



# FLORIDA BUILDING COMMISSION

"STRONGER CODES THROUGH SCIENCE AND CONSENSUS"



**FACILITATOR'S SUMMARY REPORT OF THE  
APRIL 16, 2019  
FLORIDA BUILDING COMMISSION MEETING  
GAINESVILLE, FLORIDA**

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



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FLORIDA BUILDING COMMISSION

APRIL 16, 2019 FACILITATOR’S MEETING SUMMARY REPORT

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**FLORIDA BUILDING COMMISSION**  
**APRIL 16, 2019 FACILITATOR'S SUMMARY REPORT**



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

**TUESDAY, APRIL 16, 2019**

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

At the April 16, 2019 meeting conducted in Gainesville 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. In addition, the Commission received a briefing on relevant 2019 Legislative Session issues, and on Binding Interpretation #172. Specific actions included voting to: 1.) Narrow the scope of Commission funding of research projects for fiscal year 2019/2020 to hurricane resistant research; 2.) Approve the updated Workplan/Schedule for the 2020 Code Update Process—7<sup>th</sup> Edition, Florida Building Code (2020); 3.) Approve Energy Code Compliance Software for the 6<sup>th</sup> Edition (2017) Florida Building Code, Energy Conservation, specifically the updated Energy Gauge Summit 6.10 for demonstrating compliance with commercial building energy requirements; 4.) Accept UF's Interim Report titled: "Survey and Investigation of Buildings Damaged by Hurricane Michael;" and, 5.) Adopt the Summary of Issues for inclusion in the Commission's Fiscal-Year 2018 - 2019 Annual Report.

*(Attachment 1—Meeting Evaluation Results)*

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

Acting Chair Schock welcomed the Commission, DBPR staff and the public to Gainesville and the April 16, 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 April meeting was to approve the Summary of Issues for inclusion in the FY 2018/2019 Annual Report.

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, April 16, 2019 meeting in Gainesville:

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

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

#### *Absent Commissioners:*

Hamid Bahadori, Nan Dean, and Brian Langille.

### **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 April 16, 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 Receive Update regarding the 7<sup>th</sup> Edition (2020) Florida Building Code Workplan.
- To Consider/Approve Energy Code Compliance Software for the 6<sup>th</sup> Edition (2017) Florida Building Code, Energy Conservation.
- To Receive Briefing on Binding Interpretation # 172.
- To Review/Accept Interim Report Regarding Survey of Buildings Damage By Hurricane Michael.
- To Review/Approve Summary of Issues for FBC FY 2018-2019 Annual Report.
- 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—June 18, 2019 in Sarasota, Florida.

*Amendments to the Posted Agenda:*

There were no amendments to the posted agenda.

*(Attachment 4—April 16, 2019 Commission Agenda)*

**V. APPROVAL OF THE FEBRUARY 19, 2019 FACILITATOR’S SUMMARY REPORT AND MEETING MINUTES, AND THE MARCH 15, 2019 TELECONFERENCE MEETING MINUTES**

**MOTION**—The Commission voted unanimously, 23 - 0 in favor, to approve the February 19, 2019 Facilitator’s Summary Report and Meeting Minutes, and the March 15, 2019 Teleconference 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 April 16, 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.

**Scope of Funding for Research Projects for FY 2019/2020**

Tom reported that originally Commission funding of research projects was limited to hurricane resistant research, and subsequently the scope was expanded to include other Code related topical areas. In discussions with the Acting Chair, and based on the recent impacts of hurricanes to Florida, staff

recommended that the Commission consider whether to narrow the scope of funding research projects back to hurricane resistant research for fiscal year 2019/2020.

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, 22 – 1 in favor, to narrow the scope of Commission funding of research projects for fiscal year 2019/2020 to hurricane resistant research.

**Future Meetings**

**Future 2019 Commission Meeting Dates**

Tom reported that the June meeting is scheduled for June 18, 2019 in Sarasota, and the August 2019 Commission meeting is scheduled for August 13-14, 2019 in Hutchison Island.

The TAC's July 2019 review of public comments on TAC's Code modification recommendations meetings will either be by teleconference or in-person July 9-10, 2019 at the Gainesville UF Hilton. Staff will advise which TACs will meet when once the schedule is finalized.

**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. Jason St-Fleur, Esq. – Waiver 368 - 152 NE 167 Street, Suite 300, North Miami Beach 33162**

**MOTION**—The Commission voted unanimously, 23 – 0 in favor, to defer action on the waiver for additional information.

**2. Ultrafast Systems – Waiver 303 - 8330 Consumer Court, Sarasota 34240**

**MOTION**—The Commission voted unanimously, 23 – 0 in favor, to deny the Waiver Application for vertical accessibility to the second floor.

