

**FLORIDA BUILDING COMMISSION**  
**The Plaza Beach Resort and Spa**  
**600 North Atlantic Boulevard**  
**Daytona Beach, Florida**  
**Plenary Session**  
**August 18, 2015**  
**8:30 AM**

**COMMISSIONERS PRESENT:**

Dick Browdy, Chairman  
Hamid Bahadori  
Steve Bassett  
James Batts  
Bob Boyer  
Donald Brown  
Jay Carlson  
David Compton  
Nan Dean  
Kevin Flanagan  
Charles Frank

David Gilson  
Richard Goff  
Brian Langille  
Beth Meyer  
Darrell Phillips  
Bradley W. Schiffer  
Frederick Schilling  
Jim Schock  
Jeff Stone  
Brian Swope

**COMMISSIONERS NOT PRESENT:**

Oscar Calleja  
Robert Hamberger

Jeff Gross  
Drew Smith

**OTHERS PRESENT:**

Drew Winters  
April Hammonds  
Robert Benbow  
Chris Burgwald

Mo Madani  
Barbara Bryant  
Jim Hammers

**MEETING FACILITATION:**

The meeting was facilitated by Jeff Blair from the FCRC Consensus Center at Florida State University. Information at: <http://consensus.fsu.edu/>

**Welcome:**

**Time: 8:30 am**

Chairman Browdy welcomed Commissioners, staff, and members of the public to Daytona Beach and the August 18, 2015 plenary session of the Florida Building Commission. He stated that the primary focus for the August meeting, 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 the Commission's various committees, was for the purpose of discussing and deciding on rules, and TAC Chairman's recommendation on research projects. Chairman Browdy stated one other item that will be deferred is the Accessibility TACs recommendations regarding the Florida Accessibility Code for building construction.

Chairman Browdy advised members of the public to sign the attendance sheet on the speaker's table in the center of the room. In addition, we have a sign-up sheet for general public comment. He stated as always, we will provide an opportunity for public comment on each of the Commission's substantive discussion topics (actions that are not procedural or ministerial in content). Chairman Browdy stated if a member of the public would like to comment on a specific substantive Commission agenda item, please come to the speaker's table when the issue is up for consideration so we know you want to speak. He advised that public input is welcome, but should be offered before there is a formal motion on the floor. Chairman Browdy asked that all participants and members of the audience keep all electronic devices turned off or in a silent mode. Thank you for your cooperation.

Chairman Browdy stated that there are also buff colored "*Public Comment Forms*" on the speakers' table that can be used to provide written comments. All written comments will be included in the Facilitator's Summary Report. Please give your completed "*Public Comment Forms*" to Jeff Blair. He advised some of the licensing boards located within the Department of Business and Professional Regulation have adopted rules regarding continuing education credits for attending Florida Building Commission meetings and/or Technical Advisory Committee meetings. If your board participates you may sign-in on the kiosk laptop provided in the meeting room.

**Roll Call:**

Chairman Browdy asked that Jeff Blair performed roll call, a quorum was met with twenty one members present.

Chairman Browdy requested that Jeff Blair cover the agenda items for the meeting today.

**Agenda Review and Approval:**

Jeff Blair welcomed participants to the August Plenary Session and introduced the agenda as follows stating there are two amendments that will need to be approved in the motion one being to strike review and approve the annual report as this was done at the last meeting and to defer item fourteen Florida Accessibility Code for Building Construction Review and Recommendations.

- To Approve Regular Procedural Topics (Agenda and Minutes)
- To Consider/Decide on Chair's Discussion Issues/Recommendations
- To Consider/Decide on Accessibility Waiver Applications
- To Consider/Decide on Approvals and Revocations of Products and Product Approval Entities
- To Consider/Decide on Petitions for Declaratory Statement
- To Consider Applications for Accreditor and Course Approval
- To Receive and Consider an update on the 6<sup>th</sup> Edition (2017) FBC Work Plan
- To Discuss Rule 61G20-1.003 Second Emergency Elevator Effective Date
- To Discuss Rule 61G20-1.004 Effective Date for Blower Door and Mechanical Ventilation Requirements
- To Consider Repealing Rule 61G20-1.002 (Alternative Design Method for Screen Enclosure) and Rule 61G20-2.004 (Notice of Rights)
- To Review and Approve FY 2014-2015 Annual Report.
- To Consider Approval of Energy Code Compliance Software
- To Receive and Consider Recommendation for Research to be Performed During FY 2015-2016
- To Review and Consider of Findings/Recommendations of Final Report "Florida Accessibility Code for Building Construction Review and Recommendation"
- To Receive/Decide on Reports and Recommendations from Committees
- To Hear Public Comment
- To Identify Needed Next Steps, Assignments, and Agenda Items For Next Meeting

**Agenda Review and Approval (cont.)**

Chairman Browdy requested a motion to approve the August 18, 2015 agenda as presented and amended. A motion was entered by Commissioner Schilling and seconded by Commissioner Schiffer, the motion passed unanimously as amended.

**Approval of the June 19, 2015 Facilitator's Summary Report and Meeting Minutes.**

Chairman Browdy requested a motion for the Approval of the June 19, 2015 Facilitator's Summary Report and Meeting Minutes.

Commissioner Brown entered a motion to approve the June 19, 2015 Facilitator's Summary Report and Meeting Minutes as presented with no amendments offered. The motion was seconded by Commissioner Phillips. The motion passed unanimously with a vote of 21-0 in favor.

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

Chairman Browdy advised that as he had reported at the June meeting Tim Tolbert resigned from the Commission as a result of taking a position out of state. He said that Tim served exceptionally as a Commissioner from July 1, 2008 – January 15, 2015. Chairman Browdy stated in addition to serving on multiple special issue workgroups during his term, Tim served as the Chairman of the Plumbing TAC, Chairman of the Swimming Pool TAC and also served as a member of the Code Administration TAC and the Product Approval POC. Chairman Browdy stated on behalf of the Commission he wanted thanked Tim for his hard work and 7 years of outstanding service to the citizens of Florida. He stated that the Commission wishes Tim well in his new position as the building official for Lafayette, Louisiana and a resolution will be mailed to Tim.

Commissioner Bahadori entered a motion to adopt the Resolution of Commendation for Commissioner Tim Tolbert. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 21-0 in favor.

**Update on Jim Richmond, FBC Executive Director:**

Drew Winters, Deputy Director, Division of Professions provided an update on Jim's condition stating he continues to recover and will be returning to work as soon as possible.

**Appointments:**

Chairman Browdy appointed David Gilson to the Product Approval POC to fill the vacancy left by the resignation of Tim Tolbert. He thanked David for agreeing to serve and Tim for his service to the citizens of Florida.

