

**FLORIDA BUILDING COMMISSION  
WEBINAR AND TELECONFERENCE**  
[HTTPS://GLOBAL.GOTOMEETING.COM/JOIN/533378925](https://global.gotomeeting.com/join/533378925)  
**YOU WILL BE CONNECTED TO AUDIO USING YOUR COMPUTER'S  
MICROPHONE  
OR  
JOIN THE TELECONFERENCE  
VIA TOLL FREE NUMBER  
1-866-899-4679  
MEETING ID 533-378-925  
Plenary Session  
April 7, 2020  
8:30 AM**

## **MINUTES**

### **COMMISSIONERS PRESENT:**

James Schock, Acting Chairman	Richard Goff
Hamid Bahadori	Jeff Gross
James Batts	Robert Hamberger
Bob Boyer	David John
Donald Brown	Brian Langille
Kelley Smith Burk	Brad Schiffer
Oscar Calleja	Fred Schilling
David Compton	Drew Smith
Nan Dean	Jeff Stone
Charles Fischer	Brian Swope
John Gatlin	Don Whitehead
Shane Gerwig	John Wiseman

### **COMMISSIONERS NOT PRESENT:**

David Gilson

### **STAFF PRESENT:**

Thomas Campbell	Justin Vogel
Mo Madani	Jim Hammers
Chris Howell	Marlita Peters

### **MEETING FACILITATION:**

The meeting was facilitated by Jeff Blair from Facilitated Solutions, LLC. Consultation, Process Design & Facilitation. Information at: [facilitatedsolutions.org](https://facilitatedsolutions.org)

**Time: 8:30 am**

Acting Chairman Schock welcomed Commissioners, staff, and members of the public to the April 7, 2020 virtual plenary session of the Florida Building Commission via webinar and teleconference. He stated that he hoped that everyone is safe and taking the necessary health and social distancing precautions to help reduce the spread of the coronavirus.

Acting Chairman Schock stated that in addition to considering regular procedural issues including product and entity approvals, applications for accreditor and course approvals, petitions for declaratory statements, accessibility waivers, and recommendations from our various committees and workgroups, specific actions would include conducting a rule workshop on 61G20-2.002 and rule workshop on Rule 61G20-1.001.

Acting Chairman Schock stated that as always, we will provide an opportunity for public comment on each of the Commission's substantive discussion topics. He advised that if anyone wanted to comment on a specific substantive Commission agenda item, that they please wait until the facilitator invites members of the public to speak at the appropriate times throughout the meeting. Acting Chairman Schock stated that public input is welcome, but should be offered before there is a formal motion on the floor.

Acting Chairman Schock advised that Jeff Blair will review the Commission's adopted Webinar and Teleconference Participation Process before taking roll call.

**Webinar and Teleconference Participation Process:**

Mr. Blair provided detail of the process for the Commission and the public participating online and on the phone.

**Roll Call:**

Mr. Blair performed roll call; a quorum was met with 24 members present at roll call.

**Agenda Review and Approval:**

Mr. Blair covered the agenda items for the meeting today.

Commissioner Schilling entered a motion to approve the agenda as posted. The motion was seconded by Commissioner Boyer. The motion passed unanimously with a vote of 24 to 0 in favor.

**Approval of Previous Meeting Minutes and Facilitator Report for February 11, 2020:**

Acting Chairman Schock requested a motion for approval of the February 11, 2020 Facilitator's Summary Report and meeting minutes.

Commissioner Brown entered a motion to approve the February 11, 2020 Facilitator's Summary Report and meeting minutes as posted. The motion was seconded by Commissioner Boyer. The motion passed unanimously with a vote of 24 to 0 in favor.

**Chairman's Discussion Issues and Recommendations:**

Acting Chairman Schock stated he was pleased to let everyone know that he had heard from Chairman Browdy and he indicated that the latest scan shows him cancer free. He said he was grateful and happy for Dick and his family.

**Binding Interpretation Panel:**

Acting Chairman Schock advised that at BOAF's recommendation he is appointing Sharon Mignardi to serve in the architect position vacated by the retirement of Larry Cohan. He thanked Mr. Cohan for his service and thanked Ms. Mignardi for agreeing to serve.

Commissioner Schock entered a motion to approve the appointment. Commissioner Boyer seconded the motion. The motion passed unanimously with vote of 24 to 0.

**Commission Milestones:**

Acting Chairman Schock reminded the participants the updated Commission Milestones document is linked to the agenda for today's meeting and also on the BCIS.