**3. Zayco Offices – Waiver 366 - 2523 Hershel Street, Jacksonville 32204**

**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 economic hardship.

**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, 22 - 0 in favor, to approve the consent agenda of product approval entities (22) as posted/presented.

*MOTION*—The Commission voted unanimously, 22 - 0 in favor, to approve the consent agenda of products (134) 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, 22 – 0 in favor, to approve product FL 16854-R10.

*MOTION*—The Commission voted unanimously, 22 – 0 in favor, to approve product FL 17097-R6.

*MOTION*—The Commission voted unanimously, 22 – 0 in favor, to approve product FL 17098-R6.

*MOTION*—The Commission voted unanimously, 22 – 0 in favor, to defer action on product FL 17168-R2, at the applicant’s request.

*MOTION*—The Commission voted unanimously, 23 – 0 in favor, to approve product FL 19709-R1.

*MOTION*—The Commission voted unanimously, 23 – 0 in favor, to conditionally approve products FL 28851, FL 28852, FL 28853, FL 28854, FL 28855, and FL 28856 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 April 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 Flanagan 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, 23 – 0 in favor, to approve advanced accredited course numbers: 930.0, 931.0, 929.0, 928.0, 927.0, 926.0, and 925.0.

*MOTION*—The Commission voted unanimously, 23 – 0 in favor, to approve administratively approved updated courses numbers: 421.5, 365.3, 394.3, 444.3, and 373.2.

*MOTION*—The Commission voted unanimously, 23 – 0 in favor, to conditionally approve administratively approved self-affirmed course with one change number: 823.0.

*(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 April 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.

### **DS 2019-007 by Derek Wiechmann of City of Ocala Growth Management Building Division.**

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

### **2. DS 2019-014 by Allen Finfrock of Finfrock DMC.**

*Motion*—The Commission voted unanimously, 23 - 0 in favor, to approve the Fire TAC’s recommendation on the Petition, to defer action on the Petition to allow the Petitioner to provide additional information regarding the type of evaluation and testing performed on the access panel in question and photographs of the area where the access panel is to be placed. The Petitioner waived the 90-day response time requirement.

## **XIII. APPROVAL OF THE UPDATED 7<sup>TH</sup> EDITION (2020) FLORIDA BUILDING CODE DEVELOPMENT WORKPLAN**

Acting Chair Shock noted that Mo Madani would provide an update regarding the Workplan/Schedule for the development of the 2020 Code Update Process—7<sup>th</sup> Edition, Florida Building Code (2020).

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, 21 – 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. APPROVAL OF ENERGY CODE COMPLIANCE SOFTWARE FOR THE 6<sup>TH</sup> EDITION (2017) FLORIDA BUILDING CODE, ENERGY CONSERVATION**

Acting Chair Schock indicated that periodically the Commission is requested to consider approval of Energy Code Compliance Software for specific editions of the Florida Building Code, Energy Conservation. The Acting Chair noted that the Commission was being asked to approve Energy Code Compliance Software for the 6<sup>th</sup> Edition (2017) Florida Building Code, Energy Conservation, specifically the updated Energy Gauge Summit 6.10 for demonstrating compliance with commercial building energy requirements for the 6<sup>th</sup> Edition (2017) Florida Building Code. The Acting Chair requested that Commissioner Smith provide the Energy TAC’s recommendations, and Drew Smith, Energy TAC chair, reported that the Energy TAC met on April 2, 2019 and reviewed the Florida Solar Energy Center’s (FSEC), updated Energy Gauge Summit 6.10 for demonstrating compliance with commercial building energy requirements for the 6<sup>th</sup> Edition (2017) Florida Building Code, and is recommending 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, 22 – 0 in favor, to approve the Energy Code Compliance Software for the 6<sup>th</sup> Edition (2017) Florida Building Code, Energy Conservation, specifically the updated Energy Gauge Summit 6.10 for demonstrating compliance with commercial building energy requirements.

**XV. BRIEFING ON BINDING INTERPRETATION #172**

Acting Chair Schock reported that Binding Interpretation #172 was petitioned by Creative World School regarding the Collier County Building Official’s interpretation pursuant to Section 604.8.1.7 of the Florida Building Code, Accessibility. The issue involves a petition for a binding interpretation on the BO’s interpretation and requirement to provide a lavatory within a single user toilet room for the project in question. Mo Madani provided a briefing for the Commission and answered members’ questions. Mo reported that the Binding Interpretation Panel ruled that Section 604.8.1.7 of the FACBC does not require the lavatory to be within the single user toilet room for facilities that are serving children up to 12 years old, and the lavatory can be located outside of the toilet room to meet the specific programmatic needs of the facility.

**XVI. ACCEPTANCE OF UF’S INTERIM REPORT TITLED: SURVEY AND INVESTIGATION OF BUILDINGS DAMAGED BY HURRICANE MICHAEL**

Acting Chair Schock noted 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.