Chairman Browdy appointed Jim Batts to serve as Chairman of the Swimming Pool TAC to fill the vacancy left by the resignation of Tim Tolbert. He thanked Jim for agreeing to serve as Chairman.

Chairman Browdy appointed Kevin Flanagan to serve on the Swimming Pool TAC to fill the vacancy left by Tim Tolbert's resignation and Jim Batts moving into the Chairman's position. He thanked Kevin for agreeing to serve on the TAC.

Chairman Browdy appointed Richard Goff to the Code Administration TAC to fill the vacancy left by the resignation of Tim Tolbert. He thanked Richard for agreeing to serve.

Chairman Browdy appointed Phillip Sanders to the Special Occupancy TAC to fill the vacancy left by Hubert Baxter as the DEP representative. He welcomed Phillip, and thanked Hubert for his service to the citizens of Florida.

Chairman Browdy appointed Steve Bassett to the Energy TAC and replaced Steve on the Electrical TAC. He thanked Steve for agreeing to move from the Electrical TAC to the Energy TAC.

Chairman Browdy appointed Neal Burdick to the Electrical TAC to fill the vacancy left by Steve Bassett moving to the Energy TAC. He welcomed Neal to the TAC.

Chairman Browdy appointed Jeremy Gerwing to the Electrical TAC to fill the vacancy left by Jay Dagner who retired and subsequently resigned from the TAC. He welcomed Jeremy and thanked Jay for his service to the citizens of Florida.

**Consideration of Accessibility Waiver Applications:**

Chairman Browdy stated the Commission will now consider this month's requests for accessibility waivers. April Hammonds will serve as legal counsel and present the Accessibility Advisory Council's recommendations. He then asked Ms. Hammonds to present the Councils' recommendations regarding waiver requests in turn.

**Consideration of Accessibility Waiver Applications:**

Chairman Browdy stated the Commission will now consider this month's requests for accessibility waivers. April Hammonds will serve as legal counsel and present the Accessibility Advisory Council's recommendations. He then asked Ms. Hammonds to present the Councils' recommendations regarding waiver requests in turn.

Ms. Hammonds noted for the record that there was a quorum for the Council Meeting.

[Spruce Creek HS, 801 Taylor Rd, Port Orange, FL](#) – Withdrawn by applicant.

[336 Collins Ave, 336 Collins Ave, Miami Beach, FL](#) – Council recommended denial on the basis that an exterior ramp is feasible.

Commissioner Schilling entered a motion to accept the recommendation of denial on the basis that an exterior ramp is feasible. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 21 to 0 to deny.

[Fickeled Fin, 101 Bridge St, Bradenton Beach, FL](#) - Council recommended denial on the basis that insufficient information was provided.

Commissioner Schilling entered a motion to accept the recommendation of denial on the basis that insufficient information was provided. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 21 to 0 in favor.

[Gobblers Lodge, 385 Gobblers Lodge Rd, Volusia County, FL](#) - Council recommended granting based on unnecessary hardship.

Commissioner Schilling entered a motion to accept the recommendation of approval based on unnecessary hardship. Commissioner Meyer seconded the motion. The motion passed with a vote of 20 to 1 in favor.

[Hell n Blazes, 1002 E New Haven Ave, Melbourne, FL](#) - Council recommended granting based on economic hardship.

John Walker, petitioner was present and agreed with the Council recommendation and was available for questions.

Commissioner Flanagan asked why a lift was not looked at.

Mr. Walker stated the structural engineers and architects made the decisions and he would not be able to respond for that question.

**Consideration of Accessibility Waiver Applications (cont.):**

Commissioner Schiffer entered a motion to accept the recommendation of approval based on unnecessary hardship. Commissioner Carlson seconded the motion. The motion passed with a vote of 20 to 1 in favor.

[New Walton County Middle School #79, 605 Bruce Ave, Defuniak Springs, FL](#) - Council recommended granting based on unnecessary hardship.

Discussion followed among the Commission.

Commissioner Schock entered a motion to accept the recommendation of approval. Commissioner Schilling seconded the motion. The motion passed with a vote of 20 to 1 in favor.

[Square Grouper Tiki Bar, 1920 Seaway Drive, Ft. Pierce, FL](#) - Council recommended granting to the extent necessary based on unnecessary hardship.

John Farinelli JD Consulting stated he had completed some consulting work on this project and assisted this applicant in classifying and clarifying the requirements of the code and will be available to answer questions from the Commission.

Commissioner Compton asked why they chose an R2 for the second floor.

Mr. Farinelli stated there was no choice per section R302 of the Building Code, it had to be classified as R2 as they are sleeping units, similar to a dormitory no cooking facility.

Commissioner Flanagan stated he would have to go against the TAC on this waiver, he thinks it is a brand new facility again a lift could be incorporated in this and who is to say these rooms are not going to get rented out.

Mr. Farinelli stated it is not zoned for this, the owner Mr. Jimmy Burke had to get a letter from the Zoning Department of Ft. Pierce stating clearly that it is not zoned for R1 and they can never be leased out. He stated as far as the employees staying there that would come under another section of the ADA and would not come into play here.

Commissioner Schock stated his concern was talking about the owners and their guest, he said a building official and seeing what they do, he has some doubts as to how much of this is a private use issue and this is a new building and should meet the requirements.

Commissioner Schock entered a motion to deny the recommendation of the Council. Commissioner Schilling seconded the motion. The motion to deny passed with a vote of 11 to 10.

**Consideration of Accessibility Waiver Applications (cont.):**

[North Trail RV Sales Center, 5270 Orange River Blvd., Ft Myers, FL](#) - Council recommended granting based on unnecessary hardship.

Commissioner Flanagan stated when he reviewed this he remembers seeing an elevator. He said in a 4 million dollar new construction, he cannot support this recommendation.

Commissioner Schock stated under their description he does take exception to the last sentence “Any authorized person requiring access to the storage area is required to be fully ambulatory and non-handicapped” well if that mezzanine is used for storage and only available to five or less employees, not different employees but the same employees then he thinks it falls under exception. He said however, it would be Title I he thinks and would require them not to make that last statement. Commissioner Schock stated if they hire a disabled person, then they have to provide the access. He said is this strictly storage and is it limited to five employees.

Ms. Hammonds said this question did not come up in the Council Meeting and this is one that does cause some concern as this new construction and they said there would be employees present, but did not clarify further.

Commissioner Meyer wanted to add language to add a lift.

Commissioner Dean stated there is a statement on the mezzanine drawing that the space never has more than five people to access.

Commissioner Schock entered a motion to defer for additional information requested by the Commission. Commissioner Schiffer seconded the motion. The motion to defer passed with a vote of 15 to 6.

