



FLORIDA BUILDING COMMISSION

"STRONGER CODES THROUGH SCIENCE AND CONSENSUS"



**FACILITATOR'S SUMMARY REPORT OF THE
JUNE 2, 2019
FLORIDA BUILDING COMMISSION
VIRTUAL MEETING VIA WEBINAR AND TELECONFERENCE**

PROCESS DESIGN, CONSENSUS-BUILDING AND FACILITATION BY



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FLORIDA BUILDING COMMISSION

JUNE 2, 2020 FACILITATOR’S MEETING SUMMARY REPORT

TABLE OF CONTENTS

TABLE OF CONTENTS 1
TABLE OF ATTACHMENTS 2

I. MEETING SUMMARY OVERVIEW..... 3
II. CHAIRMAN’S WELCOME 4
III. COMMISSION ATTENDANCE 4
IV. MEETING OBJECTIVES 5
V. MINUTES APPROVAL..... 5
VI. CHAIR’S DISCUSSION ISSUES AND RECOMMENDATIONS..... 5
VII. EXECUTIVE DIRECTOR ANNOUNCEMENTS AND RECOMMENDATIONS 6
VIII. 7TH EDITION (2020) FBC WORKPLAN UPDATE..... 7
IX. ACCESSIBILITY WAIVER APPLICATIONS 7
X. PRODUCT AND ENTITY APPROVALS..... 8
XI. ACCREDITOR AND COURSE APPROVALS..... 9
XII. LEGAL REPORT..... 9
XIII. PETITIONS FOR DECLARATORY STATEMENTS..... 10
XIV. BINDING INTERPRETATION # 185 BRIEFING10
XV. COMMITTEE REPORTS AND RECOMMENDATIONS10
XVI. RULES WORKSHOP ON RULE 61G20-1.001 11
XVII. FY 2019-2020 ANNUAL REPORT APPROVAL 13
XVIII. COMMISSION MEMBER COMMENTS AND ISSUES 14
XIX. GENERAL PUBLIC COMMENT 14
XX. NEXT MEETING OVERVIEW AND ISSUES 14

ATTACHMENTS 15 - 35

1. MEETING EVALUATION RESULTS..... 15

2. COMMISSION MEETING AGENDA 18

3. KEY TO COMMON ACRONYMS 21

4. COMMISSION HISTORY AND OVERVIEW 22

5. MEETING SCHEDULE AND CODE UPDATE WORKPLAN 2020 FBC 24

6. COMMISSION FY 2019-2020 ANNUAL REPORT SUMMARY 27



FLORIDA BUILDING COMMISSION
JUNE 2, 2020 FACILITATOR'S SUMMARY REPORT



OVERVIEW OF COMMISSION'S KEY ACTIONS AND DECISIONS

TUESDAY, JUNE 2, 2020

I. PLENARY SESSION SUMMARY AND OVERVIEW

In response to the coronavirus COVID-19 pandemic, the Commission conducts their June 2, 2020 meeting as a virtual meeting via webinar and teleconference. At the June 2, 2020 virtual meeting the Commission considered and decided on Chair's issues and recommendations, Executive Director's announcements and discussions, product and entity approvals, applications for accreditor and course approvals, accessibility waivers, petitions for declaratory statements, and recommendations from the Commission's various committees. In addition the Commission received a briefing on Binding Interpretation #185. Specific actions included voting unanimously to: 1.) Approve the Acting Chair's committee appointment; 2.) Waive product approval application fees for the period of July 1, 2020 – December 31, 2020; 3.) Authorize staff to adjust the "minimum 1 hour" program category to 6,500 hours of general Code education, 3,250 hours of changes to the Florida Building Code, 7th Edition (2020), and 3,250 hours to hurricane mitigation, flood resistance, and wind resistance requirements in the Florida Building Code, 7th Edition (2020); 4.) Initiate rulemaking for Rule 61G20-2.001 to revise the Commission's operational procedures to reflect the elimination of the appointed chair position; 5.) Approve the updated Workplan and Schedule for the 2020 Code Update Process—7th Edition (2020), Florida Building Code; 6.) Approve the 2020-2021 Annual Regulatory Plan, and to authorize publication of the Plan by DBPR; 7.) Adopt the Commission's package of approved Code modifications to the 6th Edition (2017) for inclusion in the draft 7th Edition (2020), Florida Building Code and to file the Rule for adoption; and, 8.) Adopt the Commission's Fiscal Year 2019 – 2020 Annual Report, including Commission actions taken during the June 2, 2020 meeting, and to charge the Acting Chair with reviewing and approving the Final Report prior to submittal to DBPR, the Legislature, and Governor.

(Attachment 1—Meeting Evaluation Results)

II. ACTING CHAIR'S WELCOME

Acting Chair Schock welcomed the Commission, DBPR staff and the public to the June 2, 2020 virtual meeting conducted via webinar and teleconference 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 accreditor and course approvals, accessibility waivers, and recommendations from the Commission's various committees, the primary focus of the June meeting was to conduct a rule adoption hearing on Rule 61G20-1.001 (7th Edition (2020) Update to the Florida Building Code); and, to approve the Commission's Annual Report to the Legislature.

The Acting Chair explained, as always the Commission would provide an opportunity for public comment on each of the Commission's substantive discussion topics. Commissioner Schock explained that if one wants to comment on a specific substantive Commission agenda item, they should wait until the facilitator requests public comment and stacks a list of names at the appropriate times during the meeting. 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 participated in the Tuesday, April 7, 2020 virtual meeting conducted via webinar and teleconference:

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

(25 of the 25 currently seated Commissioners attended—100%).

Absent Commissioners:

None.

DBPR STAFF PARTICIPATING

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

MEETING FACILITATION

Meetings are facilitated, and meeting reports drafted by Jeff Blair from Facilitated Solutions, LLC. Information at: <http://facilitatedsolutions.org>.



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, 25 - 0 in favor, to approve the agenda for the June 2, 2020 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 Receive Update Regarding the Florida Building Code, 7th Edition (2020), Workplan.
- 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 Petition for Declaratory Statement.
- To Receive a Briefing on Binding Interpretation #185.
- To Receive/Decide on Reports and Recommendations from Committees.
- To Conduct Rule Hearing on Rule 61G20-1.001, 7th Edition (2020) Update to the Florida Building Code.
- To Review/Approve Final FY 2019-2020 Annual Report.
- To Hear Public Comment.
- To Identify Needed Next Steps, Assignments, and Agenda Items for Next Meeting (August 4, 2020 in Ft. Lauderdale or by virtual meeting, TBD).

Amendments to the Posted Agenda:

There were no amendments to the posted agenda.

(Attachment 2—June 2, 2020 Commission Agenda)

V. APPROVAL OF THE APRIL 7, 2020 FACILITATOR'S SUMMARY REPORT AND MEETING MINUTES

MOTION—The Commission voted unanimously, 25 - 0 in favor, to approve the April 7, 2020 Facilitator's Summary Report and Meeting Minutes as posted/presented.

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

VI. CHAIR'S DISCUSSION ISSUES AND RECOMMENDATIONS

Appointments to the Special Occupancy TAC

The Acting Chair appointed Doug Aarons to serve in the DEP representative position vacated by the retirement of Tony McNeal. The Acting Chair thanked Tony for his service and Doug for agreeing to serve.