At the December 11, 2018 meeting the Commission received UF’s presentation/report regarding Hurricane Michael Initial Triage Damage Assessment effort, and voted to accept the Report and approved 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.

Dr. Prevatt reported on Hurricane Michael Phase II activities by presenting the Interim Draft Report titled: “Survey and Investigation of Buildings Damaged by Hurricane Michael.” Following the Report the Commission would be provided an opportunity for questions/answers and comments, and then the Commission will move to accept the Interim Draft Report.

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 accept UF’s Interim Draft Report titled: “Survey and Investigation of Buildings Damaged by Hurricane Michael.”

## **XVII. APPROVAL OF SUMMARY OF ISSUES FOR INCLUSION IN THE COMMISSION'S FISCAL YEAR 2018/2019 ANNUAL REPORT**

Acting Chair Schock explained that each year the Commission reviews a Draft Summary of Issues for inclusion in the Commission's Fiscal Year Annual Report at the April meeting, and a draft Report to the Legislature for approval at the June meeting. Jeff Blair reviewed the issues for inclusion in the Commission's Fiscal Year 2018 - 2019 Annual Report with the Commission, and answered members' questions.

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

### ***Commission Actions:***

**MOTION**—The Commission voted unanimously, 23 – 0 in favor, to adopt the Summary of Issues for inclusion in the Commission's Fiscal Year 2018 - 2019 Annual Report.

## **XVIII. 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 April 16, 2019 Agenda):

[http://www.floridabuilding.org/fbc/commission/FBC\\_0419/index.htm](http://www.floridabuilding.org/fbc/commission/FBC_0419/index.htm).

### **Accessibility TAC**

Commissioner Gross presented the TAC's reports and recommendations.

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

**MOTION**—The Commission voted unanimously, 23 – 0 in favor, to accept the TAC's reports as presented/posted (March 14, 2019, and March 29, 2019).

### **Code Administration TAC**

Commissioner Gerwig 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 (March 20, 2019).

### **Education POC**

Commissioner Flanagan 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 (April 5, 2019).

### **Electrical TAC**

Commissioner Flanagan 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 (March 22, 2019).

### **Energy TAC**

Commissioner Smith presented the TAC's reports and recommendations.

#### *Commission Action:*

*MOTION*—The Commission voted unanimously, 23 – 0 in favor, to accept the TAC's reports as presented/posted (March 7, 2019, March 21, 2019, and April 2, 2019).

### **Fire TAC**

Commissioner Bahadori presented the TAC's reports and recommendations.

#### *Commission Action:*

*MOTION*—The Commission voted unanimously, 22 – 0 in favor, to accept the TAC's reports as presented/posted (March 18, 2019, and April 4, 2019).

### **Mechanical TAC**

Commissioner Calleja presented the TAC's reports and recommendations.

#### *Commission Action:*

*MOTION*—The Commission voted unanimously, 22 – 0 in favor, to accept the TAC's reports as presented/posted (March 7, 2019, and March 21, 2019).

### **Plumbing TAC**

Commissioner Schilling 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 (March 14, 2019).

### **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 and Facilitator's summary report as presented/posted (April 4, 2019).

### **Roofing TAC**

Commissioner Swope 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 (March 20, 2019).

### **Special Occupancy TAC**

Commissioner Whitehead 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 (March 26, 2019).

### **Structural TAC**

Commissioner Schock presented the TAC's reports and recommendations.

#### *Commission Action:*

**MOTION**—The Commission voted unanimously, 23 – 0 in favor, to accept the TAC's reports as presented/posted (March 15, 2019, March 19, 2019, and April 2, 2019).

### **Swimming Pool TAC**

Commissioner Batts presented the TAC's reports and recommendations.

#### *Commission Action:*

**MOTION**—The Commission voted unanimously, 23 – 0 in favor, to accept the TAC's reports as presented/posted (March 22, 2019).

## **OTHER COMMISSION ACTIONS**

There were no additional Commission actions taken during the April 16, 2019 meeting.

## **STAFF ASSIGNMENTS FROM THE APRIL 16, 2019 MEETING**

There were no staff assignments resulting from the April 16, 2019 Commission meeting.

## **XIX. 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.

## **XX. 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:*

- Brad Schiffer: asked whether there was a lobbyist for the Commission, and could they seek funding for the Commission's assignment pursuant to SB 1610.

- Tom Campbell: responded that DBPR has a lobbyist, and that staff had provided information on the assignment, and that it was provided to legislative staff.
- Kevin Flanagan: asked whether the FLAIA rule challenge and subsequent appeal was resolved.
- Justin Vogel: reported that the matter was resolved in October 2018.
- Don Brown: noted that SB 1610 could be passed out of only one chamber, and still be considered by the full Legislature. Don noted that there was a better than even chance that the Bill would pass.