**Executive Director Announcements and Discussions:**

**Legislative Update:**

Mr. Campbell provided a detailed update on CS/HB 1193, he stated this bill will reduce the Commission to 19 members effective January 1, 2021. Mr. Campbell explained the attachment that provided the remaining 19 positions on the Commission.

**Commission Comments:**

Commissioner Compton questioned the removal of the chair position in the list.

Mr. Campbell responded to his question and advised that this will be discussed further at the June meeting, as well as the changes that will be needed in the rule.

**Travel Reimbursement Changes:**

Mr. Campbell advised the Commissioners of the changes in reimbursement of mileage rates and the cost of a rental vehicle. He explained the documents attached to the agenda and how the calculations will take place.

**Commission Comments:**

Commissioner Calleja inquired about the method of calculating on the number of rental days for those who travel a long distance, and may return home when the rental business is closed, and have to return the vehicle the following day. He also asked about the use of larger vehicles than the state recommended compact.

Mr. Campbell advised that they will look at situations where Commissioners are unable to return the rental vehicle the evening of the meeting. He advised that the state will reimburse only on the cost of a compact car.

Commissioner Goff asked about the charges if they decided to fly to the meeting destination.

Mr. Campbell advised that the pre-approval of travel would show they would be flying and the charges would be calculated based on mode of transportation.

**Future Meeting Location:**

Mr. Campbell advised as a reminder the next Commission meeting will be June 2, 2020, at the Hyatt Regency in Sarasota or by webinar if this is to be determined to be necessary. He stated that staff will advise how the meeting will be conducted as the date gets closer.

- August 4, 2020, Embassy Suites, Ft. Lauderdale or by webinar TBD
- October 13, 2020, Shores Resort and Spa, Daytona Beach, FL

**Fiscal Year 2020-2021 Research Projects Funding and Approval Process:**

Acting Chairman Schock provided the background on research projects. He stated for Fiscal Year 2020-2021 that he and the staff are recommending that the scope of research be again limited to hurricane resistant research. Acting Chairman Schock advised that he is proposing that the Commission use the recently appointed Hurricane Research Advisory Committee (HRAC) to review and prioritize proposed research project recommendations for the Commission's consideration during the August 4, 2020 meeting. He stated at that meeting the Commission will discuss the HRAC's recommendations, and decide on which research projects to fund for fiscal year 2020/2021.

Commissioner Brown entered a motion to limit the scope of Commission funding of research projects for fiscal year 2020/2021 to hurricane resistant research, and to approve using the HRAC to review and make recommendations to the Commission regarding which projects to fund. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**7<sup>th</sup> Edition (2020) Florida Building Code Workplan**

Mo Madani provided an update regarding the Workplan/Schedule for the development of the 2020 Code Update Process—7<sup>th</sup> Edition (2020), Florida Building Code.

**Public Comment:**

Steve Strawn, Strawn and Strawn, LLC provided detailed information on the virus pandemic and how it has affected manufacturers. He asked the Commission and staff if the implementation of the Code could be delayed six months so all those manufacturers would have time to submit for product approvals under the Florida Building Code, 7th Edition (2020).

**Commissioner Comments and Clarification:**

Commissioner Stone concurred and requested that the Commission discuss changing the effective date of the Florida Building Code, 7<sup>th</sup> Edition (2020), for six months.

Acting Chairman Schock and Mr. Blair suggested that this be discussed during public comment at the end of the meeting and that this issue could be added to the agenda for the June 2, 2020 Commission meeting for further discussion.

Commissioner Stone entered a motion to approve the updated workplan/schedule for the (2020 code update process), Florida Building Code, 7th Edition (2020). Commissioner Goff seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Rule Workshop on Rule 61G20-2.002:**

Acting Chairman Schock advised that at the October 2019 meeting the Commission conducted a rule development workshop on Rule 61G20-2.002, Statewide Amendments to the Florida Building Code and began the process of implementing the provisions of HB 447 which amended section 553.73 (7)(a), Florida Statutes to reflect that: Every 3 years, the Commission may approve updates to the Florida Building Code without a specific finding that the updates are required to accommodate the specific needs of this state. He further advised that at the October 2019 meeting the Commission received and discussed public comments regarding proposed changes to the triennial update process and changes to the Commission's adopted code processes, and discussed changes they wanted to consider regarding the Rule and process documents. Acting Chairman Schock stated based on the Commission's direction staff drafted several rule approaches for the Commission's consideration at the December 10, 2019 rule workshop, where after comments and discussion the Commission approved a rule approach and a rule development process option for the development of the 2023 Code Update. He said that at the February 7, 2020 rule workshop the Commission voted unanimously to approve the draft rule language text proposed by the Florida Homebuilders Association and incorporated several amendments to the text, and approved the specified changes to the draft Rule 61G20-2.002, then directed staff to incorporate them into an updated draft for the Commission's consideration during today's fifth and final rule workshop.