[Existing Two-Story Buildings, 7541 Byscane Blvd., Miami, FL](#) – Council recommended granting based on unreasonable economic hardship.

Commissioner Schock entered a motion to grant the waiver based on economic hardship. Commissioner Flanagan seconded the motion. The motion passed unanimously to grant with a vote of 21 to 0.



**Consideration of Accessibility Waiver Applications (cont.):**

[UCF Global Garage Addition, 4000 Central Florida Blvd, Orlando, FL](#) – Council recommended denial based on Title II requirement.

Commissioner Flanagan entered a motion to accept recommendation of Council for denial based on Title II requirements. Commissioner Schilling seconded the motion. The motion to deny the waiver based on the Commission not having authority to waive Title II requirements passed with a vote of 19 to 0.

[Sobe Village Condominium, 440 14th Street & 1355 Drexel Ave., Miami Beach, FL](#) – Council recommended granting based on economic hardship.

Commissioner Flanagan stated the electronic link is not working to the floor plans and sheets A1 and A2 missing.

Commissioner Schilling entered a motion to defer for additional information requested by the Commission. Commissioner Schiffer seconded the motion. The motion to defer passed with a vote of 12 to 9.

[Bass Museum of Art Renovation/Expansion, 2100 Collins Ave, Miami Beach, FL](#) - Council recommended conditional granting based on historic nature.

Commissioner Brown entered a motion to accept the recommendation of Council for granting the conditional waiver on the basis of the historic nature of the building. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 21 to 0.

[336 Collins Ave, 336 Collins Ave, Miami Beach, FL](#) - Reconsideration Request:

Ms. Hammonds advised the Commission that the applicants for waiver for 336 Collins Avenue, Miami Beach, FL previously denied had just arrived at the meeting and requested that the Commission reconsider their application. She advised the Commission it is at their pleasure.

Chairman Browdy stated that the petitioner is in the room and asked for reconsideration and asked the Commission if there was a motion to reconsider the waiver for 336 Collins Avenue, Miami Beach, FL.

Commissioner Bassett entered a motion for reconsideration of the waiver for 336 Collins Avenue, Miami Beach, FL. Commissioner Carlson seconded the motion. The motion to reconsider passed with a vote of 21-0.

Chairman Browdy asked the petitioner representative to introduce himself.

**Consideration of Accessibility Waiver Applications (cont.):**

Amilcar Melendez, architect of record for this project on 336 Collins Avenue. He stated that he had been asked by the Council to provide an exhibit to the Commission at the Plenary Meeting.

Ms. Hammonds provided the background of the waiver to the Commission again.

Chairman Browdy stated that this waiver was previously denied and now is under reconsideration and asked Mr. Melendez to provide the Commission with any new information.

Mr. Melendez stated at the Council Meeting the waiver was denied and said one member of the Council recommended an outdoor ramp on the north side of the building. He said that stated the first sheet of the handout, the north is up on the plan and the property is just 50 feet wide and the building occupies 40 feet of that and the ramp is on the north side of the building. Mr. Melendez stated that on the lobby is the entire width of the building as shown on the drawing. He further stated that on the second page shows the ground and first floor plan and the first floor which occupies the last 4/5<sup>th</sup> of the footprint is elevated four feet. Mr. Melendez said the lobby and building is considered contributing by the City of Miami Beach and is listed in their historic buildings database and was built around 1933 as a Hotel and has always been a Hotel and in the last few years has been neglected and there have been things done to the building that are not consistent with the architectural style of the building. He said this project is in conjunction with another project that is next door to it and was approved by the City of Miami Beach together in terms of the planning of it. Mr. Melendez stated the last page shows the site plan for the two sites together even though they are separate properties the City of Miami Beach allowed the development of the site next door with conditions that the historic property would be renovated. He said his clients are hotel operators and they are taking on the task of renovating this site. Mr. Melendez said they obviously looked at and considered the possibility of introducing some type of vertical transportation into the building, but the City of Miami Beach Planning Department the Historic Preservation Board was firmly against do any type of vertical transportation that was visible from the lobby because of the lobby's historical character. He said in the letters he submitted with the application there are both the City of Miami Beach and the State Historic Office stating that the introduction of any type of mechanical vertical transportation would indeed threaten or destroy the historic character of the lobby. Mr. Melendez stated this is what has taken them to the idea of a ramp. He said he showed this to the Planning Department of Miami Beach and the ramp does have some issues that make it a bit impractical and inefficient mainly in that the ramp is 64 feet long and it is two runs with a landing and about 4 feet wide leaving the side yard pretty much inaccessible from the front to the back and would require a variance from the City of Miami Beach and obviously increase the timeline of this project. He said this ramp would also have to be built within the side yard setback since it is more than 30 inches high and would require a variance. Mr. Melendez said the other negative aspect of the ramp is that it does not provide equal access or equal experience for someone in a wheelchair because they have to go to the side of the building which is not terribly pleasing just to get to the

**Consideration of Accessibility Waiver Applications (cont.):**

one room. He said this ramp would be entirely for one room. Mr. Melendez said in good faith he tried to provide an exhibit that would show what the ramp would look like. He said he would also like to add that they made attempts to the first and second level of the building to provide rooms which have the improved mobility features, such as grab bars and other mobility features. Mr. Melendez stated they do have one technically accessible room and he understands that a wheelchair cannot get there, but they did try to incorporate at least one accessible room and several others with communication features and made the lobby accessible by providing a ramp to the lobby. He said he did not get real good feedback from the City of Miami Beach.

Ms. Hammonds referenced the picture on the big screen is a picture of the stairs in questions.

Mr. Melendez stated that both floors are accessible only from the lobby.

Chairman Browdy asked if the City of Miami Beach and the Historical Preservation Board were opposed to having a mechanical device in the lobby that would elevate access over the four foot elevation difference.

Mr. Melendez stated yes.

Chairman Browdy stated he was on the Council call and appreciated Mr. Melendez's effort to comply with the accessibility code waiver Councils request and coming back with an alternative approach with a ramp. He asked Mr. Melendez although he has drawn the ramp he does not at this time if this waiver were granted based on the addition of the ramp there is no approval to construct it.

Mr. Melendez stated not at this time as it would require a variance from the City. He said the variance process could take a couple of months.

Commissioner Schiffer stated he was the Commissioner on the call questioning the ramp. He said he was imagining that the ramp would be on the southern side, and he asked why it would not be on the southern side.