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

The June 18, 2019 meeting in Sarasota 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 11:03 AM on Tuesday, April 16, 2019.

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

**APRIL 16, 2019—GAINESVILLE, 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.
- 9.9 \_\_\_ The agenda packet was very useful.
- 9.9 \_\_\_ 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.**

- 9.9 \_\_\_ 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.
- 9.9 \_\_\_ Legal Report Briefing.
- 9.8 \_\_\_ Petitions for Declaratory Statements.
- 9.8 \_\_\_ 7<sup>th</sup> Edition (2020) Florida Building Code Workplan Update.
- 9.8 \_\_\_ Energy Code Compliance Software 6<sup>th</sup> Edition (2017) FBC, Energy Conservation Approval.
- 9.9 \_\_\_ Binding Interpretation # 172 Briefing.
- 9.9 \_\_\_ Interim Report Regarding Survey of Building Damage By Hurricane Michael Acceptance.
- 9.8 \_\_\_ Summary of Issues for FBC FY 2018-2019 Annual Report Approval.
- 9.8 \_\_\_ 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.
- 9.8 \_\_\_ 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.**

- Clarity of issues.
- Timing.

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

- Access to plans on declaratory statements and accessibility waiver applications.
- I had difficulty understanding what was being said: too much bass. Adjusting my hearing aids did not solve the issue.
- Add speakers for the front half of the room.
- Provide water.

**8. OTHER GENERAL COMMENTS.**

- Great work!
- Good job Jeff.

**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**  
**APRIL 16, 2019 MEETING AGENDA**

**FLORIDA BUILDING COMMISSION**  
**PLENARY SESSION**  
**APRIL 16, 2019**  
**HILTON UNIVERSITY OF FLORIDA CONFERENCE CENTER**  
**1714 SW 34<sup>TH</sup> STREET**  
**GAINESVILLE, FLORIDA 32607**

***MEETING OBJECTIVES***

- To Approve Regular Procedural Topics (Agenda and Minutes).
- To Consider/Decide on Chair's Discussion Issues/Recommendations.
- To Consider/Decide on Executive Director Announcements and Discussions.
- To Consider/Decide on Accessibility Waiver Applications.
- To Consider/Decide on Approvals and Revocations of Products and Product Approval Entities.
- To Consider Applications for Accreditor and Course Approval.
- To Receive a Briefing Regarding Legal Report.
- To Consider/Decide on Petitions for Declaratory Statements.
- To Receive Update regarding the 7<sup>th</sup> Edition (2020) Florida Building Code Workplan.
- To Consider/Approve Energy Code Compliance Software for the 6<sup>th</sup> Edition (2017) Florida Building Code, Energy Conservation.
- To Receive Briefing on Binding Interpretation # 172.
- To Review/Accept Interim Report Regarding Survey of Buildings Damage By Hurricane Michael.
- To Review/Approve Summary of Issues for FBC FY 2018-2019 Annual Report.
- 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—June 18, 2019 in Sarasota, Florida.

**COMMISSION COMMITTEES—ON-SITE AND TELECONFERENCE MEETINGS**

March 7, 2019	10:00 a.m.	Mechanical Technical Advisory Committee
March 7, 2019	10:00 a.m.	Energy Technical Advisory Committee
March 14, 2019	10:00 a.m.	Accessibility Technical Advisory Committee
March 14, 2019	1:00 p.m.	Plumbing Technical Advisory Committee
March 15, 2019	11:00 a.m.	Structural Technical Advisory Committee
March 15, 2019	2:00 p.m.	Legislative Update – Commission
March 18, 2019	8:00 a.m.	Fire Technical Advisory Committee <i>[On-Site]</i>
March 19, 2019	8:00 a.m.	Structural Technical Advisory Committee <i>[On-Site]</i>
March 20, 2019	8:00 a.m.	Code Administration Technical Advisory Committee <i>[On-Site]</i>
March 20, 2019	9:30 a.m.	Roofing Technical Advisory Committee <i>[On-Site]</i>
March 21, 2019	8:00 a.m.	Mechanical Technical Advisory Committee <i>[On-Site]</i>
March 21, 2019	1:30 p.m.	Energy Technical Advisory Committee <i>[On-Site]</i>
March 22, 2019	8:00 a.m.	Electrical Technical Advisory Committee <i>[On-Site]</i>

March 22, 2019	10:30 a.m.	Swimming Pool Technical Advisory Committee <i>[On-Site]</i>
March 26, 2019	9:00 a.m.	Special Occupancy Technical Advisory Committee <i>[On-Site]</i>
March 29, 2019	10:00 a.m.	Accessibility Technical Advisory Committee
April 2, 2019	10:00 a.m.	Energy Technical Advisory Committee
April 2, 2019	2:00 p.m.	Structural Technical Advisory Committee
April 3, 2019	2:00 p.m.	Accessibility Advisory Council
April 4, 2019	10:00 a.m.	Product Approval Program Oversight Committee
April 4, 2019	2:00 a.m.	Fire Technical Advisory Committee
April 5, 2019	10:00 a.m.	Education Program Oversight Committee