Acting Chairman Schock stated based on the Commission's decisions in February, staff has prepared revised draft rule language, and corresponding amended process documents for the Commission's consideration during today's rule development workshop.

Mr. Blair explained the process for this rule hearing including public comment and Commission discussion. He advised that at the conclusion of public comment, the Commission will review the public comments to determine whether to incorporate any of them into the draft Rule text, and then move to approve the draft Rule language.

Mr. Campbell provided detail on the draft rule language including the changes provided by John Hall and FHBA from the February Commission meeting. He stated there are more details in the supporting documents.

**Commission Clarifying Questions:**

Acting Chairman Schock had clarifying question on paragraph 1-(e) regarding consent agendas and whether additional language should be added.

Mr. Campbell addressed his concerns and advised this detail is listed in the supporting documents.

**Rule Workshop on Rule 61G20-2.002 (cont.):**

**Commission Clarifying Questions (cont.):**

Mr. Blair advised the TACs will review each modification individually, they will not be seeing consent agendas. He advised that they will be making a recommendation to the Commission. There will be an opportunity to have modifications that the TAC sends on consent agendas to be pulled for individual consideration.

Commissioner Swope asked for confirmation that the consent will be at the end of the TAC process and not at the beginning.

Mr. Blair advised yes; they will review each proposed modification and there will not be a consent agenda at the beginning of the process, only at the end.

**Public Comment:**

Joe Belcher, FHBA, MAF and FICAP was in support.

Rich Logan, AIA, requested one provision be changed in item (1)(e) 1 changing the language of “Florida specific” to “Florida Building Code”.

Mike Silvers, FRSA stated they are pleased with the new rule but there was one change regarding the language “Commissioners may specify that particular provisions on consent agendas be considered individually.” He stated that previously it included the members of the public.

Mr. Campbell stated this is spelled out in the process documents.

Arlene Stewart, AZS, asked for confirmation that the Commission will still be sunsetting the NAR and using the deny process.

Mr. Campbell advised yes that is correct.

Joe Belcher, FHBA, MAF and FICAP stated they had no issues with the language changes recommended by AIA.

**Motion:** Commissioner Gerwig entered a motion to approve the specified changes to the draft Rule 61G20-2.002 as amended including the change of “Florida specific” to “Florida Building Code” in section (e) (1) as requested by AIA, and to direct staff to proceed with rule adoption. Commissioner Wiseman seconded the motion.

Mr. Vogel advised he had no issue with the language change by AIA. He provided a clarification on the motion to approve or to deny and stated there may be cases where there may not be a threshold vote on some proposed modifications.

**Rule Workshop on Rule 61G20-2.002 (cont.):**

**Motion (cont.):** The motion passed unanimously with a vote of 24 to 0.

**Process Documents:**

Mr. Blair then provided the five process documents for review and approval of model code updates and Code amendments.

Mr. Blair advised that the Commission will review and discuss these documents today but will not seek formal approval until the Commission begins the 2023 Code update process per the workplan schedule.

Mr. Blair provided detail on Document #1 TAC Review and Document 2023 #2 Commission Review 2023 which is Phase I.

**Commission Comment:**

Acting Chairman Schock inquired whether Florida Specifics are after Phase I.

Mr. Blair advised yes.

Mr. Blair provided detail on Document #3 TAC review and preliminary recommendation and Document #4 TAC review and final recommendation Review 2023 which is Phase II.

**Commission Comment:**

Commissioner Schiffer referenced section 4 (A) of document 3 clarification being in the triennial process.

Mr. Campbell stated this is phase II and is the triennial process.

Mr. Blair provided detail on Document #5 amendment approval process.

**Commission Comment: None**

**Public Comment:**

Joe Belcher, FHBA stated he noticed throughout the documents as shown on the first document under section 2 there was language speaking to the three-minute time limit for the proponent but no time limit for the opponent. He asked if they could look at this.

Mr. Campbell stated the staff would look at this language.



**Process Documents (cont.):**

**Public Comment (cont.):**

Neil Burning, ICC asked the following question: When the model code updates go through the process and the TACs recommend disapproval and then it is not approved by the Commission and someone files for a technical amendment during the same process in phase II would that amendment have to meet the threshold being necessary to accommodate a specific need of the State, even though in the first round it did not?