MOTION—The Commission voted unanimously, 25 - 0 in favor, to approve the appointment.

Updated Commission Milestones

The Acting Chair reminded participants that the Updated Commission Milestones document (updated as of April 7, 2020) is linked to the June 2, 2020 FBC Agenda on the BCIS.

VII. EXECUTIVE DIRECTOR ANNOUNCEMENTS AND DISCUSSIONS

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

Travel Reimbursement Announcement

At the April meeting Tom announced that Commissioners would no longer be reimbursed for mileage at a \$.445 rate on a mile-per-mile basis if driving your own car, and they would be paid no more than the cost of renting a car per the state rules. Tom explained that it was recently decided that state travelers could be reimbursed the \$.445 for driving their own cars, so there would be no changes to the travel reimbursement policy the Commission is accustomed to.

Product Approval Fee Waiver

At the December 2019 meeting the Commission voted to initiate rulemaking for Rule 61G20-3.007 (Product Approval by the Commission) to authorize the Commission to waive product approval application fees for a specified time period. DBPR Staff recommended that the Commission waive product approval application fees for the period of July 1, 2020 – December 31, 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, 25 – 0 in favor, to waive product approval application fees for the period of July 1, 2020 – December 31, 2020.

Building a Safer Florida Purchase Order 2020-2021

DBPR Staff is preparing the purchase order for next fiscal year's training funding. Regarding the "minimum 1 hour" program category, staff is planning to dedicate more of the funding to topics that deal with changes to the Florida Building Code, 7th Edition (2020) along with hurricane mitigation, flood resistance, and wind resistance. More specifically, the purchase order previously allocated approximately 13,000 continuing education hours to general Code education. This fiscal year the purchase order will only assign 6,500 hours to general Code education. The other 6,500 hours will be split between two categories. The first category will be changes to the Florida Building Code, 7th Edition (2020). The second category will be hurricane mitigation, flood resistance, and wind resistance requirements in the Florida Building Code, 7th Edition (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, 15 – 0 in favor, to authorize staff to adjust the "minimum 1 hour" program category to 6,500 hours of general Code education, 3,250 hours of changes to the Florida Building Code, 7th Edition (2020), and 3,250 hours to hurricane mitigation, flood resistance, and wind resistance requirements in the Florida Building Code, 7th Edition (2020).

Implementation of HB 1193 - Initiation of Rulemaking for Rule 61G20-2.001

The 2020 Florida Legislature passed CS/HB 1193 reducing the Florida Building Commission from 27 to 19 members. This change will become effective on January 1, 2021, and the Commission needs to initiate rulemaking for Rule 61G20-2.001 to revise their operational procedures to reflect the elimination of the appointed chair position. Staff requested that the Commission initiate the process during the June 2, 2020 meeting, with the understanding that staff will bring back some options for the Commission's consideration during a rule development workshop at the August Commission meeting.

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, 25 – 0 in favor, to initiate rulemaking for Rule 61G20-2.001.

Future Commission Meeting Dates

Tom reported that the August 4, 2020 meeting will be at Embassy Suites, Ft. Lauderdale, or by virtual meeting, and staff will advise how the meeting will be conducted closer to the date. Following are the remaining Commission meeting dates scheduled to date:

- October 13, 2020, Shores Resort and Spa, Daytona Shores or by webinar TBD.
- December 15, 2020, Hyatt Regency, Sarasota or by Webinar TBD.

VIII. 7TH EDITION (2020), FLORIDA BUILDING CODE WORKPLAN UPDATE

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

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, 25 – 0 in favor, to approve the updated Workplan/Schedule for the 2020 Code Update Process—7th Edition (2020), Florida Building Code.

(Attachment 5—Updated 2020 Code Update Workplan)

IX. CONSIDERATION OF ACCESSIBILITY WAIVER APPLICATIONS

Justin Vogel, Accessibility Advisory Council legal advisor, presented the Accessibility Advisory Council's recommendations for all waiver applications, and the Commission reviewed and decided on the waiver applications submitted for their consideration.

Commission Actions Regarding Accessibility Waiver Applications:

1. Okaloosa County Sheriff's Office Training Center – Waiver 449 - 325 Grimes Ave, Crestview 32536

MOTION #1—The Commission voted unanimously, 25 – 0 in favor, to deny the waiver based on the fact that the project in question is new construction, and the petitioner had not demonstrated that the provisions of vertical accessibility would cause unnecessary, unreasonable, or extreme hardship.

MOTION #2—The Commission voted, 20 – 5 in favor, to reconsider their previous action on the application.

MOTION #3 AND FINAL COMMISSION ACTION—The Commission voted, 22 – 3 in favor, to grant the waiver on the basis that the provisions of vertical accessibility would cause unnecessary, unreasonable, or extreme hardship.

2. Florida Association of Rehabilitation Facilities – Waiver 456 - 1113 East Tennessee Street, Tallahassee 32308

MOTION—The Commission voted unanimously, 25 – 0 in favor to grant the waiver on the basis that the provisions of vertical accessibility would cause unnecessary, unreasonable, or extreme hardship.

3. Sunset Beach Suite Hotel – Waiver 450 - 4025 Indian Creek, Miami Beach 33139

MOTION—The Commission voted unanimously, 25 – 0 in favor, to grant the waiver based on the grounds of economic hardship and the historic nature of the property.

4. Normandy Hotel – Waiver 416 - 6979 Collins Ave, Miami Beach 33014

MOTION—The Commission voted unanimously, 25 – 0 in favor, to grant the waiver based on the grounds of historical significance.

5. 333 Jefferson Holdings, LLC – Waiver 453 - 333 Jefferson Avenue, Miami Beach 33129

MOTION—The Commission voted unanimously, 25 – 0 in favor, to grant the waiver based on the grounds of economic hardship.

X. CONSIDERATION OF APPLICATIONS FOR PRODUCT AND ENTITY APPROVAL

Jeff 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, 25 - 0 in favor, to approve the consent agenda of product approval entities (28) as posted/presented.

MOTION—The Commission voted unanimously, 25 - 0 in favor, to approve the consent agenda of products (132) 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, 25 – 0 in favor, to conditionally approve product FL 31761 based on the conditions requested by the applicant and recommended by DBPR staff.

MOTION—The Commission voted unanimously, 25 – 0 in favor, to approve product FL 31767.

Commission Actions Regarding DBPR Applications:

There was no Commission action required regarding the June 2020 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)*

XI. CONSIDER APPLICATIONS FOR ACCREDITOR AND COURSE APPROVAL

Commissioner Dean presented the applications, and the Commission reviewed and decided on the accreditor and course applications submitted for their consideration as follows:

Commission Actions:

MOTION—The Commission voted unanimously, 25 – 0 in favor, to approve advanced accredited course numbers: 965.0, 963.0, 951.0, and 969.0.

MOTION—The Commission voted unanimously, 24* – 0 in favor, to conditionally approve advanced accredited course number: 967.0. **Commissioner Schiffer abstained from voting.*

MOTION—The Commission voted unanimously, 25 – 0 in favor, to conditionally approve advanced accredited course number: 964.0.

MOTION—The Commission voted unanimously, 25 – 0 in favor, to approve administratively approved updated courses numbers: 881.1, 901.1, and 689.2.