Mr. Melendez stated the last page of the drawings, it was approved by the City of Miami Beach as a common walk between the two buildings that needs to be accessible by the two buildings and obviously it is not that wide and encroaches on both property lines and straddles the property lines between the two sites and there is pretty heavy landscaping on that side that has already been approved by the city thus the reason he leaned toward the northern side. He said on the north side as seen on the sheet there is also landscaping plans for that side of the property, so this would require not only a variance for our property but the property next door would have to go for landscape approval for the north side, this is both projects.

**Consideration of Accessibility Waiver Applications (cont.):**

Commissioner Schiffer stated it is the same as at the previous meeting a civil rights law verses a landscape ordinance. He said that before he got here the waiver was denied and then they voted to reconsider. Commissioner Schiffer then said if they had an approval with condition for a ramp, it would be a denial if the City would not give them the permit for the ramp it would be better than just a straight denial from the Commission.

Commissioner Flanagan stated he appreciated all the effort that he had put into the presentation however, they are not committing to the ramp. He said it is a shame that they cannot put in a lift. Commissioner Flanagan stated it is hard to give approval when there is only one room in the back, there needs to be a ramp.

Mr. Melendez stated they did have a ramp there and it was rejected by the City.

Chairman Browdy asked if there is an appeal process with the City if they deny them again.

Mr. Melendez stated they said they would have to come to some sort of common ground so that they can provide accessibility that is required by law. He said at this point from what he is hearing he is not going to achieve a waiver and then on the other hand the City of Miami Beach is hesitating to approve the ramp in the lobby.

Chairman Browdy asked if the building is occupied.

Mr. Melendez stated no, the building is not occupied; it has been vacant for about a year and one half. He said it is an old building back in 1933 and has not been well cared for; this is going to be a full renovation of the building. Mr. Melendez said they are not changing much of the layout as it is a wood structure excluding exterior walls.

Chairman Browdy asked how much money will be spent in the renovation on making it handicap accessible.

Mr. Melendez stated he does not have an accurate answer for that, but an additional \$30,000 in addition to the lift.

Commissioner Flanagan, said it has been denied and he does not believe it will change, so he will need to go back to the City and the Historical Board.

Commissioner Swope asked on the overall site plan, they will share a parking area.

Mr. Melendez stated due to the historical nature there is no parking requirement. He said it is not required and behind the building is a service ally.

**Consideration of Accessibility Waiver Applications (cont.):**

Commissioner Schiffer asked legal counsel if he could make a motion with conditions.

Ms. Hammonds advised yes and also advised Mr. Melendez that these meetings are recorded and the information is public and available and may assist him with the City. She said the minutes will also be available.

Drew Winters said anything we can do to assist would be better a conditional approval.

Chairman Browdy stated the waiver could be approved with condition that vertical accessibility be completed however that is accomplished, ramp, lift etc.

Mr. Melendez stated the requirement states two rooms.

Commissioner Schiffer stated he would like to see two rooms accessible.

Mr. Melendez stated the client purchased property as 30 room hotel; if two were accessible then it would be a 28 room hotel.

Commissioner Schiffer stated he would agree to waive the two room requirement.

Commissioner Flanagan supports denial.

Commissioner Schiffer entered a motion to conditionally grant the waiver, if vertical accessibility is achieved and if not it would revert to a denial. This motion language was read by Jeff Blair, clarified by legal counsel to state granted contingent that access to one room is provided. Commissioner Carlson seconded the motion. The motion passed with a vote of 19 to 2.

**Product and Entity Approval:**

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

Commissioner Stone stated there were fifteen entities approved by consent agenda.

Commissioner Stone entered a motion to approve the consent agenda for fifteen entities. Commissioner Compton seconded the motion, the motion passed unanimously with a vote of 19 to 0.

**Product and Entity Approval (cont.):**

Commissioner Stone stated there 273 products approved by consent agenda.

Commissioner Stone entered a motion to approve the consent agenda for 273 products. Commissioner Compton seconded the motion, the motion passed unanimously with a vote of 19 to 0.

Commissioner Stone stated there were 10 products with comments. He advised Mr. Blair will present these products.

Mr. Blair presented the following products for discussion:

**17851** – Commissioner Stone entered a motion to conditionally approve as recommended by the POC, Commissioner Compton seconded the motion passed unanimously with a vote of 19-0.

**17326-R-1** - Commissioner Stone entered a motion to approve as recommended by the POC, Commissioner Compton seconded the motion passed unanimously with a vote of 19-0.

**17584-R-1** - Commissioner Stone entered a motion to conditionally approve as recommended by the POC, Commissioner Compton seconded the motion passed unanimously with a vote of 19-0.

**17701** - Commissioner Stone entered a motion to approve as recommended by the POC, Commissioner Compton seconded the motion passed unanimously with a vote of 19-0.

**17775** - Commissioner Stone entered a motion to conditionally approve as recommended by the POC, Commissioner Compton seconded the motion passed unanimously with a vote of 19-0.

**17796**- Commissioner Stone entered a motion to conditionally approve as recommended by the POC, Commissioner Compton seconded the motion passed unanimously with a vote of 19-0.

**17834** - Commissioner Stone entered a motion to conditionally approve as recommended by the POC, Commissioner Compton seconded the motion passed unanimously with a vote of 19-0.

**17852** - Commissioner Stone entered a motion to conditionally approve as recommended by the POC, Commissioner Compton seconded the motion passed unanimously with a vote of 19-0.

**12878-R-2**- Commissioner Stone entered a motion to conditionally approve as recommended by the POC, Commissioner Compton seconded the motion passed unanimously with a vote of 19-0.

Chairman Browdy stated there was no Commission action required regarding the August 2015 DBPR Applications.

**Product and Entity Approval (cont.):**

**1774-R-4-** Commissioner Stone entered a motion to conditionally approve as recommended by the POC, Commissioner Compton seconded the motion passed unanimously with a vote of 19-0.

**Applications for Accreditor and Course Approval:**

Chairman Browdy advised that Commissioner Dean will now present the Education POC's recommendations regarding applications for accreditor and course approval.

Commissioner Dean advised there were no Accreditor applications for approval.

Commissioner Dean presented 11 advanced accredited courses for approval on the consent agenda: **724.0, 723.0, 721.0, 725.0, 733.0, 732.0, 731.0, 730.0, 737.0, 738.0, and 740.0.**

Commissioner Dean entered a motion to approve the POC recommendation for approval of the 11 advanced coursed on the consent agenda. The motion was seconded by Commissioner Flanagan. The motion passed unanimously with a vote of 21-0.

Commissioner Dean entered a motion to conditionally approve the POCs recommendation on advanced accredited course **739.0**. Commissioner Flanagan seconded the motion. The motion passed unanimously with a vote of 21-0.