Mr. Campbell advised yes.

Mr. Blair stated a vote on the process documents will be completed later.

**Accessibility Waivers:**

Acting Chairman Schock advised that the Commission will now consider this month's requests for accessibility waivers. He stated Justin Vogel will serve as legal counsel and present the Accessibility Advisory Council's recommendations. Acting Chairman Schock asked that Mr. Vogel present the Council's recommendations regarding waiver requests.

**New Control Room for Florida Caribbean Distillers Co. Lodge – Waiver 440 – 425 Recker Highway, Auburndale 33823 - Issue:** Vertical accessibility to the second floor.

Mr. Vogel presented the waiver. He advised that the Council recommended denying the request for a waiver based on the fact that the project in question is new construction.

Commissioner Schiffer entered a motion to deny the request for a waiver based on the fact that the project in question is new construction. Commissioner Goff seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Change of Use – Waiver 436 - 1323 West Avenue, Miami Beach 33139 - Issue:** Vertical accessibility to the second floor.

Mr. Vogel presented the waiver. He advised that the Council recommended granting based on technical infeasibility.

**Commission Comment:** Commissioner Whitehead stated he had concerns over the entry for the accessible rooms once the lobby is closed as there would be no access to the outside of the building.

**Accessibility Waivers (cont.):**

**Change of Use – Waiver 436 (cont.):**

Mr. Madani addressed this concern and stated this would be under the Fire Prevention Code.

Commissioner Schilling entered a motion to grant the waiver for vertical accessibility to the second floor based on technical infeasibility. Commissioner Boyer seconded the motion. The motion passed with a vote of 23 in favor and 1 opposed.

**Penguin Hotel – Waiver 447 - 1418 Ocean Drive, Miami Beach 33139 - Issue:** Vertical accessibility to the raised ½ level of guestrooms.

Mr. Vogel presented the waiver. He advised that the Council recommended granting based on technical infeasibility.

Commissioner Schilling entered a motion to grant the waiver for vertical accessibility to the raised ½ level of guestrooms based on technical infeasibility. Commissioner Smith seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Stay and Save Motel – Waiver 421 - 2430 NE 2nd Street, Ocala 34470 – Issue:** Vertical accessibility to the second floor.

Mr. Vogel presented the waiver. He advised that the Council recommended denying the request for a waiver based on the fact that the project in question is new construction.

Commissioner Schilling entered a motion to deny the request for a waiver for vertical accessibility to the second floor based on the fact that the project in question is new construction. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Villa Cuatro – Waiver 448 - 334 Ocean Drive, Miami Beach 33139 – Issue:** Vertical accessibility to the first and second floors.

Mr. Vogel presented the waiver. He advised that the Council recommended granting the request for waiver based on the grounds of historical significance.

Commissioner Schilling entered a motion to grant the waiver for vertical accessibility to the first and second floors based on historical significance. Commissioner Smith seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Accessibility Waivers (cont.):**

**Leola Construction – Waiver 435 - 11849 US Highway 41S, Gibsonton 33534 – Issue:**  
Vertical accessibility to the second floor.

Mr. Vogel presented the waiver. He advised that the Council recommended granting based on economic hardship and technical infeasibility.

Commissioner Schilling entered a motion to grant the waiver for vertical accessibility to the second floor based on economic hardship and technical infeasibility. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**New Athletic Field and Stadium - Community School of Naples – Waiver 446 - 13275 Livingston Road, Naples 34109 – Issue:** Vertical accessibility to the press box.

Mr. Vogel presented the waiver. He advised that the Council recommended granting based on unnecessary and unreasonable economic hardship.

Mr. Campbell advised of the attached letter from Council member Allison Klein, with the office of Disability Rights of Florida.

Commissioner Goff stated the staff analysis states denial.

Mr. Campbell stated that the staff recommended denial but the Council voted to approve.

Mr. Madani explained the staff analysis and that the Council does not always take the staff recommendation.

Acting Chairman Schock provided history on accessibility-related legal changes and press boxes.

Commissioner Gerwig asked if this is addressed through the ADA.

Mr. Madani provided history and detail for press box approvals, and stated there is an ADA exemption if the press box is under 500 square feet which this press box is.

Commissioner Gerwig asked if there were legal ramifications if the Commission approves this on new construction.

Mr. Vogel advised no.

Commissioner Wiseman stated they are currently building a public school and they do not have an elevator for the press box.