MOTION—The Commission voted unanimously, 25 – 0 in favor, to approve administratively approved updated courses with one change numbers: 854.0, 853.0, 912.0 and 821.2.

MOTION—The Commission voted unanimously, 25 – 0 in favor, to conditionally approve administratively approved updated course with one change number: 629.2.

MOTION—The Commission voted unanimously, 25 – 0 in favor, to conditionally approve administratively approved updated course with one change number: 725.2.

MOTION—The Commission voted unanimously, 25 – 0 in favor, to defer action until the next meeting on administratively approved updated course with one change number: 900.1.

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

XII. LEGAL REPORT

Justin Vogel, Commission Legal Counsel, reported there were no new legal updates.

Annual Regulatory Plan

Justin explained that the Annual Regulatory Plan is a list of the statutory provisions impacting the Commission's duties or authorities, and indicates whether rulemaking is required in order to implement the provisions, and if so indicating whether a notice of development and/or notice of proposed rulemaking has been published, and the corresponding schedule. For FY 2020-2021:

- Implementation of HB 1193 (elimination of the appointed chair) requires rulemaking.
- Adoption of the 7th Edition (2020), Florida Building Code requires rulemaking

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, 25 – 0 in favor, to approve the 2020-2021 Annual Regulatory Plan as presented, and to authorize publication of the Plan by DBPR.

XIII. CONSIDERATION OF PETITIONS FOR DECLARATORY STATEMENTS

Justin Vogel, Commission Legal Counsel, presented each declaratory statement in turn. Following are the actions taken by the Commission regarding the petitions for declaratory statements.

1. DS 2020-022 by Eduard C. Badiu of CeBB Engineering & Testing Co.

Motion—The Commission voted unanimously, 25 - 0 in favor, to defer action on the Petition pending applicant providing additional information.

XIV. BINDING INTERPRETATION #185 BRIEFING

Acting Chair Schock reported that Binding Interpretation #185 was petitioned by John Winfrey regarding the Orange City Building Officials interpretation pursuant to the Plumbing Code, Chapter 3 – General Regulations, Section 312. The issue involves a petition for a binding interpretation on the BO’s interpretation regarding whether a gauge is required to prove a water supply system is not leaking, when the water supply system is permanently tied into the local municipal water supply system and under working pressure.

Mo Madani briefed the Commission on the Binding Interpretation Panel’s opinion as follows:

Binding Interpretation #185: Answer:

Question 1.) Answer: Yes. P2503.7 requires a pressure gauge to be utilized to prove the water supply system is tight when the inspector is unable to observe the entire piping system and connections. When minor repairs or modifications are made on a water supply system, and the inspector can observe each piping connection for leaks, a pressure gauge is not required.

XV. 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 Acting 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 TACs and POCs 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 June 2, 2020 Agenda):

http://www.floridabuilding.org/fbc/commission/FBC_0620/index.htm

Education POC

Commissioner Dean presented the POC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 25 – 0 in favor, to accept the POC's report as presented/posted (May 15, 2020).

Hurricane Research Advisory Committee

Jeff Blair presented the Committee's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 25 – 0 in favor, to accept the HRAC report as presented/posted (April 30, 2020).

Product Approval POC

Commissioner Stone presented the POC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 25 – 0 in favor, to accept the POC's report and Facilitator's summary report as presented/posted (May 21, 2020).

Roofing TAC

Commissioner Swope presented the TAC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 25 – 0 in favor, to accept the TAC's report as presented/posted (May 22, 2020).

Structural TAC

Commissioner Schock presented the TAC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 25 – 0 in favor, to accept the TAC's reports as presented/posted (April 30, 2020).

XVI. RULE WORKSHOP FOR RULE 61G20-1.001

Acting Chair Schock noted that the Commission started the 2020 Code Update Process in October of 2017 with selection of the 2018 I-Codes and the 2017 NEC, the TACs made recommendations on I-Code changes in June of 2018, the Commission decided on I-Code changes in October of 2018, the TACs made recommendations on proposed code modifications in March of 2019, the TACs decided on public comments to TAC recommendations in July of 2019, the Commission decided on code modifications for the 7th Edition (2020), Florida Building Code in August of 2018, and 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 7th Edition (2020), Florida Building Code. 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. At the April 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), and to proceed with rule adoption for Rule 61G20-1.001 (Florida Building Code Adopted).

The June 2, 2020 hearing was the final step in the Code Update process with a rule hearing for Rule 61G20-1.001, the draft Florida Building Code, 7th Edition (2020). After the Commission decided whether to take action on any submitted comments and any public comments provided during the rule hearing they would move to file for rule adoption for Rule 61G20-1.001(1), Florida Building Code Adopted, incorporating all approved amendments. The Acting Chair urged the Commission that at this juncture in the Code Update process they should only consider making changes to their approved Rule Draft of the Code that correct errors or update standards, and not to revisit any proposed Code amendments that have been well vetted numerous times already by the TACs and the Commission.

Jeff Blair explained the process and sequencing for the Rule Hearing as follows:

- The Facilitator will ask if anyone from the public wishes to make a comment.
- After the comment, proponents of the public comment will speak first.
- Opponents of the public comment will follow proponents.
- All comments are limited to a maximum of three-minutes (3) per person.
- Proponents/opponents will be allowed one (1) collective brief counterpoint opportunity to address any new point(s) raised by previous speakers(s), but only if they address new points specific to the comment(s) raised by the speaker(s) and if they provide new points. No repeating of previous comments/points. Rebuttals are limited to two-minutes (2).
- Limit your comment and be concise. Do not read lengthy prepared statements.
- Offer new points and/or state agreement with previous speakers. Please do not repeat what has been stated.
- The Commission wants to hear all perspectives, and not repeats of the same views.
- Clarifying questions of commenters is restricted to Commission members only.
- Staff, proponent, or specified commenter will respond to Commissioner questions.
- Once a motion for an action on a comment is on the floor, discussion is limited to Commission members except as allowed by the Chair/Facilitator.
- All public comments will be considered individually, followed by Commission action (*motion to approve, motion to approve as amended, or if there is no motion to approve, or a motion to approve and no second is offered, then the proposed amendment is deemed not approved*).
- Once the Commission takes action on all of the written comments submitted and posted to the BCIS, they would consider any additional verbal public comments provided during the Hearing, and the same process would be used as described above.

The Commission received requests for a total of six proposed amendments to the adopted Code during the June 2, 2020 rule hearing, and adopted three of the six.

Following a review of proposed amendments to the adopted Code, Acting Chair Shock noted that at the April 7, 2020 meeting Commissioner Stone reported that he had been by contacted by product manufacturers with a request to delay the effective date for the 7th Edition (2020), Florida Building Code by six months due to impacts from the coronavirus COVID-19 pandemic, and the Commission agreed to defer discussion of this until the June meeting.

The Acting Chair reported that prior to the meeting the Commission had received 8 written comments linked to the BCIS, and 2 additional comments received after the deadline for posting, with all 10

stakeholders in opposition to postponing the effective date of the Code. The Acting Chair asked if anyone from the public wished to speak to this issue before the Commission decided whether they wanted to consider a change to the Code's current effective date of December 31, 2020.

