual consideration based on public comment(s) (submitted in writing or verbally). Standing motion to approve is in effect. Second to discuss and vote for each modification considered individually. If no second offered, motion dies for lack of second (modification is deemed not approved).

1. Commissioners decide whether to pull any modification(s) based on public comment.
2. Approval of the two (1 - 2) consent agendas as amended by the Commission (minus any modifications pulled for individual consideration). Standing motion to approve is in effect. Second offered and then a vote.
3. Commission consideration of modifications pulled for individual consideration.

## STANDING MOTION TO APPROVE TAC'S RECOMMENDATIONS

1. Motion to approve the consent agenda(s) of the modifications that did not receive public comments as recommended by the Technical Advisory Committee's (TAC's), and amended by the FBC, based on the following findings:
  - G. The modification is needed in order to accommodate the specific needs of this state; and
  - H. The modification has a reasonable and substantial connection to the health, safety, and welfare of the general public; and
  - I. The modification strengthens or improves the Florida Building Code, or in the case of innovation or new technology, will provide equivalent or better products or methods or systems of construction; and
  - J. The modification does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities; and
  - K. The modification does not degrade the effectiveness of the Florida Building Code; and
  - L. The modification has the following fiscal impact (a fiscal impact statement that documents the costs and benefits of the proposed amendment):
    1. The fiscal impact of enforcement imposed upon local government is as indicated by the proponent.
    2. The fiscal impact of compliance imposed upon building and property owners is as indicated by the proponent.
    3. The fiscal impact of compliance imposed upon industry is as indicated by the proponent.
    4. The fiscal impact of compliance imposed upon small business is as indicated by the proponent.

**G. The modification's benefits noted with regard to fiscal impact and efficacy outweigh the costs imposed.**

**H. The modification does not diminish requirements related to wind resistance or prevention of water intrusion contained in the Code or its referenced standards and criteria.**
2. Motion to approve the consent agenda(s) of the modifications that received public comment(s) as recommended by the Technical Advisory Committee's (TAC's), and amended by the FBC, based on the above findings (A – H).
3. Motion to approve each amendment pulled off of the consent agendas of TAC recommendations for individual consideration, based on the above findings (A – H).
4. Motion to approve consent agenda of Staff's recommendations regarding correlation issues for the 2020 Code Update.

## **FBC CODE MODIFICATION REVIEW PROCESS—2020 CODE UPDATE REVIEW AND CONSIDERATION PROCESS**

- ☛ Facilitator will serve as the moderator, and assist with adopted process and groundrules.
- ☛ One person speaks at a time.
- ☛ Limit your comment and be concise.
- ☛ Comments will be limited to a maximum of three-minutes (3) per person.
- ☛ Do not read lengthy prepared statements; Summarize and submit complete text of comment for the record.
- ☛ Offer new points and/or state agreement with previous speakers; Please do not repeat what has been stated.
- ☛ Chair/Facilitator may terminate a comment if it is repeating previous comments, and not simply stating agreement or offering new points.
- ☛ The FBC wants to hear all view-points to ensure all perspectives are considered, and not repeats of the same views.
  
- ☛ Facilitator will introduce consent agenda of modifications by Code area.
- ☛ Public will speak to any modifications they wish the Commission to consider individually.
- ☛ Standing motion to approve will be in effect.
- ☛ Commissioner(s) will decide which, if any, modifications to pull for individual consideration.
- ☛ Clarifying questions by FBC members only.
- ☛ FBC will vote in favor of the Standing Motion(s) to Approve (found on previous page) as and/or if amended prior to considering proposed modifications.
- ☛ Once a motion (second to the standing motion) is on the floor, discussion is limited to FBC members except as allowed by the Chair.

### **MODIFICATIONS PULLED FOR INDIVIDUAL CONSIDERATION**

- ☛ Standing motion(s) to approve will be in effect, a second is required in order to vote for the modification(s)—By Commission rule only motions to approve may be considered.
- ☛ All modifications not voted for on a consent agenda must be voted on individually.
- ☛ Any modification considered individually that does not receive a second is deemed not approved due to a failure to receive a second.

Motions require a 75% favorable vote for approval; those with less than a 75% favorable vote, are deemed not approved.