**Accessibility Waivers (cont.):**

**New Athletic Field and Stadium - Community School of Naples – Waiver 446 (cont.):**

Commissioner Wiseman entered a motion to grant the waiver for vertical accessibility to the press box based on unnecessary and unreasonable economic hardship. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Product Approval:**

Acting Chairman Schock advised that Commissioner Stone would present the POC's recommendations for entity approvals and the consent agenda for products recommended for approval, and Jeff Blair would present the POC's recommendations for product approvals with discussion and/or comments.

**Entities:**

Commissioner Stone entered a motion to approve the 27 product approval entities as posted. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Product Approval Applications without Comments Consent Agenda:**

Commissioner Stone entered a motion to approve the 146 products on the consent agenda list. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Product Approval Application with Comments:**

**16854-R 13** – Commissioner Stone entered a motion for approval of 16854 R 13. Commissioner Compton seconded the motion. The motion passed with a vote of 24 to 0

**29497-R 1** – Commissioner Stone entered a motion for conditional approval of 29497 R 1. Commissioner Compton seconded the motion. The motion passed with a vote of 24 to 0.

**DBPR Applications:**

Chairman Stone advised that there were 146 products on the DBPR roster and those with comments have been addressed. He stated there is no action needed from the Commission.

**Accreditor and Course Approval:**

Acting Chairman Schock advised Commissioner Dean would present the Education Program Administrators recommendations regarding applications for accreditor and course approval.

**Pending advanced accredited courses for recommendation:**

Commissioner Dean entered a motion to approve advanced accredited courses 944.0 and 946.0. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 24 to 0.

Commissioner Dean entered a motion to conditionally approve advanced accredited course 949.0. Commissioner Smith seconded the motion. The motion passed unanimously with a vote of 24 to 0.

Commissioner Dean entered a motion to conditionally approve advanced accredited course 899.0. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Accreditor and Course Approval (cont.):**

**Pending advanced accredited courses for recommendation (cont.):**

Commissioner Dean entered a motion to withdraw advanced accredited course 950.0 per the request of the provider. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Legal Report:**

Acting Chairman Schock advised that Justin Vogel will report on relevant legal matters of interest to the Commission.

Mr. Vogel advised there were no outstanding legal matters to report at this time.

**Binding Interpretation #179**

Mr. Madani provided the report for Binding Interpretation #179. He advised this is informational only and no action is needed from the Commission.

**Committee Reports:**

**Education Program Oversight Committee:**

Commissioner Dean provided a brief summary of the Education POC's March 26, 2020 teleconference meeting.

**Committee Reports: (cont.):**

Commissioner Dean entered a motion to accept the report from the March 26, 2020, teleconference meeting. Commissioner Stone seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Electrical Technical Advisory Committee:**

Commissioner Fischer provided a brief summary of the Electrical Technical Advisory Committee teleconference meeting on March 25, 2020.

Commissioner Fischer entered a motion to accept the report from the March 25, 2020, teleconference meeting. Commissioner Gerwig seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Energy Technical Advisory Committee:**

Commissioner Smith provided a brief summary of the Energy Technical Advisory Committee teleconference meeting on March 25, 2020.

Commissioner Smith entered a motion to accept the report from the March 25, 2020, teleconference meeting. Commissioner Calleja seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Hurricane Research Advisory Committee:**

Jeff Blair provided a brief summary of the Hurricane Research Advisory Committee's March 24, 2020 teleconference meeting.

Commissioner Schock entered a motion to approve the report of the Hurricane Research Advisory Committee's March 24, 2020 teleconference meeting. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Product Approval Program Oversight Committee:**

Commissioner Stone provided a brief summary of the Product Approval POC's March 26, 2020 teleconference meeting.

Commissioner Stone entered a motion to approve the report of the Product Approval POC's March 26, 2020 teleconference meeting. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Committee Reports (cont.):**

**Roofing Technical Advisory Committee:**

Commissioner Swope provided a brief summary of the Roofing Technical Advisory Committee teleconference meeting on March 24, 2020.

Commissioner Swope entered a motion to accept the report from the March 24, 2020, teleconference meeting. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Structural Technical Advisory Committee:**

Commissioner Schock provided a brief summary of the Structural Technical Advisory Committee teleconference meeting on March 24, 2020.