There were 13 public comments provided regarding whether to change the Code's effective date, with 9 in opposition, 2 conditionally opposed providing there would be sufficient Product Approval POC meetings to ensure that all products could be submitted and approved before the Code's effective date, 1 neutral on delaying the effective date providing that there was also an equivalent delay for the effective date of the Eighth Edition of the Code, and 1 in support of delaying the effective date by a few months.

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, 25 – 0 in favor, to adopt the reference standard update submitted by Joe Hetzel representing Thomas Associates, Inc.

MOTION—The Commission voted unanimously, 25 – 0 in favor, to adopt the corrected windspeed map submitted by Eric Stafford representing IBHS.

MOTION—The Commission voted unanimously, 25 – 0 in favor, to adopt the correction to TAS 103, Section 10.1.4.3 by striking the text ~~at ultimate load condition~~ submitted by Michael Fischer representing Kellen.

MOTION—The Commission voted unanimously, 25 – 0 in favor, to adopt the Commission's package of approved Code modifications to the 6th Edition (2017) for inclusion in the draft 7th Edition (2020), and to file the rule for adoption.

XVII. APPROVAL OF THE COMMISSION'S FISCAL YEAR 2019/2020 ANNUAL REPORT

Acting Chair Schock indicated that at each June meeting the Commission reviews and approves the Commission's Fiscal Year Annual Report, and currently the 2019 - 2020 Annual Report was up for approval. The Acting Chair noted that the plan as always, with the Commission's support and approval, was for the Acting Chair to review and approve the final draft of the Annual Report, ensure completeness and accuracy, and approve the Report for submittal to DBPR, the Legislature, and Governor.

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

Commission Actions:

MOTION—The Commission voted unanimously, 25 – 0 in favor, to adopt the Commission's Fiscal Year 2019 – 2020 Annual Report, including any Commission actions taken during the June meeting, and to charge the Chair with reviewing and approving the final Report prior to submittal to DBPR, the Legislature, and Governor.

(Attachment 6—FY 2019-2020 Annual Report)

XVIII. 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.

Commissioner Comments:

- Acting Chair Schock: reminded commissioners that they need to complete and submit their Statement of Financial Interests Form 1 for 2019 by July 1, 2019.

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. NEXT COMMISSION MEETING OVERVIEW AND ISSUES

The August 4, 2020 meeting will focus on the Commission's regular procedural and substantive issues, relevant rule development initiatives, and approval of the funding of selected research projects for fiscal year 2020 – 2021. Staff will keep the Commission and stakeholders informed regarding whether the August 4, 2020 meeting will be a face-to-face meeting in Ft. Lauderdale, or a virtual meeting.

(Attachment 5—Commission Meeting Schedule)

OTHER COMMISSION ACTIONS

There were no additional Commission actions taken during the June 2, 2020 meeting.

STAFF ASSIGNMENTS FROM THE JUNE 2, 2020 MEETING

Provide options for consideration during the rule development workshop for Rule 61G20-2.001 regarding revising the Commission's operational procedures to reflect the elimination of the appointed chair position.

ADJOURNMENT

After a closing roll call confirmed that the Commission retained a quorum (25 of the 25 Commissioner members who responded to the opening roll call), the Acting Chair thanked Commission members, staff and the public for their participation, and adjourned the meeting at 11:23 AM on Tuesday, June 2, 2020.

ATTACHMENT 1
FLORIDA BUILDING COMMISSION MEETING EVALUATION RESULTS

JUNE 2, 2020—VIRTUAL MEETING VIA WEBINAR AND TELECONFERENCE

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

Number of Respondents: 20 of 25 (80%) Commissioners participating in the virtual meeting completed meeting evaluations.

1. OVERALL MEETING ASSESSMENT.

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

2. COMMISSIONERS LEVEL OF AGREEMENT THAT THE MEETING OBJECTIVES WERE ACHIEVED.

- 9.9 ___ Chair's Discussion Issues and Recommendations.
- 9.7 ___ Executive Director's Announcements and Discussions.
- 9.8 ___ 7th Edition (2020), Florida Building Code Workplan Update.
- 9.8 ___ Applications for Accessibility Waiver Applications Approvals.
- 9.6 ___ 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.
- 9.7 ___ Binding Interpretation #185 Briefing.
- 9.9 ___ TAC, POC, Committee, and Workgroup Reports and Recommendations.
- 9.9 ___ Rule Workshop on 61G20-1.001.
- 9.8 ___ FY 2019-2020 Annual Report Approval.

3. HOW WELL THE FACILITATOR HELPED THE COMMISSIONERS ENGAGE IN THE MEETING.

- 9.95 ___ The members followed the direction of the Facilitator.
- 9.95 ___ The Facilitator made sure the concerns of all members were heard.
- 9.95 ___ The Facilitator helped us arrange our time well.
- 9.95 ___ Commission actions were documented accurately in Facilitator's Report (previous meeting).

4. COMMISSIONERS LEVEL OF SATISFACTION WITH THE MEETING.

- 9.8 ___ Overall, I am very satisfied with the meeting.
- 9.9 ___ I was very satisfied with the services provided by the Facilitator.
- 9.7 ___ I am satisfied with the outcome of the meeting.

5. HOW WELL THE NEXT STEPS WERE COMMUNICATED.

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

6. WHAT COMMISSIONERS LIKED BEST ABOUT THE MEETING.

- Not having to travel.
- Not having to travel. It's a real time saver.
- Very well conducted considering the large attendance!
- Jeff did an excellent job running the webinar meeting with over 100 participants. I especially liked how the sound issues were resolved right away by turning off the mics of participants so we didn't get any feedback. I think this is so important with the number of participants and was very well done yesterday.
- Efficient use of time.
- Very concise, accomplished our goals.
- Very well run meeting.
- Excellent job by all staff members. Given the circumstances the meeting was a "10."

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

- I think the meeting was executed very well.

8. FEEDBACK ON HOW THE VIRTUAL MEETING WORKED AND COULD BE IMPROVED.

- This is the second virtual meeting and equally as good as the first.
- Very successful so far.
- In my opinion the meeting went very well. I did have a problem with my internet dropping from time to time but with calling in on a landline and muting I was able to participate and hear everything clearly. Over 100 on the webinar and it went off without any major hiccups. Great Job Jeff!
- I thought the virtual meeting went well. There did seem to be some connection and sound problems along the way, but I'm not sure there was anything that can be done about that. I think the way you started the meeting with a brief discussion/stats on web meetings was interesting and helpful.
- I really liked the virtual meeting because I was able to hear **all** the conversations. At some of the onsite meetings, the acoustics are less than desirable and I sometimes have a hard time hearing the conversations. I would suggest that when we get back to on-site meetings, we improve the acoustics.
- I am happy with the format and how the meeting was facilitated. Although I feel the in person aspect of meetings is key to proper decision-making, this saves the taxpayers of Florida quite a bit of money not having to pay our travel costs. It also saves us all quite a bit of time not having to travel. I do feel certain that meetings during the year should be in person.
- Was incredibly pleased that the outside noise was filtered out from the call. With 97 people on the call I was impressed that I could hear all of the conversations and speak when needed.
- The teleconference meetings have been running very smooth. Thank you.