Commissioner Dean presented 8 administratively approved updated courses for approval on the consent agenda: **350.3, 270.1, 444.2, 394.2, 365.2, 179.2, 172.2, and 169.2.**

Commissioner Dean entered a motion to approve the POCs recommendation on the 8 administratively approved updated courses. Commissioner Flanagan seconded the motion. The motion passed unanimously with a vote of 21-0.

Commissioner Dean presented 3 administratively self-affirmed courses for approval on the consent agenda: **292.0, 531.0, and 163.0.**

Commissioner Dean entered a motion to approve the POCs recommendation on the 3 administratively self-affirmed courses for approval. Commissioner Flanagan seconded the motion. The motion passed unanimously with a vote of 21-0.

**Product and Entity Approval (cont.):**

Commissioner Dean presented the administratively approved self-affirmed course **594.1** for approval.

Commissioner Dean entered a motion to approve the POCs recommendation on administratively approved self-affirmed course **594.1** for approval. Commissioner Flanagan seconded the motion. The motion passed unanimously with a vote of 21-0.

**Legal Report:**

Chairman Browdy stated that prior to the declaratory statements; April Hammonds, Esq. will be providing information on one legal matter to report.

April Hammonds, Esq. reported that there were no legal matters to report to the Commission for the August 2015 meeting.

Chairman Browdy requested Ms. Hammonds to now present the declaratory statements.

**Petitions for Declaratory Statement - [Legal Report](#)**

**[DS 2015-075 by Sheila Oliver of Town of Pembroke Park](#)**

Ms. Hammonds read the petition from Ms. Oliver with response from the Fire TAC, Mechanical TAC and the Fire Code Advisory Council.

Ms. Hammonds stated this declaratory statement was heard concurrently by the Fire TAC, Mechanical TAC and the Fire Code Advisory Council. She stated the Fire TAC, Mechanical TAC and the Fire Code Advisory Council all provided the same answers for questions 1,3,4 and 5.

Commissioner Schock entered a motion to accept the staff and the Fire TAC, Mechanical TAC and the Fire Code Advisory Council recommendation. Commissioner Carlson seconded the motion. The motion passed unanimously with a vote of 21-0.

Ms. Hammonds stated for question 2, the Fire TAC differed in their answer from the Fire TAC, Mechanical TAC and the Fire Code Advisory Council.

Commissioner Schock entered a motion to accept the staff and the Mechanical TAC and the Fire Code Advisory Councils recommendation to comply with both codes option 1. Commissioner Bassett seconded the motion. The motion passed with a vote of 20-1.



**Petitions for Declaratory Statement (cont.):**

**[DS 2015-079 by George Stefanovici, PE of Carastro & Associates, Inc. \(Withdrawn\)](#)**

Ms. Hammonds advised that the petitioner withdrew the petition.

**[DS 2015-080 by Jennifer Hatfield of Wilson & Associates, LLC](#)**

Ms. Hammonds read the petition from Ms. Hatfield for Shamrock Pool Services, Inc. with response.

Jennifer Hatfield from Shamrock Pool Services stated she support the TAC and was present for any questions.

Commissioner Batts entered a motion to accept the staff and the Code Administration and Swimming Pool TACs recommendation. Commissioner Schilling seconded the motion, the motion passed with a vote of 21-0.

**[DS 2015-081 by Clifford A. Schulman, Esq. of Weiss Serota Helfman Cole Bierman, P.L](#)**

Ms. Hammonds advised that the petition for Klaus Parking Systems Atlantic, Inc. submitted as a voluntary dismissal of the petition.

Commissioner Brown entered a motion to accept the voluntary dismissal of DS 2015-081. The motion was seconded by Commissioner Schock. The motion passed unanimously with a vote of 21-0.

**[DS 2015-084 by John Farinelli of JC Code & Construction Consultants, Inc.](#)**

Ms. Hammonds read the petition from Mr. Farinelli for JC Code and Construction Consultants, Inc. with response.

John Farinelli, JC Code and Consultants provided background on his question.

Commissioner Schock entered a motion to accept the staff and the Structural TACs recommendation. Commissioner Flanagan seconded the motion, the motion passed with a vote of 21-0.

**Petitions for Declaratory Statement (cont.):**

**[DS 2015-085 by Martin R. Dix of Akerman LLP](#)**

Ms. Hammonds read the petition from Lucille McKey and American Society of Interior Designers with response.

Martin Dix, of Akerman LLP on behalf of Lucille McKey and American Society of Interior Designers. He stated they support the TACs recommendation and he is available for questions if needed.

Commissioner Schiffer stated his concern and his question where it say “who may” and you start describing events that designers can do, and wanted to know if he would be willing to take that out of the question or would you have a problem removing or eliminating yes from the answer. He said the word yes does establish the Building Commission setting up what interior designers can do.

Mr. Dix asked if he wanted to just remove who may.

Commissioner Schiffer stated no, everything after and including who may. He said the concern he has is that they are all governed by Statute and he is an Architect and is governed by Statute, in fact everyone at this table is governed by Statutes and what you are doing after “who may” is you are defining what interior designers are allowed to do and he believes this would be best left to the Statute.

Mr. Dix stated the reason this was brought up was for clarification for the Building Officials as this has come up many times and he would prefer to leave the language in.

Commissioner Schock stated he understands what Commissioner Schiffer is saying but feels it was answer within the response answer that was provide within the scope of their license.

Commissioner Flanagan he agrees with Commissioner Schock the answer provided states within the scope of licensure.

Commissioner Carlson also agreed with Commissioners Schock and Flanagan. He said we could add at the end “per Florida Statutes”.

Ms. Hammonds stated that language is in there. She clarified with Commissioner Schiffer to remove “Yes” from the answer.

**Petitions for Declaratory Statement (cont.):**

Commissioner Schiffer stated removing “Yes” would be fine. He said by leaving “yes” we are defining what an Interior Designer can do and he feels this will cause confusion for the Building Officials.

Ms. Hammonds asked if “yes” should be removed from both questions.

Commissioner Schiffer stated that would be correct.

Chairman Browdy stated he thinks what the fellow Commissioners were saying was that they were comfortable with the qualifying and the narrowness of practicing within the scope of their profession was sufficient to make sure that there was no issue regarding overstepping ones professional regulatory qualifications.

Commissioner Bassett stated he supports what Commissioner Schiffer is saying and supports it various boards have been in discussion on who can do what, they could change their opinion, but in a declaratory statement it cannot be changed, he said unless changed he would vote against it.

Commissioner Gilson entered a motion to accept the staff and Code Administration TACs recommendation. Commissioner Flanagan seconded the motion.

Greg Burke spoke on leaving the word “yes”. He stated he is in favor of removing yes from both answers.

Ms. Hammonds stated adding “so long as they are” in addition to practicing.