**COMMISSION COMMITTEES MEETINGS—ON SITE**

<b>TUESDAY, APRIL 16, 2019</b>	
<b>Following FBC Plenary</b>	Fenestration Water Resistance Workgroup

**MEETING AGENDA—APRIL 16, 2019**

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

<b>8:30 a.m.</b>	<b>1.)</b>	<b>Welcome and Opening, Roll Call</b>
	<b>2.)</b>	<b>Review and Approval of Meeting Agenda</b>
	<b>3.)</b>	<b>Review and Approval of Previous Meeting Minutes and Facilitator Report for (February 19, 2019) Legislative Update Minutes (3/15/19)</b>
	<b>4.)</b>	<b>Chair’s Discussion Issues:</b>
	<b>5.)</b>	<b>Executive Director Announcements and Discussions:</b>  <b>Legislative Update:</b>  <b>Future Meetings:</b>
	<b>6.)</b>	<b>Accessibility Waiver Applications: (Accessibility Advisory Council Report)</b> <b>1. Jason St-Fleur, Esq. – Waiver 368 - 152 NE 167 Street, Suite 300, North Miami Beach 33162 - Issue: Vertical accessibility to the second floor. Staff Analysis</b> <b>2. Ultrafast Systems – Waiver 303 - 8330 Consumer Court, Sarasota 34240 - Issue: Vertical accessibility to the second floor. Staff Analysis</b> <b>3. Zayco Offices – Waiver 366 - 2523 Hershel Street, Jacksonville 32204 - Issue: Vertical accessibility to the second floor. Staff Analysis</b>
	<b>7.)</b>	<b>Applications for Product (2017) and Entity Approval</b>
	<b>8.)</b>	<b>Applications for Accreditor and Course Approval</b>
	<b>9.)</b>	<b>Legal Report</b>
	<b>10.)</b>	<b>1. DS 2019-007 by Derek Wiechmann of City of Ocala Growth Management Building Division</b> <b>2. DS 2019-014 by Allen Finfrock of Finfrock DMC</b>

11.)	7 <sup>th</sup> Edition, Florida Building Code (2020) Update – Workplan Status
12.)	Consideration and Approval of Energy Code Compliance Software for the 6 <sup>th</sup> Edition (2017) Florida Building Code, Energy Conservation
13.)	Biding Interpretation # 172 – Petitioned by Creative World School Three Oaks LLC
14.)	To Review and Accept Interim draft Report for research project titled “Survey and Investigation of Buildings Damaged by Hurricane Michael”
15.)	Review and Approval of Summary of Issues for Inclusion in the FBC FY 2018-2019 Annual Report
16.)	Committee Reports:
	Accessibility Technical Advisory Committee (3/14/19 and 3/29/19) Code Administration Technical Advisory Committee (3/20/19) Education Program Oversight Committee (4/5/19) Electrical Technical Advisory Committee (3/22/19) Energy Technical Advisory Committee (3/7/19, 3/21/19 and 4/2/19) Fire Technical Advisory Committee (3/18/19 and 4/4/19) Mechanical Technical Advisory Committee (3/7/19 and 3/21/19) Plumbing Technical Advisory Committee (3/14/19) Product Approval Program Oversight Committee (4/4/19) Roofing Technical Advisory Committee (3/20/19) Special Occupancy Technical Advisory Committee (3/26/19) Structural Technical Advisory Committee (3/15/19, 3/19/19 and 4/2/19) Swimming Pool Technical Advisory Committee (3/22/19)
17.)	Commissioner Comment
18.)	Public Comment
19.)	Adjourn Commission Plenary Session

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

(UPDATED APRIL 16, 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 <a href="#">TAC meeting schedule</a>	<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 (Total mods – 1058; AS – 664; AM – 25; NAR – 339; and W – 30) Starting date for the 2 <sup>nd</sup> 45 day comment period	4/12/2019
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 TACs/Commission on impactful code changes. RCCIWG meeting – on-site meeting (Gainesville)	5/6/2019
2 <sup>nd</sup> 45 day comment period ends ( <i>by law – 45 day min before Commission review</i> )	5/26/2019
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 (Gainesville) and 2 – day via conference/webinar] – <i>As needed and as applicable</i>	7/9-12/2019
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

### SUMMARY OF ISSUES FOR COMMISSION'S FY 2018/19 ANNUAL REPORT

#### I. SUMMARY OF ISSUES AND RECOMMENDATIONS

**MEETINGS.** During the reporting period of July 1, 2018 – June 30, 2019 (fiscal year 2018 – 2019) the Commission conducted six on-site meetings and two teleconference participation meetings. During the period the Commission conducted on-site meetings in Coral Gables, Sarasota, Tampa, Jacksonville, Gainesville, and a second meeting in Sarasota.