Suggestions for Improvements

- If we had a button in our screen that we could click whenever we wanted to speak you would have a list of names on the master Facilitator screen. That would speed up the process and help in record keeping. It would be the equivalent of raising our hands at a regular meeting.
- Use commissioner cameras.
- I think being able to allow video would make the meeting more personable, but I completely understand why we are not using it.
- I don't know if you noticed the comments being made in the chat section. I'm not sure if that should be considered as public comment as they were visible to anyone on the call who looked. Otherwise the teleconference is working.
- For some reason I lost telephone connection during the meeting and could not log back into the meeting using a phone, so I had to use computer audio.

ATTACHMENT 2
APRIL 7, 2020 MEETING AGENDA

FLORIDA BUILDING COMMISSION
PLENARY SESSION
APRIL 7, 2020
TELECONFERENCE/WEBINAR

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 Receive Update Regarding the Florida Building Code, 7th Edition (2020), Workplan.
- 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 Petition for Declaratory Statement.
- To Receive a Briefing on Binding Interpretation #185.
- To Receive/Decide on Reports and Recommendations from Committees.
- To Conduct Rule Hearing on Rule 61G20-1.001, 7th Edition (2020) Update to the Florida Building Code.
- To Review/Approve Final FY 2019-2020 Annual Report.
- To Hear Public Comment.
- To Identify Needed Next Steps, Assignments, and Agenda Items for Next Meeting (August 4, 2020 in Ft. Lauderdale or by virtual meeting TBD).

COMMISSION COMMITTEES—WEBINAR AND TELECONFERENCE MEETINGS

April 29, 2020	10:00 a.m.	Binding Interpretation Panel
April 30, 2020	9:00 a.m.	Structural Technical Advisory Committee Concurrent with the Hurricane Research Advisory Committee
May 15, 2020	10:00 a.m.	Education Program Oversight Committee
May 21, 2020	10:00 a.m.	Product Approval Program Oversight Committee
May 22, 2020	10:00 a.m.	Roofing Technical Advisory Committee
May 22, 2020	3:00 p.m.	Accessibility Advisory Council

MEETING AGENDA—JUNE 2 2020

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

8:30 a.m.	1.)	Welcome and Opening, Roll Call Virtual Meeting Participation Process Guidelines
	2.)	Review and Approval of Meeting Agenda

3.)	Review and Approval of Previous Meeting Minutes and Facilitator's Summary Report for April 7, 2020
4.)	Chair's Discussion Issues: Appointments: Special Occupancy TAC – Doug Aarons (resume) Milestones:
5.)	Executive Director Announcements and Discussions: Travel Reimbursement Announcement Product Approval Fee Waiver Building A Safer Florida Purchase Order 2020-2021 Implementation of HB 1193 · Rule 61G20-2.001 Future Meetings: August 4, 2020 – Embassy Suites, Ft. Lauderdale, Florida October 13, 2020 -Shores Resort and Spa, Daytona Beach, Florida
6.)	To Receive Update Regarding the Florida Building Code, 7 th Edition (2020) Workplan
7.)	Accessibility Waiver Applications: (Accessibility Advisory Council Report) 1. Okaloosa County Sheriff's Office Training Center – Waiver 449 - 325 Grimes Ave, Crestview 32536 - Issue: Vertical accessibility to the second floor. 2. Florida Association of Rehabilitation Facilities- Waiver 456 - 1113 East Tennessee Street, Tallahassee 32308 - Issue: Vertical accessibility to the second floor. 3. Sunset Beach Suite Hotel - Waiver 450 - 4025 Indian Creek, Miami Beach 33139 - Issue: Vertical accessibility to the second floor. 4. Normandy Hotel - Waiver 416 - 6979 Collins Ave, Miami Beach 33014 – Issue: Vertical accessibility to all 4 levels. 5. 333 Jefferson Holdings, LLC - Waiver 453 - 333 Jefferson Avenue, Miami Beach 33129 – Issue: Vertical accessibility to the second floor.
8.)	Applications for Product (2017) and Entity Approval
9.)	Applications for Accreditor and Course Approval
10.)	Legal Report Annual Regulatory Plan
11.)	Declaratory Statement: DS 2020-022 by Eduard C. Badiu of CeBB Engineering & Testing Co.
12.)	To Receive Briefing on Binding Interpretation #185

13.)	<p>Committee Reports:</p> <p>Education Program Oversight Committee (5/15/2020)</p> <p>Hurricane Research Advisory Committee (4/30/2020)</p> <p>Product Approval Program Oversight Committee (5/21/2020)</p> <p>Roofing Technical Advisory Committee (5/22/2020)</p> <p>Structural Technical Advisory Committee (4/30/2020)</p>
14.)	<p>Rule Hearing for Rule 61G20-1.001, F.A.C., Florida Building Code, 7th Edition (2020)</p> <p>Effective Date for Florida Building Code, 7th Edition (2020)</p> <ul style="list-style-type: none"> • Frank Bennardo • Sam Greenberg • Thomas Johnston • Comments received after May 15, 2020
15.)	<p>To Review/Approve Final FY 2019-2020 Annual Report</p>
16.)	<p>Commissioner Comment</p>
17.)	<p>Public Comment</p>
18.)	<p>Adjourn Commission Plenary Session</p>

ATTACHMENT 3
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 4

FLORIDA BUILDING COMMISSION HISTORY AND OVERVIEW

HISTORY

Following Hurricane Andrew in 1992 and Hurricane Opal in 1995, Florida experienced record-breaking insurance losses resulting in a crisis affecting every homeowner in the state. The Governor appointed a Building Code Study Commission, and 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 Study Commission recommended a Florida Building Code System comprised of *Five Foundations for a Better Built Environment* described as: I. The Code; II. The Commission; III. Local Administration of the Code; IV. Strengthening Compliance and Enforcement; and, V. Product Approval.

The legislature enacted the consensus recommendations into law in 1998. In late 1998, the FCRC Consensus Center 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. Facilitated Solutions, LLC continues to work with the Commission by providing facilitation and consensus-building services using the same process and facilitator.

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 5
COMMISSION'S UPDATED MEETING SCHEDULE AND CODE UPDATE WORKPLAN

(UPDATED JUNE 2, 2020)

COMMISSION APPROVED MEETING SCHEDULE

DATE FY 2019/2020	LOCATION
July 9-12, 2019	TAC meetings for comments on TAC's recommendations
August 13, 2019	Hutchison Island Marriott Resort and Marina
October 15, 2019	St. Petersburg Hilton Carlton Park
December 10, 2019	World Golf Village Renaissance, St. Augustine
February 11, 2020	Sheraton Orlando North, Maitland (Rules Workshop)
April 7, 2020	Virtual Meeting Via Webinar and Teleconference (Rules Workshop)
June 2, 2020	Hyatt Regency, Sarasota, or Webinar-Teleconference TBD
August 4, 2020	Embassy Suites, Ft. Lauderdale, or Webinar-Teleconference TBD
DATE FY 2020/2021	LOCATION
August 4, 2020	Embassy Suites, Ft. Lauderdale or by webinar TBD
October 13, 2020	Shores Resort and Spa, Daytona Shores or by webinar TBD
December 15, 2020	Hyatt Regency, Sarasota or by Webinar TBD