Commissioner Schiffer entered a substitute motion to revise answer by removing the word “yes”.

Ms. Hammonds stated she did not believe we can have two motions standing on the floor.

Mr. Blair stated yes you can. He said if there is a substitute motion on the floor both motions can be discussed.

Mr. Winters stated the substitute motion will/can be confusing. He said Commissioner Gilson has an open motion on the floor with a second. Mr. Winters asked for rules this is being proposed under.

Mr. Blair stated Roberts Rules.

Chairman Browdy asked Commissioner Carlson if he would object to this amendment proposed.

**Petitions for Declaratory Statement (cont.):**

Commissioner Carlson stated he would object to this amendment.

Chairman Browdy called for a vote on the first motion to accept the staff and Code Administration TACs recommendation.

The motion failed with 5 votes in favor and 17 votes against.

Commissioner Schiffer entered a motion to accept the staff and TACs recommendation with amendment to remove the word “yes” from the answer twice. Commissioner Bassett seconded the motion.

Commissioner Swope asked by adding the so long as in addition.

Ms. Hammonds stated yes.

Commissioner Schiffer added “so long as they are” before “practicing within the scope of their license” to his amendment but also removing “yes”.

The motion passed with a vote of 18 to 3.

**[DS 2015-086 by Fred Dudley, Esq. of Dudley, Sellers & Hearly, L \(Motion to Intervene\)](#)**

Ms. Hammonds explained the Intervene process and time restrictions and the petitioner has requested a continuance.

Commissioner Schiffer entered a motion to grant continuation of the petition. Commissioner Bassett seconded the motion. The motion passed unanimously with a vote of 21-0.

Commissioner Schock asked for information on the process of “motion to intervene”.

Ms. Hammonds provided a detailed explanation of the process and interaction with the Commissions.

**6<sup>th</sup> Edition (2017) Florida Building Code Update - Work Plan ([Option 1](#)) ([Option 2](#))**

Chairman Browdy advised that at the April 14, 2015 meeting the Commission approved a Workplan for the 2017 Code Update Process (Florida Building Code, 6th Edition (2017)), and at the June 19, 2015 meeting the Commission voted to extend the period of time for the public to propose modifications to the 2015 I Codes and the Preliminary Supplement to six months, by providing a window for submitting modifications of from July 1, 2015 – January 1, 2016, and adjusting the schedule for development of the Florida Building Code, 6th Edition (2017) accordingly. He stated staff was charged with revising the Code development schedule for Commission review at the August 18, 2015 meeting. Chairman Browdy stated the staff has provided two Workplan options as follows:

**Option 1 - Hold Glitch Correction Phase after the Effective Date of the 6<sup>th</sup> Edition (2017) FBC, if needed - Rulemaking via Integrated Code.**

**Option 2 - Hold Glitch Correction Phase before the Effective Date of the 6<sup>th</sup> Edition (2017) FBC - Rulemaking via Supplement**

Chairman Browdy asked Mr. Madani to provide an overview on the options on the Workplan for the 2017 Code update process for the Commission.

Mr. Madani provided a detailed overview of Option # 1 first and then continued with an overview of Option #2.

Chairman Browdy broke down the differences with the Commission.

Commissioner Schock stated this is a no win with either. He suggested doing the glitch after.

Commissioner Schock entered a motion to select Option #1. Commissioner Compton seconded the motion.

**Public Comments:**

Bryan Holland, NEMA, stated they would prefer both creating a third option creating the glitch before and after. He said with that if anything is missed up front it could be changed or added at the end. He said the front glitch would be great before the effective date to get changes in before. Mr. Holland stated they would choose #2 but preferred an option #3.

Arlene Stewart, AZS Consulting advised that Commissioner Schock very well stated the pros and cons of both and she would also like the third option.

**6<sup>th</sup> Edition (2017) Florida Building Code Update - Work Plan (cont.):**

Doug Buck, Florida Homebuilders Association said that he thinks out of the two options, having the effective date after and through further discussions this afternoon and tomorrow. He said the choice between one and two would be Option #1.

Dwight Wilkes, QiTech Consulting, stated he would support Commissioner Shock's motion for Option #1.

Bill Dumbaugh, Broward County Board of Rules and Appeals, stated the third option would be the best option.

Jennifer Hatfield, Florida Swimming Pool Association, stated option three sounds best, but if not available, then Option #1 would be the best.

Mark Zehnal, FRSA, said he would throw his hat in for the third option, he said in both cases there are problems before and after.

Mr. Madani said when he looked at options he felt option one would be the best. He said we go through the triennial and that takes time. Mr. Madani said he feels the best option would be number one. He provided background on how this has worked in the past. Mr. Madani said using Option #1 is the best so that issues can be addressed at the end. He said option #3 would cause use of a supplement and not integrated, there could be issues with JAPC. Mr. Madani said the coordination with the Fire Code has to be completed and we should stay with what has worked and feels like Option #1 would be best.

Claudia Grande, Building Officials of Broward County stated Option #3 would be best, however, if not offered, Option #1 would be his choice.

Commissioner Schock stated he would like to pursue Option#1 but have staff look at Option #3 and give us some feedback.

Chairman Browdy stated the amended motion from Commissioner Schock would read to select Option #1 for the work plan and ask the staff to research Option #3 for a glitch cycle before and after the Code enactment date. Commissioner Compton agreed with the amendment on the second.

Dwight Wilkes said possibly taking the timeline on the glitch to add an extension to allow more time to research the code before entering the glitch.

Chairman Browdy stated he felt that Mr. Madani understood their request. He also said that he did not know how many people understand the amount of effort that it takes to get this Code out

**6<sup>th</sup> Edition (2017) Florida Building Code Update - Work Plan (cont.):**

and how many factors are involved with timing, coordination and the regulatory restrictions are involved.

Mr. Madani said with Option #3 will not take you through the three years.

Chairman Browdy asked that Mr. Madani put this on a spreadsheet so that all could see the timeline and the extra time that would be added to the process.

Commissioner Schock stated he does not think the intent is to extend anything. He said that his proposal was just to allow Mr. Madani to prepare a timeline.

Commissioner Bassett stated both of these options are the same time with one glitch before and one after. He feels this would be combined for option 3 and should not be a big issue.

The motion passed unanimously with a vote of 21 to 0.