**OVERVIEW.** The primary focus of the Florida Building Commission during the reporting period was proceeding with the development of the 7<sup>th</sup> Edition (2020) Florida Building Code.

The 2017 Legislature enacted amendments to Section 553.73, F.S. with regard to the triennial Code update and amendment process. Specifically, the Commission is no longer required to adopt the most recent version of the Model Codes (I-Codes) as the foundation for the updated Florida Building Code, and instead the triennial update process now requires the Commission to review the Model Codes and then decide which provisions are needed to accommodate the specific needs of this State (Florida), with certain exceptions. As a result the Florida Building Code, 6<sup>th</sup> Edition (2017) serves as the “base code” for the 2020 Code Update Process. The Commission is proceeding with the Code Update process, and on October 8, 2018 adopted their package of approved 2018 I-Code changes for inclusion into the 7<sup>th</sup> Edition, Florida Building Code (2020).

As previously reported, 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 7<sup>th</sup> Edition (2020) Florida Building Code. The Administrative Law Judge (ALJ) assigned by the Division of Administrative Hearings (DOAH) ruled that the challenged provisions of Rule 61G20-2.002(2) are a valid exercise of delegated authority as to the objections raised, and the Petition was dismissed. Subsequently, the FAIA filed an appeal to the Florida First District Court of Appeal, and on October 26, 2018 the Court ruled to affirm DOAH’s ruling in favor of the Florida Building Commission. With the challenge and appeal resolved the Commission continues to proceed with the Code Update process for the 7<sup>th</sup> Edition, Florida Building Code (2020) per the Commission’s adopted 2020 Code Update Scope of Work and Workplan/Schedule.

Entering its twenty-first year, the Commission is focused primarily on the maintenance of existing processes and programs, while continuing to work with stakeholders to enhance the effectiveness of the Florida Building Code System by continuously monitoring, evaluating, and refining the System.

**PROCESS.** During the reporting period the Commission continued their focus on consensus-building efforts regarding the implementation of Commission policy, with extensive input from building construction industry stakeholders, and interests affected by Commission policy. Commission Chair Jay Carlson, and acting Chair Jim Schock encouraged and led the Commission’s consensus-building efforts supported by DBPR. To this end, the Commission convened one special issue project in collaboration

with impacted building construction industry stakeholders. Finally, the Commission, staff, and stakeholders were saddened by the passing of Commission Chair Jay Carlson on December 7, 2018.

**RESEARCH—SCIENCE BASED HURRICANE AND CODE PROTECTIONS.** The Florida Building Commission has continuously assessed building systems and component failures identified after major storms since its inception in 1998, and in response has funded research to strengthen the Code’s effectiveness against wind and water intrusion based on these assessments. Assessments subsequent to the implementation of the Florida Building Code indicate that the research based design wind speeds required by the Code’s enhancements were adequate, and buildings built to the new Florida Building Code experienced less severe damage than did older buildings not built to the Florida Building Code.

The Code establishes minimum requirements to protect newly constructed buildings from wind, rain, flood and storm surge based on well-researched and continually-evolving engineering standards for buildings and the products that go into their construction. In addition to conducting research, developing state of the art hurricane resistance standards and integrating those standards in the Code at each revision cycle, the Commission seeks to be up-to-date with current national engineering and product standards within the Code. As with each subsequent version, the Florida Building Code, Sixth Edition (2017) maintains this commitment, and the Commission will ensure that the 7<sup>th</sup> Edition (2020) Florida Building Code does the same.

The Commission has been funding hurricane resistance research based on legislatively approved spending authority since the formation of the Commission’s Hurricane Research Advisory Committee in January of 2005. The Commission currently funds research projects pertaining to hurricane resistance and other Code related topical areas to ensure the development of Code amendments that make Florida’s structures, and the products that comprise them, more resistant.

During the reporting period—based on recommendations from the Commission’s technical advisory committees (TACs)—the Commission approved the funding of research projects for fiscal year 2018 - 2019 as recommended by the TACs’ chairs on the basis that the approved projects met the three criteria for funding: 1.) definition of research and/or technical enrichment, 2.) urgency/immediacy, and needed for the 2020 FBC and/or legislative directive, and 3.) funding available (full or partial); and were approved for funding based on the TAC chairs’ recommendations, and staff administering and overseeing the research, and negotiating scoping and contracting as appropriate.