COMMISSION'S 2020 CODE UPDATE DEVELOPMENT WORKPLAN

7TH EDITION (2020) FBC CODE UPDATE DEVELOPMENT TASKS

7TH EDITION (2020) UPDATE TO THE FLORIDA BUILDING CODE—	
TASK	SCHEDULE
<i>Primary Code Development Phase:</i>	
2017 NEC published and available to the public;	10/2016
2018 International Codes published and available to the public;	09/2017
Commission selects 2018 I Codes "model codes" and 2017 NEC to conduct its review	10/10/2017
Staff post complete listing of the code changes to the I Codes online	1/2/2018
Staff post on Commission website analysis of the 2018 I-Code change (Tracking Charts and code change monographs)	5/1/2018
TACs review the 2018 changes to the I Codes and make recommendations to the Commission regarding those changes that are needed to accommodate the specific needs of this state. TACs meetings - 11-day on-site meetings – for more detail see TAC meeting schedule .	06/7-22/2018
Staff posts 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	7/30/2018

Code (IRC) and provide comments to the Commission on impactful code changes.	
RCCIWG meeting – on-site meeting (Orlando Marriott Lake Mary)	
Deadline for requesting amendments (2018 I-Codes changes) to be pulled of the consent agenda for individual consideration.	9/3/2018
Commission considers TACs’ recommendations regarding the latest changes to the model codes that are needed to accommodate the specific needs of this state – on site meeting (Embassy Suites - Sarasota)	10/8-9/2018
Staff post Commission’s recommendations online	11/1/2018
Period for public to propose modifications to the 6 th Edition (2017) FBC and the Commission’s approved changes to the model codes needed to accommodate the specific needs of this state	11/2/2018 – 12/15/2018
Proposed amendments reviewed by staff and posted to the Commission website	1/2/2019
1 st 45 day comment period ends (<i>By law -45 day min before TAC review</i>)	2/18/2019
Staff post on Commission website proposed code changes (Tracking Charts and Detail Reports)	3/1/2019
TACs consider proposed modifications (1 st 45 day comment period) TACs meetings - 4-day on-site meetings	3/14-26/2019
TACs recommendations posted to the website (Total mods – 1058; AS – 664; AM – 25; NAR – 339; and W – 30) Starting date for the 2 nd 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.	5/6/2019
RCCIWG meeting – on-site meeting (Gainesville)	
2 nd 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] – As needed and as applicable	7/9-12/2019
Staff post on Commission website TACs consideration of public comments	7/22/2019
Commission considers TAC recommendations (2 nd 45 day comment period) Commission – 2-day meeting	8/13-14/2019
7 th Edition (2020) FBC (6 th Edition (2017) FBC, Florida Supplement and Commission’s approved I Codes) posted online	9/19/2019
Provide Supplements to ICC for integration into the 6th Edition (2017) FBC	
TACs review comments to Rule Development Workshop of February 11, 2020 and make recommendations to the Commission TACs meetings - 3-day on-site meetings and 3-day conference call/webinar meetings	1/23-31/2020

Rule development Workshop Commission – 1-day meeting	February 11, 2020
TACs review comments to Rule Development Workshop of April 7, 2020 and make recommendations to the Commission TACs meetings - 2-day conference call/webinar meetings	3/24-25/2020
Rule development Workshops Commission – 1-day meeting	April 7, 2020
Integrated Draft 7 th Edition (2020) FBC – Posted online	April 20, 2020
Hearing on 7 th Edition (2020) FBC to consider received comments	June 2, 2020
Final Rule Hearing on 7 th Edition (2020) FBC/Commission approves final version of Code 7 th Edition (2020) Florida Fire Prevention Code available in final format	TBD
Rule Submitted to Secretary of State and Supplement/Integrated posted online – subject to addressing all of JAPC’s concerns	TBD
Printed Code available - subject to negotiation with ICC	TBD
2020FBC (7th edition) effective date (6 – months after publication)	12/31/2020
553.73(7)(e) A rule updating the Florida Building Code in accordance with this subsection shall take effect <u>no 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
FY 2019-2020 ANNUAL REPORT
SUMMARY OF ISSUES AND RECOMMENDATIONS

I. SUMMARY OF ISSUES AND RECOMMENDATIONS

MEETINGS. During the reporting period of July 1, 2019 – June 30, 2020 (fiscal year 2019 – 2020) the Commission conducted four on-site meetings and two virtual meetings via webinar and teleconference. During the period the Commission conducted on-site meetings in Hutchinson Island, St. Petersburg, St. Augustine, and Maitland/Orlando. The April and June 2020 meetings were conducted via webinar and teleconference to avoid travel during the coronavirus (COVID-19) disease pandemic.

OVERVIEW. The primary focus of the Florida Building Commission during the reporting period was proceeding with the development of the Florida Building Code, 7th Edition (2020) (Rule 61G20-1.001), and in amending Rule 61G20-2.002 (Statewide Amendments to the Florida Building Code) to implement the provisions of HB 447 (2019) which made changes to the Commission’s triennial update process for future editions of the Florida Building Code.

As previously reported, the 2017 Florida Legislature enacted amendments to Section 553.73, F.S. with regard to the triennial Code update and amendment process. Specifically, the Commission was 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 for development of the Florida Building Code, 7th Edition (2020) required the Commission to review the Model Codes, and then decide which provisions were needed to accommodate the specific needs of this State (Florida), with certain exceptions. As a result the Florida Building Code, 6th Edition (2017) served as the “base code” for the 2020 Code Update Process. The Commission has incorporated specific 2018 Model Code updates, and Code amendments proposed by stakeholders into the recently adopted Florida Building Code, 7th Edition (2020) with an effective date of December 31, 2020.

As a result of an amendment enacted by the 2019 Florida Legislature, beginning with the 2023 Code Update Process the Commission will no longer be required to decide which Model Code provisions are needed to accommodate the specific needs of this State, and will decide which Model Code updates to incorporate into the Florida Building Code based on a suite of criteria including, but not limited to: whether the model code provisions are editorial or organizational in nature, correct an error, provide clarification, provide for alternative design methods, improve the effectiveness of the code, are uncontroversial to affected stakeholders, or are required by law. The Commission will initiate the development of the Florida Building Code, 8th Edition (2023) when they select the Model Code editions for review in the Fall of 2020.

Entering its twenty-second 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 using their facilitated stakeholder driven consensus-building process.

PROCESS. During the reporting period the Commission continued its 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 Acting Chair Jim Schock encouraged and led the Commission's consensus-building efforts supported by DBPR Commission staff. To this end, the Commission convened two special issue projects in collaboration with impacted building construction industry stakeholders. During the reporting period the Commission conducted rulemaking for Rule 61G20-2.001 (Commission Organization and Operation) to revert the powers of the Commission chair to the vice-chair subject to review and approval by the Commission in the event there is not an appointed chair serving on the Commission. In addition, the Commission also amended the Rule to strike the provision that required the Commission to only consider motions to approve. Finally, with enactment of HB 1193 (2020) which contained an amendment to Section 553.75, F.S., membership of the Commission was reduced by eight members, including the appointed chair position. In response the Commission voted to initiate rulemaking for Rule 61G20-2.001 during their June 2, 2020 meeting to revise their operational procedures accordingly.

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 edition, the Florida Building Code, 6th Edition (2017) maintained this commitment, and the Commission's adoption of the Florida Building Code, 7th Edition (2020) does the same, including incorporating the provisions of the latest ASCE-7 edition (ASCE-7-16, Minimum Design Loads and Associated Criteria for Buildings and Other Structures by the American Society of Civil Engineers (ASCE)).