**Rules Discussion:**

**Discussion of Rule 61G20-1.004 Effective Date for Blower Door and Mechanical Ventilation Requirements:**

Chairman Browdy advised that at the June 19, 2015 meeting the Commission voted to initiate emergency rulemaking to provide relief from the implementation date of July 1, 2015 for the requirement of mandatory blower door testing for residential buildings or dwelling units as contained in Section R402.4.1.2 of the Florida Building Code, 5th Edition (2014) Energy Conservation Volume, and the requirement for mechanical ventilation for residential buildings or dwelling units as contained in Section R303.4 of the Florida Building Code, 5th Edition (2014) Residential Volume. He stated subsequently, in June 2015 the Florida Legislature through adoption of SB 2502-A and adoption of Section 69, Chapter 2015-222 Laws of Florida provided a delay of the provisions until July 1, 2016.

Chairman Browdy said in addition, the Energy TAC voted to recommend that no further action is needed.

Chairman Browdy advised today the Commission will need to vote that no further action is required regarding rule development for Rule 61G20-1.004, Effective Date for Blower Door and Mechanical Ventilation Requirements.

**Rules Discussion:**

**Discussion of Rule 61G20-1.004 Effective Date for Blower Door and Mechanical Ventilation Requirements (cont.):**

Commissioner Bassett entered a motion to adopt the Energy TAC's recommendation, approving that no further action is required regarding rule development for Rule 61G20-1.004, F.A.C., Effective Date for Blower Door and Mechanical Ventilation Requirements. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 21 to 0.

**Discussion of Rule 61G20-1.003 Effective Date for Second Emergency Elevator Requirements:**

Chairman Browdy advised that at the June 19, 2015 meeting the Commission voted to initiate non-emergency rule development to promulgate appropriate rules to address the second fire service access elevator as contained in Section 403.6.1 of the Florida Building Code, 5th Edition (2014) Building Volume. He stated subsequently, in June 2015 the Florida Legislature through adoption of SB 2502-A and adoption of Section 69, Chapter 2015-222 Laws of Florida provided a delay of the provisions until July 1, 2016. As a result there is no need for the Commission to proceed with rulemaking as was decided at the June meeting.

Chairman Browdy said in addition, the Fire TAC voted to recommend that no further action is needed.

Chairman Browdy advised today the Commission will need to vote that no further action is required regarding rule development for Rule 61G20-1.003, Effective Date for Second Emergency Elevator Requirements.

Commissioner Schiffer entered a motion to adopt the Energy TAC's recommendation, approving that no further action is required regarding rule development for Rule 61G20-1.004, F.A.C., Effective Date for Blower Door and Mechanical Ventilation Requirements. Commissioner Bahadori seconded the motion. The motion passed unanimously with a vote of 21 to 0.

**Repeal of Rule 61G20-1.002 Alternative Design Method for Screen Enclosures:**

Chairman Browdy advised as of 2011 state agencies are required to conduct an annual review of their rules and report to the Office of Fiscal Accountability and Regulatory Reform ("OFARR") which is housed within the Executive Office of the Governor. After this year's review of DBPR rules OFARR has determined and staff concurs that Rule 61G20-1.002 Alternative Design Method for Screen Enclosures should be repealed since the provisions are included in the Building Code and the rule is not necessary. Chairman Browdy asked for a motion to repeal.



**Rules Discussion:**

**Repeal of Rule 61G20-1.002 Alternative Design Method for Screen Enclosures (cont.):**

Commissioner Brown entered a motion to authorize DBPR staff to initiate the process to repeal Rule 61G20-1.002, F.A.C., Alternative Design Method for Screen Enclosures. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 21 to 0.

**Repeal of Rule 61G20-2.004 Notice of Rights:**

Chairman Browdy advised after this year's rule review of DBPR rules OFARR has also determined and staff concurs that Rule 61G20-2.004, Notice of Rights, should be repealed as unnecessary since the noticing requirements are already provided pursuant to Chapter 120, F.S. Staff will provide an overview and the requested Commission action.

Commissioner Brown entered a motion to authorize DBPR staff to initiate the process to repeal Rule 61G20-2.004, F.A.C., Notice of Rights. Commissioner Flanagan seconded the motion. The motion passed unanimously with a vote of 21 to 0.

**Annual Report:**

Chairman Browdy reported that at the June 19, 2015 meeting the Commission voted to adopt the Commission's Fiscal Year 2014 – 2015 Annual Report, including the Commission actions taken during the June 19, 2015 meeting, and to charge the Chair with reviewing and approving the Final Report prior to submittal to the Legislature and Governor. He reported that the final report was drafted incorporating the Commission's June decisions and approved by him, and that DBPR will review the Report and submit it consistent with Agency procedures.

**Approval of the Energy Code Compliance Software for the 5th Edition (2014) Florida Building Code, Energy Conservation:**

Chairman Browdy advised that at the June 19, 2015 meeting the Commission voted to approve Energy Code Compliance Software for the 5th Edition (2014) Florida Building Code, Energy Conservation, specifically Energy Gauge Summit 5.1 for demonstrating compliance with commercial building energy requirements and Energy Gauge USA 4.0.01 for demonstrating compliance with residential building energy requirements. He said the Commission is now being asked to consider approving additional Energy Code Compliance Software for the 5th Edition (2014) Florida Building Code, Energy Conservation, specifically REScheck for demonstrating compliance with residential building energy requirements.

**Approval of the Energy Code Compliance Software for the 5th Edition (2014) Florida Building Code, Energy Conservation (cont.):**

Chairman Browdy advised that the Energy TAC reviewed the REScheck software for demonstrating compliance with residential building energy requirements and is recommending approval. He said that Mr. Madani will provide any technical background needed and answer members' questions. Chairman Browdy stated if there were no questions, he would ask for a motion.

Commissioner Bahadori entered a motion to approve Energy Code Compliance Software for the 5th Edition (2014) Florida Building Code, Energy Conservation, specifically REScheck for demonstrating compliance with residential building energy requirements. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 21 to 0.

**Research Projects for Fiscal Year 2015 – 2016 TAC Chairman's Report:**

Chairman Browdy advised that 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. He said at the August 2013 meeting the Commission voted to expand the funding of research projects to topics beyond the scope of hurricane resistance research and to fund research into other Code related topical areas based on recommendations from the Commission's TACs and POCs and has done so since then. Chairman Browdy stated for fiscal year 2015-2016 the TACs and POCs met yesterday to discuss research needs and developed recommendations for the Commission's consideration. Subsequently the TAC chairs met on August 17, 2015 (yesterday) and developed recommendations for the Commission's consideration during today's meeting.

Chairman Browdy advised the Commission that they would now review the TAC Chairs report and recommendations regarding the funding of research projects relevant to the Florida Building Code System for fiscal year 2015 -2016.

Chairman Browdy asked Jeff Blair to provide the Research project report from the TAC Chairman's meeting to the Commission for consideration.