As a result of evaluating proposed research projects in the context of the key evaluation criteria, the Commission sponsored important research projects on the following topics: a quantitative and economic analysis of the 7th Edition Florida Building Code, Energy Conservation; a study on the energy impacts of dehumidifier configuration; accessibility studies on bed height, and adult changing tables; a study on sea-level rise and changing rainfall on the Florida Building Code; study on removing ventilation from attics; and, a study assessing the performance of vinyl siding and soffits following premature failures in Hurricane Irma. In addition, the Commission approved convening a workgroup to evaluate fenestration water resistance performance using existing funds.

Finally, during the reporting period the Commission continued its commitment to evaluating and amending the Code as needed based on storm damage investigations, and at the December 11, 2018 meeting received and accepted a briefing from the University of Florida (UF) regarding preliminary assessments of the impact of Hurricane Michael on the State pursuant to the scope of an ongoing contract with DBPR/FBC. At the meeting UF reported on the results of their Hurricane Michael Initial

Triage Damage Assessment. In addition, based on the briefing the Commission voted to authorize DBPR staff to approve using existing funds to expand the Scope of Work (SOW) for the contract 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. Of interest, the initial analysis suggests houses built to the Florida Building Code performed better than those that were not built to the FBC, and in all categories.

**CODE UPDATE.** Florida law requires the Commission to update the Florida Building Code every three years, and the Florida Building Code, 6<sup>th</sup> Edition (2017) represented the fifth update of the Code. The implementation of the Florida Building Code, 6<sup>th</sup> Edition (2017) ensured that Florida’s Energy Code efficiencies were maintained as required.

The 2020 Code Update process reflects changes pursuant to 2017 legislation requiring that the Florida Building Code, 6<sup>th</sup> Edition (2017) serve as the “base code” for the 2020 Code Update Process. The 2020 Code Update Process began on October 10, 2017 when the Commission voted to select the 2018 International Codes, and 2017 NEC for review in the development of the 7<sup>th</sup> Edition (2020) Florida Building Code. At the August 2018 meeting the Commission voted to approve the Commission’s Review Process for 2018 I-Code Changes, and at the October meeting reviewed the TACs’ recommendations, and voted to adopt their package of approved 2018 I-Code changes for inclusion into the 7<sup>th</sup> Edition, Florida Building Code (2020).

At the February 2019 meeting the Commission voted to approve the TACs’ Code modification review and approval process, the TAC review process for public comments on TACs’ Code modification recommendations, and the Commission’s Code modification approval process for the 2020 Code Update Process—7<sup>th</sup> Edition, Florida Building Code (2020). During the period ranging from March 14, 2019 through March 26, 2019 the Commission’s eleven technical advisory committees met to develop recommendations to the Commission regarding proposed Code modifications for inclusion in the 7<sup>th</sup> Edition, Florida Building Code (2020), and subsequently during the period of July 8-12, 2019 the TACs will meet to provide comments to the Commission regarding public comments received on the TACs’ Code modification recommendations.

During the August 2019 meeting the Commission will decide on the TACs’ Code modification recommendations, and vote to adopt the 7<sup>th</sup> Edition, Florida Building Code (2020). The process will conclude when the 7<sup>th</sup> Edition (2020) Florida Building Code becomes effective on December 31, 2020. Following is a table reflecting the key tasks and associated schedule for the 2020 Code Update Process:

<b>FLORIDA BUILDING CODE, 7<sup>TH</sup> EDITION (2020) DEVELOPMENT SCHEDULE</b>	
<b>KEY TASKS</b>	<b>SCHEDULE</b>
Commission selects 2018 I Codes “model codes” and 2017 NEC to conduct its review.	October 10, 2017
TACs review the changes to the I Codes and make recommendations to the Commission regarding those changes that are needed to accommodate the specific needs of this state.	June 7-22, 2018
Commission considers TACs’ recommendations regarding the latest changes to the model codes that are needed to accommodate the specific needs of this state.	October 8-9, 2018

TACs consider proposed modifications (1 <sup>st</sup> 45 day comment period)	March 14-26, 2019
TACs consider public comments on their actions on the proposed modifications.	July 8-12, 2019
Commission considers TAC's recommendations (2 <sup>nd</sup> 45 day comment period).	August 12-13, 2019
Commission conducts rule development workshop on the Commission's package of approved Code modifications for the 7 <sup>th</sup> Edition (2020) FBC.	February 4, 2020 April 7, 2020
Final rule adoption hearing on 7 <sup>th</sup> Edition (2020) Florida Building Code—Commission approves final version of the Code.	June 8, 2020
Florida Building Code, 7 <sup>th</sup> Edition (2020) Effective Date.	December 31, 2020

**ENERGY CODE INITIATIVES.** During the reporting period, the Commission will vote to certify that the commercial building and residential building provisions of the proposed 7<sup>th</sup> Edition (2020) Florida Building Code, Energy Conservation, will meet the relevant current standards for energy efficiency.