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. In addition, the Commission expanded the funding of research projects in August of 2013 to include 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. After expanding the scope for the funding of research projects, for fiscal year 2019 - 2020 based on the recent impacts of hurricanes to Florida, the Commission voted to limit the scope of Commission funding of research projects to hurricane resistant research.

In July of 2019 the Commission’s Structural Technical Advisory Committee (TAC) met concurrently with the Fenestration Water Resistance Workgroup to make recommendations regarding the funding of research projects for the Commission’s consideration during their August 2019 meeting. The Commission voted to fund three research projects at the August 2019 meeting, and to refer three additional projects to the Commission’s Technical Advisory Committee Chairpersons’ Committee for their recommendations. The TAC Chairs met immediately prior to the October 2019 Commission meeting to provide the Commission with their recommendations, and during the Plenary Session the Commission voted to fund three additional projects, for a total of six research projects funded for fiscal year 2019 - 2020.

During the reporting period—based on recommendations from the Commission’s Structural TAC, the Fenestration Water Resistance Workgroup, the Technical Advisory Committee Chairpersons, and DBPR technical staff—the Commission approved the funding of six research projects for fiscal year 2019 – 2020. As a result of evaluating proposed research projects in the context of the key evaluation criteria, the Commission sponsored the following important research projects: *Investigation of Optional Enhanced Construction Techniques for the Wind, Flood, and Storm Surge Provisions of the Florida Building Code*; *Update and Development of Wind Speed Line Maps for the Florida Building Code, 7th Edition (2020)*; *Code review of the integrated draft for the Florida Building Code, 7th Edition (2020)*; *Phase II: Experimental Evaluation of Pressure Equalization Factors and Wind Resistance of Vinyl Siding Systems Using a Multi-Chamber Pressure Test Bed*; *Wind-Driven Rain Tests of Building Envelope Systems up to Hurricane-Strength Wind-Driven Rain Intensity*; and, *Survey and Investigation of Buildings Damaged by Category II, IV and V Hurricanes in FY 2019-2020*. Of note, five of the six research projects funded were with principle investigators at the University of Florida, Engineering School of Sustainable Infrastructure and Environment.

In addition, during the reporting period the Commission continued its commitment to evaluating and amending the Code as needed based on storm damage investigations, through periodic updates and reviews of research projects and investigations. The Structural Technical Advisory Committee, and the Hurricane Research Advisory Committee have been reviewing interim research project reports, and providing feedback to the principle investigators for revisions prior to submittal for final reports and approval by the Commission.

As previously reported, investigations and analysis of the impacts of Hurricane Michael conducted by the University of Florida demonstrated that houses built to the Florida Building Code (FBC) performed better than those that were not built to the FBC. In an effort to learn from each storm event, and with a commitment to enhance the wind and water resistance provisions of the Code with each edition, the Commission approved reconvening the Hurricane Research Advisory Committee (HRAC) with new membership at their December 2019 meeting. Finally, at the April 2020 meeting the Commission again voted to limit the scope of Commission funding of research projects for fiscal year 2020 - 2021 to hurricane resistant research, and to approve using the Hurricane Research Advisory Committee as the stakeholder group to review and make recommendations to the Commission regarding which projects to fund.

2020 CODE UPDATE. Florida law requires the Commission to update the Florida Building Code every three years, and the Florida Building Code, 7th Edition (2020) represents the sixth update of the Code. The implementation of the Florida Building Code, 7th Edition (2020) will ensure that Florida’s Energy Code efficiencies are maintained as required, and that the requirements related to wind resistance or

prevention of water intrusion contained in the Code or its referenced standards and criteria are maintained or enhanced.

The 2020 Code Update process reflects changes pursuant to 2017 legislation requiring that the Florida Building Code, 6th 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 (I-Code), and 2017 National Electrical Code (NEC) for review in the development of the Florida Building Code, 7th Edition (2020). At the August 2018 meeting the Commission voted to approve the Commission’s Review Process for 2018 I-Code updates, and at the October meeting reviewed the TACs’ recommendations, and voted to adopt their package of approved 2018 I-Code updates for inclusion into the Florida Building Code, 7th Edition (2020).

At the February 2019 meeting the Commission voted to approve the TACs’ Code amendment review and approval process, the TAC review process for public comments on TACs’ Code amendment recommendations, and the Commission’s Code amendment approval process for the 2020 Code Update Process—Florida Building Code, 7th Edition (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 amendments for inclusion in the Florida Building Code, 7th Edition (2020), and subsequently during the period of July 9-12, 2019 the TACs meet to provide comments to the Commission regarding public comments received on the TACs’ Code amendment recommendations.

The Commission decided on code amendments for the Florida Building Code, 7th Edition (2020) in August of 2019, and the TACs made recommendations on public comments to the draft Florida Building Code, 7th Edition (2020) in January of 2020. At the February 7, 2020 rule workshop the Commission voted unanimously to adopt the Commission’s package of approved Code amendments to the Florida Building Code, 6th Edition (2017) for inclusion in the draft Florida Building Code, 7th Edition (2020). 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. At the April 7, 2020 rule development workshop the Commission voted unanimously to adopt the Commission’s package of approved Code amendments to the Florida Building Code, 6th Edition (2017) for inclusion in the draft Florida Building Code, 7th Edition (2020) and to proceed with rule adoption. The Commission conducted a final rule adoption hearing at their June 2, 2020 meeting and voted to file the Rule for adoption incorporating all Commission approved amendments. The Code development process will conclude when the Florida Building Code, 7th Edition (2020) becomes effective on December 31, 2020.

Following is a table reflecting the key tasks and associated schedule for the 2020 Code Update Process:

7TH EDITION (2020), FLORIDA BUILDING CODE DEVELOPMENT SCHEDULE	
KEY TASKS	SCHEDULE
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 amendments (1 st 45 day comment period)	March 14-26, 2019
TACs consider public comments on their actions on the proposed amendments.	July 9-12, 2019
Commission considers TAC’s recommendations (2 nd 45 day comment period).	August 13-14, 2019
TACs consider public comments on proposed amendments to the draft Code.	January 28 & 31, 2020
Commission conducts rule development workshop on the Commission’s package of approved Code amendments for the Florida Building Code, 7 th Edition (2020)	February 22, 2020
TACs consider public comments on proposed amendments to the draft Code.	March 24-25, 2020
Commission conducts rule development workshop on the Commission’s package of approved Code amendments for the Florida Building Code, 7 th Edition (2020).	April 7, 2020
Final rule adoption hearing on Florida Building Code, 7 th Edition (2020)—Commission approves final version of the Code.	June 2, 2020
Florida Building Code, 7 th Edition (2020) Effective Date.	December 31, 2020

2023 CODE UPDATE. Florida law requires the Commission to update the Florida Building Code every three years, and the Florida Building Code, 8th Edition (2023) will represent the 7th update of the Code. The 2019 Florida Legislature passed HB 447 changing the Florida Building Code’s triennial update process effective July 1, 2020. In order to implement this provision the Commission initiated rulemaking to amend Rule 61G20-2.002 -Statewide Amendments to the Florida Building Code. At the October 2019 meeting the Commission conducted a rule development workshop on Rule 61G20-2.002 and began the process of implementing the provisions of HB 447 amending Section 553.73 (7)(a), Florida Building Code 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. At the October 2019 meeting the Commission received public comments, and discussed the public comments regarding proposed changes to the triennial update process and changes to the Commission’s adopted code processes, and discussed specific changes they would like to consider regarding the Rule and process documents. 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. At the February 7, 2020 rule workshop the Commission voted unanimously to approve the draft rule language text proposed by the Florida Homebuilders Association, incorporated several amendments to the text, approved the specified changes to the draft Rule 61G20-2.002, and directed staff to incorporate them into an updated draft for the Commission's consideration during the April 7, 2020 fifth and final rule workshop. At the April 7, 2020 workshop the Commission received public comment and voted unanimously to approve the specified changes to the draft Rule 61G20-2.002, and to direct staff to proceed with rule adoption.