Commissioner Schock entered a motion to accept the report from the March 24, 2020 teleconference meeting. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**10-minute break at 10:35 a.m.**

**Reconvened at 10:45 a.m.**

**Rule Workshop for Rule 61G20-1.001, F.A.C. (7<sup>th</sup> Edition (2020) Update to the Florida Building Code):**

Acting Chairman Schock stated that the Commission started the 2020 Code Update Process in October of 2017 with the selection of the 2018 I-Codes and the 2017 NEC for review. He stated the TACs made recommendations on I-Code changes in June of 2018, and the Commission decided on I-Code changes in October of 2018. Acting Chairman Schock said the TACs made recommendations on proposed code modifications in March of 2019, then the TACs considered further public comments to TAC recommendations in July of 2019, and the Commission decided on code modifications for the 7th Edition (2020), Florida Building Code in August of 2018. He said after the supplement containing these modifications was prepared, the TACs made recommendations on public comments to the draft 7th Edition (2020) Florida Building Code in January of 2020. At the February 7, 2020 rule workshop, the Commission voted unanimously to adopt the Commission's package of approved Code modifications to the 6th Edition (2017) for inclusion in the draft Florida Building Code, 7th Edition (2020). Acting Chairman Schock said finally, in March of 2020 five TACs met to review topically relevant public comments submitted to the Commission's 2020 Draft Code, and to provide the Commission with recommendations.

Acting Chairman Schock advised today is the final rule workshop for Rule 61G20-1.001 on the draft Florida Building Code, 7th Edition (2020). He stated after the Commission takes action on the TACs' recommendations on submitted public comments, and oral public comments provided

**Rule Workshop for Rule 61G20-1.001, F.A.C. (7<sup>th</sup> Edition (2020) Update to the Florida Building Code) (cont.):**

during today's rule workshop we will move to proceed with rule adoption for Rule 61G20-1.001, Florida Building Code Adopted, incorporating all approved amendments.

Acting Chairman Schock then asked Mr. Blair to provided instructions for the facilitation of the meeting.

**Facilitation Process:**

Mr. Blair provided detailed instructions of the process including public comment and Commission discussion.

**No Commission Clarifying Questions or Pubic Comments.**

**TAC recommendations with favorable actions:**

**EN-ER-Ch. 4/6 - Comment #1**

Jeff Sonne, FSEC, provided detail on the proposed changes.

Mr. Madani advised that the Energy TAC voted AS.

**In Favor:**

Joe Belcher, FHBA

**Motion:** Commissioner Smith entered a motion to accept the TAC recommendation to accept the modification as submitted. Commissioner Smith-Burk seconded the motion. The motion passed unanimously with a vote of 24 to 0. (AS)

**EN-EC-Ch. 4 -Comment #3**

Jeff Sonne, FSEC, provided detail on the proposed changes.

Mr. Madani advised that the Energy TAC voted AS.

**In Favor:**

Bryan Holland, NEMA

**Motion:** Commissioner Smith entered a motion to accept the TAC recommendation to accept the modification as submitted. Commissioner Calleja seconded the motion. The motion passed unanimously with a vote of 24 to 0. (AS)



**TAC recommendations with favorable actions (cont.):**

**EN/E-EC-Ch. 4 - Comment #4**

Joe Belcher, FHBA, provided detail on the proposed changes.

Mr. Madani advised that the Energy TAC voted AS bringing update to 405.6.1 and add to C as an exception to the Commission. He stated the Electrical TAC voted against this change with a vote of 6 in favor and 4 opposed.

**EN/E-EC-Ch. 4 - Comment #4 (cont.):**

**Opposed:**

Bryan Holland, NEMA provided detail of opposition.

Mr. Belcher provided rebuttal.

Mr. Holland provided further detail of his opposition.

**Motion:** Commissioner Gerwig entered a motion to accept the TAC recommendation to accept the modification as amended. Commissioner Goff seconded the motion. The motion passed with a vote of 22 in favor and 2 opposed. (AM)

**EN-EC-Ch. 4 -Comment #5**

Joseph Eysie, FNGA, provided detail on the requested changes to this section.

Mr. Madani stated that the Energy TAC voted AS.

**In Favor:**

Joe Belcher, FHBA

Bryan Holland, NEMA

**Motion:** Commissioner Smith entered a motion to accept the TAC recommendation to accept the modification as submitted. Commissioner Calleja seconded the motion. The motion passed unanimously with a vote of 24 to 0. (AS)

**EN-EC- General -Comment #6**

Mital Hall, ECO Preserve

Energy TAC recommendation NAR.

No action from the Commission.

**TAC recommendations with favorable actions (cont.):**

**EN/E-EC-Ch. 4 - Comment #7**

Tim Trewyn, Ft. Pierce Engineering

Energy TAC recommendation NAR.

No action from the Commission.