In addition the Commission voted to approve Energy Code Compliance Software as follows:

- To conditionally\* approve Energy Code Compliance Software for the 6<sup>th</sup> Edition (2017) Florida Building Code, Energy Conservation, specifically Integrated Environmental Solutions', IESVE software for demonstrating compliance with commercial buildings energy requirements using the ASHRAE Energy Cost Budget Method. Conditioned on IES revising the software pursuant to addressing the specified conditions.

\* *Conditional approvals revert to approvals once the conditions of approval are met.*

**PRODUCT APPROVAL.** The product approval system is an internet-based system operated and administered by the Department of Business and Professional Regulation. Since January 1, 2014 DBPR staff has been administering the Product Approval System, and stakeholders report a high level of satisfaction with DBPR staff's administration of the System.

The Product Approval system efficiently processes hundreds of applications monthly. The Commission's Product Approval Program Oversight Committee (POC) convenes prior to every Commission meeting to review product and entity applications, address petitions for declaratory statements and consider enhancements to the product approval system. Since the system went into effect in October 2003, the Commission has approved 31,545 product applications, and 138,439 products for statewide use within limitations established by the approvals. In addition, the total number of product approval applications approved to the 2017 Code is 4,921, the total number of products approved to the 2017 Code is 20,183, and the total number of entities approved to the 2017 Code is 117.

**EDUCATION.** Education is one of the cornerstones of the Building Code System, and the effectiveness of the Building Code depends on the knowledge of professionals who design and construct buildings. The Commission continues to work with the Department of Business and Professional Regulation and representatives of the licensing boards to establish a cooperative system for approving building code courses and integrating building code continuing education into licensing requirements. In collaboration with the System Administrator and stakeholders, the Commission is working to ensure the accountability and efficacy of the Education System. During the reporting period the Commission continued to efficiently review and approve course and accreditor applications.

**RESIDENTIAL CONSTRUCTION COST IMPACT WORKGROUP.** The Workgroup was convened in 2018 at the request of residential construction stakeholders in order to provide the technical advisory committees (TACs) and Commission with information regarding the cost of changes to the International Residential Code (IRC) and proposed modifications to the updated Code. The Workgroup's first task was to provide recommendations regarding the 2018 IRC and proposed modifications to the 6<sup>th</sup> Edition (2017) Florida Building Code for development of the 7<sup>th</sup> Edition (2020) Florida Building Code. The Workgroup will meet in May 2019 to provide recommendations on the TACs' Code modification recommendations to the Commission for the 7<sup>th</sup> Edition (2020) Florida Building Code.

**FENESTRATION WATER RESISTANCE WORKGROUP.** The Workgroup was convened in 2019 as a result of Commission approval of a research project to evaluate the Code's fenestration water resistance requirements. The scope of the project is to evaluate the Florida Building Code's requirements relating to the design and testing of exterior envelope and fenestration, and determine:

- 1) Whether the Code requirements should be modified to provide better resistance to water intrusion during high wind events; and/or,
- 2) Whether installation/maintenance of fenestration as well as the installation of the building envelope in general should be better defined and more effectively monitored.

Finally, based on their analysis, the Workgroup will determine whether to formulate a proposed code change language/recommendation for addressing water leakage due to wind-driven rain.

**BINDING INTERPRETATION PROCESS.** The Commission coordinates with the Building Officials Association of Florida (BOAF) on appointments to the Binding Interpretation Panel. The Panel consists of seven members charged with hearing requests to review decisions of local building officials. The Panel has heard 20 binding interpretations regarding the Florida Building Code to date.

**FACBC DECLARATORY STATEMENTS.** In 2014, the Florida Building Commission was granted authority to interpret the Florida Accessibility Code for Building Construction (FACBC). To date, the Commission has issued five interpretations regarding petitions for declaratory statements on the FACBC.

**LEGISLATIVE ASSIGNMENTS.** The 2018 Florida Legislature did not pass any legislation requiring Commission action.

**RECOMMENDATIONS.** Monitoring the building code system and determining refinements that will make it function better is a primary responsibility of the Commission, and consequently the Commission is continually effecting refinements to the building code system by administrative rule amendment(s) where the statutes provide authority. However, the building code system is established in law, requiring that some refinements must be implemented through changes to law.

In general the Commission works with building construction industry stakeholders to build consensus on legislative assignments and on modifications to the Florida Building Code, and relies on industry groups to take the lead in proposing specific legislation to implement proposed changes to statute.

The Commission's consensus developed recommendations for statutory changes designed to improve the system's effectiveness are developed in collaboration with industry stakeholders, who generally take the lead on initiating any specific legislative proposals. The Commission has no specific recommendations for 2020 Legislative actions for the period of July 1, 2018 – June 30, 2019.