In addition, the Commission received public comment and discussed the five process documents for the TACs' and Commission's review and consideration of comments on the I-Code updates and proposed amendments to the Code. The development of the Florida Building Code, 8th Edition (2023) will commence when the Commission selects the Model Code editions for review in the Fall of 2020.

ENERGY CODE INITIATIVES. During the reporting period, the Commission voted to send a Letter of Certification of Equivalence to the Department of Energy (DOE) certifying the equivalence of the latest draft of the Florida Building Code, 7th Edition (2020), Energy Conservation's commercial building provisions to ASHRAE 90.1-2016. In addition, the Commission voted to suspend updating the Compliance Software Tool Assistance Manual (TAM), and not to produce a TAM update for the Florida Building Code, 7th Edition (2020), Energy Conservation.

There were no requests during the reporting period to approve additional Energy Code Compliance Software for the Florida Building Code, 6th Edition (2017), Energy Conservation, due to the eminent transition from the 6th Edition to the 7th Edition effective December 31, 2020. It is anticipated that software developers will submit their energy code compliance software soon after adoption of the 7th Edition, and before the effective date, to ensure designers and builders will be able to demonstrate that their buildings comply with the Energy Code requirements of the Updated Code.

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 continue to 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 of 2003, the Commission has approved 33,406 product applications, and 147,399 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 7,098 (7,732 total in the System), the total number of products approved to the 2017 Code is 30,075 (33,021 total in the System), and the total number of entities approved to the 2017 Code is 126 (412 total in the System).

During the reporting period, the Commission amended Rule 61G20-3.007, Product Approval by the Commission, to provide that the Commission may, for a duration of time, waive fees for state approval of products upon a finding that such waiver will not have an adverse impact on the Commission's ability to process applications. The Commission's plan for the near-term is to waive fees from July 1, 2020 –

December 31, 2020 to allow manufacturers of current product approvals to update their current product approvals to the requirements of the Florida Building Code, 7th Edition (2020).

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.

FENESTRATION WATER RESISTANCE WORKGROUP. As previously reported, the Workgroup was convened in 2019 as a result of the Commission's approval of a research project to evaluate the Code's fenestration water resistance requirements. The scope of the project was 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.

The Workgroup met several times during 2019, and ultimately voted to recommend that the Commission fund research that evaluates the entire building envelope on high-rise buildings related to the building fenestration interface including evaluating the fenestration, installation, and maintenance to determine the causes of water infiltration. At the July 2019 meeting the Workgroup met concurrently with the Structural TAC to review and provide comments on the scope of work for research projects necessary to evaluate the entire building envelope on high rise buildings related to the building fenestration interface including the fenestration, installation, and maintenance and to determine the causes of water infiltration. The Workgroup provided comments and indicated that the revised scope for the research project, consistent with the Workgroup's recommendation, was reasonable and a good approach. The Workgroup's scope of work falls under the purview of the newly reconvened Hurricane Research Advisory Committee, who will continue to monitor research, review research project reports, and make recommendations to the Commission for enhancements to the wind and water resistance provisions of the Code.

HURRICANE RESEARCH ADVISORY COMMITTEE. The Hurricane Research Advisory Committee (HRAC) was originally convened in January of 2005, and last met formally in 2012. The Commission decided that as a result of the increased frequency and impacts of hurricanes to Florida the HRAC should be reconstituted and convened to continue evaluating research for wind and water intrusion enhancements, including reviewing UF's and FEMA's hurricane related reports. The Commission voted to reconvene the HRAC with new membership at the December 10, 2019 meeting, maintaining a balance of perspectives and stakeholders as in the past. In addition, the Commission voted in April of 2020 to use the HRAC to evaluate, prioritize, and provide the Commission with recommendations on which

research projects to fund going forward. This approach will initiate in August of 2020 for the Commission's review and funding of fiscal year 2020 – 2021 research projects.

The scope of work and purpose of the Hurricane Research Advisory Committee (HRAC) is: to identify and review what research is being conducted related to building failure issues resulting from high wind events generally, and recent hurricanes in Florida specifically; to identify any research gaps on key issues identified from reports and studies but not being researched; to ensure that the Commission is provided with all relevant research findings on each of the major issues, prior to the Commission considering code enhancements resulting from lessons learned; and, to identify any needed Code changes the Commission should consider for enhancements to the wind and water resistance provisions of the Florida Building Code.

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 26 binding interpretations regarding the Florida Building Code to date.

FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION (FACBC) DECLARATORY STATEMENTS. In 2014, the Florida Building Commission was granted authority by the Florida Legislature to interpret the Florida Accessibility Code for Building Construction (FACBC). There were no interpretations issued during the reporting period, and to date the Commission has issued five interpretations regarding petitions for declaratory statements on the FACBC.

LEGISLATIVE ASSIGNMENTS. The 2019 Florida Legislature passed HB 447 changing the Florida Building Code's triennial update process. The change becomes effective July 1, 2020. In response to the assignment, the Commission began the rulemaking process in August of 2019 and completed rulemaking in June of 2020, to update Florida Administrative Code Rule 61G20-2.002, to reflect the statutory change.

The 2019 Florida Legislature passed HB 447 regarding Section 105.4 Conditions of the Permit. In response to the assignment, the Commission's Staff submitted the appropriate language as comments that were approved by the Commission at the February 2020 and April 2020 Rule Development Workshops, and June 2, 2020 Rule Hearing for inclusion in the Florida Building Code, 7th Edition (2020).

The 2019 Florida Legislature passed HB 827 regarding Section 110.8.1 Threshold Building. In response to the assignment, the Commission's Staff submitted the appropriate language as comments that were approved by the Commission at the February 2020 and April 2020 Rule Development Workshops, and June 2, 2020 Rule Hearing for inclusion in the Florida Building Code, 7th Edition (2020).

The 2020 Florida Legislature passed CS/HB 1193 reducing the Florida Building Commission from 27 to 19 members. This change will become effective on January 1, 2021, and the Commission initiated rulemaking in June 2020 for Rule 61G20-2.001 to revise their operational procedures accordingly.

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 amendments 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.

As a general approach, the Commission works with building construction industry stakeholders to build consensus on legislative assignments and on amendments to the Florida Building Code implemented through rulemaking, 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 2021 Legislative actions deriving from Commission activities during the reporting period of July 1, 2019 – June 30, 2020.