**R-FBC-B-Ch.35/R-FBC-R-Ch.46– Comment #1**

Mike Fischer, ARMA

Mr. Madani advised that the Roofing TAC voted AS.

**Motion:** Commissioner Swope entered a motion to accept the TAC recommendation to accept the modification as submitted. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0. (AS)

**R-FBC-B-Ch.35/R-FBC-R-Ch. 46-Comment #1**

**TRI Florida High Wind Concrete and Clay Tile Installation Manual and Appendix 1:**

Mike Silvers, FRSA, provided detail on the requested changes to this section.

Mr. Madani advised that the Roofing TAC voted AS.

**In Favor:**

Rick Olson, TRI

**Motion:** Commissioner Swope entered a motion to accept the TAC recommendation to accept the modification with additional comment amendment. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0. (AM)

**S-FBC-B-Ch. 16 - Comment #1**

Eric Stafford, IBHS, provided detail on the requested changes to this section.

Mr. Madani advised that the Structural TAC voted AS.

**Motion:** Commissioner Schock entered a motion to accept the TAC recommendation to accept the modification as submitted. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0. (AS)

**TAC recommendations with favorable actions (cont.):**

**S-FBC- B – Ch. 16 - Comment #2**

Gaspar Rodriguez, Miami-Dade, provided detail on the requested changes to this section.

Mr. Madani advised that the Structural TAC voted AS.

**Motion:** Commissioner Schock entered a motion to accept the TAC recommendation to accept the modification as submitted. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0. (AS)

**S- FBC-B/R- Ch. 35/46 - Comment #3**

Joe Belcher, MAF and FICAP, provided detail on the requested changes to this section.

Mr. Madani advised that the Structural TAC voted AS.

**Motion:** Commissioner Schock entered a motion to accept the TAC recommendation to accept the modification as submitted. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0. (AS)

**S-FBC-B/R-- Comment #4**

Eric Stafford, provided detail on the requested changes to this section and advised that the language was worked on with Matt Dobson and Fernando Pages.

Mr. Madani advised that the Structural TAC voted AS with updated language to be brought before the Commission.

**Motion:** Commissioner Schock entered a motion to accept the TAC recommendation to accept as amended with comment. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0. (AM)

**SW-FBC -B- Ch. 4- Comment #1- Item #1**

Bob Vincent, FDOH

Energy TAC recommendation NAR.

No action from the Commission.

**TAC recommendations with favorable actions (cont.):**

**SW-FBC -B- Ch. 4- Comment #1- Item #2**

Bob Vincent, FDOH

Mr. Madani advised that the Swimming Pool TAC voted AS.

**Motion:** Commissioner Batts entered a motion to accept the TAC recommendation to accept the modification as submitted. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0. (AS)

**SW-FBC -B- Ch. 4- Comment #1- Item #3**

Bob Vincent, FDOH

Mr. Madani advised that the Swimming Pool TAC voted AS.

**Motion:** Commissioner Batts entered a motion to accept the TAC recommendation to accept the modification as submitted. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0. (AS)

**SW-FBC-B-Ch. 4- Comment #2**

Dallas Theisen, FSPA, provided detail on the requested changes to this section.

Mr. Madani advised that the Swimming Pool TAC voted AS.

**Motion:** Commissioner Batts entered a motion to accept the TAC recommendation to accept the modification as submitted. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0. (AS)

**SW-FBC-B-Ch. 4 - Comment #3**

Jennifer Hatfield, PHTA provided detail on the requested changes to this section.

Mr. Madani advised that the Swimming Pool TAC voted AM.

**In Favor:**

FSPA

**Motion:** Commissioner Batts entered a motion to accept the TAC recommendation to accept the modification as amended. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0. (AM)

**TAC recommendations with favorable actions (cont.):**

**SW/E-FBC-B- Ch. 4 - Comment #4**

John Hall, Miami-Dade

Mr. Madani advised that the Swimming Pool TAC voted AS. He stated the Electrical TAC also reviewed and approved as submitted.

**In Favor:**

FSPA and NEMA

**Motion:** Commissioner Batts entered a motion to accept the TAC recommendation to accept the modification as submitted. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0. (AS)

**Additional Comments:**

**Eric Stafford Comments: Section R806.5 item #5**

Eric Stafford, provided detail on his comments.

**In Favor:**

Joe Belcher, FHBA  
Arlen Steward, AZS

**Motion:** Commissioner Schock entered a motion to accept the TAC recommendation to accept the modification as submitted. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0. (AS)

**Skip Gregory Comments: 450.3.14.2, 449.3.4.5, 450.3.5.9, 450.3.1.2:**

Skip Gregory, FHCA, provided detail on his comments:

Mr. Madani provided details on the editorial changes.

**Motion:** Commissioner Whitehead entered a motion to accept the TAC recommendation to accept the modification as submitted. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 24 to 0. (AS)

**TAC recommendations with favorable actions (cont.):**

**Spiro Soukis Comments: TIA-222 Standard Update:**

Spiro Soukis, Crown Castle International Group, provided detail on his comments.

**Motion:** Commissioner Schock entered a motion to accept the modification as submitted. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 24 to 0. (AS)

**Dermot Ennis - ASTM C 236 replaced by ASTM C 1363**

Dermot Ennis, IIP

Mr. Madani provided information on corrections on behalf of Mr. Ennis.

Mr. Blair inquired about the request to change the word “shall” to “must”.

Mr. Vogel stated there is no difference between must or shall, either can be used.

Commissioner Stone stated the word shall is more code language and should be used.

Commissioner Stone entered a motion to accept the update to the standard and also retain the word “shall” as amended. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 24 to 0. (AM)

**Robert Glass Comment # 1 - Section 908-Cooling Towers, Evaporative, Condensers and Fluid Coolers – Section 918 Forced Air Warm Air Furnaces – Section 1101 General and Chapter 15 Referenced Standards (FBC, Mechanical):**

Robert Glass, Goodman Manufacturing Company, L.P. provided detail on his comments for the Mechanical Code.

**In Favor:**

Julius Ballanco

**Motion:** Commissioner Calleja entered a motion to accept the modification as submitted. Commissioner John seconded the motion. The motion passed unanimously with a vote of 24 to 0. (AS)

**TAC recommendations with favorable actions (cont.):**

**Robert Glass - Comment # 2 – Chapter 46 Referenced Standards Update (FBC, Residential)**

Robert Glass, Goodman Manufacturing Company, L.P. provided detail on his comments for the Residential Code.

**In Favor:**

Julius Ballanco

**Motion:** Commissioner Calleja entered a motion to accept the modification as submitted. Commissioner Smith seconded the motion. The motion passed unanimously with a vote of 24 to 0. (AS)

**Rule Motion:**

Commissioner Gerwig entered a motion to adopt the Commission's package of approved Code modifications to the 6<sup>th</sup> Edition (2017) for inclusion in the draft 7<sup>th</sup> Edition (2020), Florida Building Code and proceed with rule adoption. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Commission Comments:**

Commissioner Stone asked if there were product approvals pending could they be moved out without moving the code date of December 31, 2020.

Mr. Madani stated that the product approval program is a complimentary program to the Florida Building Commission and would need to be set in place on the same date of the updated code and not try to separate the dates.

Commissioner Stone stated he did not want to delay the code too long, however, he feels the Commission should consider this at the June meeting.

Steve Strawn, Strawn LLC restated his previous information on the delay of the code to allow the product manufacturers time to submit their product approvals due to the Covid19 virus and the inability to work at this time and get their information in before the Code effective date December 31, 2020. He respectfully asked the Commission to move the effective date out six months.

Mr. Campbell stated there is no need for a motion to add this item to the agenda for June.

Commissioner Calleja asked from the legal side, how would this affect the Commission.

Mr. Campbell stated this will be a part of the agenda.

**Commission Comments (cont.):**

Mr. Madani stated that the Fire Prevention Code will also need to be considered.

**Public Comments:**

Joe Belcher, FHBA, stated that we need to give consideration that delaying this date will or could affect all upcoming code cycles in the future as there is a three-year mandate.

Mike Silvers, FRSA stated this should be considered in June. He stated this could delay training.

FSPA supports placing on June agenda for further discussion.

Rick Olson stated he is in support of the discussion for a delay of the code.

**Staff Comment:**

Mr. Madani advised the Commission that the first draft will be available April 20, 2020 on the BCIS and encouraged the Commissioners and interested groups to review.

Mr. Blair asked that the Commissioners please complete the forms sent to them as soon as possible to allow time for feedback on the meeting.

**Next Commission Meeting and Adjournment:**

Acting Chairman Schock stated the next meeting will be June 2, 2020 Hyatt Regency in Sarasota or by webinar this is to be determined and notification will be sent by staff.

**Final Roll Call:**

Mr. Blair performed a final roll call and all 24 members from the beginning of the call were present.

**Adjournment:**

Commissioner Schock stated there being no further business before the Commission adjourned the meeting at 12:01 p.m.