Mr. Blair advised at the TAC Chairman's meeting Monday, August 17, 2015 they considered and decided on whether the proposed projects met the three criteria for funding: 1.) definition of research and/or technical enrichment, 2.) urgency/immediacy, and needed for the 2017 FBC and/or legislative directive, and 3.) funding available (full or partial); and decided which met the requirements, and recommended them for approval by the Commission for funding based on the recommended priorities. He said the TAC Chairmen voted unanimously to recommend the Commission approve funding the research projects for fiscal year 2015-2016 as recommended by

**Research Projects for Fiscal Year 2015 – 2016 TAC Chairman’s Report (cont.):**

the TAC chairmen on the basis that the proposed projects evaluated meet the three criteria for funding, and are approved for funding based on the funding levels recommended by the TAC chairs, and staff administering and overseeing the research, and negotiating scoping and contracting as appropriate.

Mr. Blair provided the following eight research projects that were approved for funding to include funding amounts and additional comments as needed:

<b>Rank</b>	<b>Project</b>	<b>Funding</b>	<b>Comments</b>
#1	Evaluate the economic impact of the delayed code provisions	\$95,000	
#2	Estimate the cost impact of the 2015 International Building Code changes.	\$110,000	
#3	Evaluate and approve method for achieving 1 hour fire resistance	\$30,000	
#4	Continuation of Corrosion of roofing fasteners.	\$54,127	
#5	Document field cases of attics sealed with spray foam insulation.	\$111,000	Fund with the funds remaining from the \$400,000 after funding Projects 1-4 and 6 (-\$111,000) If additional funding is available Fund sufficient to fund Task 1 and 2 (\$27,767).
#6	Electrocution Prevention	\$5,000	Although this project ranked #6, the TAC chairs voted that this is a priority project that should be conducted by the Commission, and the additional funds required are minimal.
#7	Measure temperature humidity and CO2 levels In new homes		Fund this project last, and only if additional funds are available after funding projects 1-6 and 8.
#8	Residential hot water distribution		If additional funding is available, fund \$20,728 for this project, after funding projects 1-6 per TAC Chairs recommendations.

**Research Projects for Fiscal Year 2015 – 2016 TAC Chairman’s Report (cont.):**

Chairman Browdy asked for any questions or comments. No comments made.

Chairman Browdy advised that originally there were 16 Projects offered for consideration and only 8 made the cut or met the criteria. He further said that available dollars were proportioned prioritizing those that were Legislatively mandated specifically utilized to deal with the issues relating to blower door testing, humidity issues and the Fire Service Elevator which they were directed to study.

Chairman Browdy asked for a motion to approve funding for research projects for FY 2015-2016 as recommended by the TAC Chairmen on the basis that the proposed projects evaluated meet the definition of either research and or technical enrichment, and are approved for funding based on the TAC Chairman recommendations and staff administering and overseeing the research and to charge the staff with negotiating, scoping and contracting as appropriate.

Commissioner Bassett entered a motion to approve funding for research projects for FY 2015-2016 as recommended by the TAC Chairmen on the basis that the proposed projects evaluated meet the definition of either research and or technical enrichment, and are approved for funding based on the TAC Chairman recommendations and staff administering and overseeing the research and to charge the staff with negotiating, scoping and contracting as appropriate. Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 21 to 0.

**Review and Consideration of Findings/Recommendations of Final Report “Florida Accessibility Code for Building Construction Review and Recommendation”:**

Chairman Browdy advised that this agenda is being deferred as the Chairman, Commissioner Gross was called away for an emergency and he has been working on this issue for some time and therefore will be deferred until the October meeting.

**Committee Reports and Recommendations:**

Chairman Browdy asked the Committee Chairs to please confine your TAC/POC reports to a brief summary of key issues and recommendations, emphasizing any issues requiring an action from the Commission. He also asked that they please frame any needed Commission action in the form of a motion. Chairman Browdy stated that there is no need to read the TAC/POC minutes since the complete minutes will be linked to the committees’ subsequent meeting agendas for approval by the respective committees.

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

**Accessibility Technical Advisory Committee**

Commissioner Schilling provided a brief summary of the TAC meeting held via teleconference on July 30, 2017.

A motion was entered by Commissioner Schilling to accept the Accessibility TAC report. The motion was seconded by Commissioner Schiffer. The motion passed unanimously with a vote of 21 to 0.

**Code Admin. Technical Advisory Committee**

Commissioner Carlson provided a brief summary of the TAC meeting held via teleconference on August 7, 2017.

A motion was entered by Commissioner Carlson to accept the Code Administration TAC report. The motion was seconded by Commissioner Goff. The motion passed unanimously with a vote of 21 to 0.

**Code Coordination and Implementation Workgroup:**

Mr. Blair provided the Code Coordination and Implementation Workgroup to be held beginning June 18, 2015 in Daytona, FL.

Chairman Browdy entered a motion to accept the Code Coordination and Implementation Workgroup report as presented. The motion was seconded by Commissioner Schiffer. The motion passed unanimously with a vote of 21 to 0.

**Education Program Oversight Committee**

Commissioner Dean provided a brief summary of the Education POC meeting held via teleconference on August 10, 2015.

Commissioner Dean entered a motion to approve the Education POC report. The motion was seconded by Commissioner Brown. The motion passed unanimously with a vote of 21 to 0.

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

**Electrical Technical Advisory Committee**

Commissioner Flanagan provided a brief summary of the Electrical TAC meeting held via teleconference on July 31, 2017.

A motion was entered by Commissioner Flanagan to accept the Electrical TAC report. The motion was seconded by Commissioner Dean. The motion passed unanimously with a vote of 21 to 0.

**Energy Technical Advisory Committee**

Due to excused absence of Commissioner Smith, Mr. Madani provided a brief summary of the Energy TAC meeting held via teleconference on August 5, 2017.

A motion was entered by Commissioner Bassett to accept the Energy TAC report. The motion was seconded by Commissioner Flanagan. The motion passed unanimously with a vote of 21 to 0.

**Fire Technical Advisory Committee**

Commissioner Bahadori provided a brief summary of the Fire TAC meeting held via teleconference on August 5, 2017.

A motion was entered by Commissioner Bahadori to accept the Fire TAC report. The motion was seconded by Commissioner Frank. The motion passed unanimously with a vote of 21 to 0.

**Mechanical Technical Advisory Committee**

Commissioner Bassett provided a brief summary of the Fire TAC meeting held via teleconference on August 5, 2017.

A motion was entered by Commissioner Bassett to accept the Mechanical TAC report. The motion was seconded by Commissioner Dean. The motion passed unanimously with a vote of 21 to 0.

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

**Plumbing Technical Advisory Committee**

Commissioner Boyer provided a brief summary of the Plumbing TAC meeting held via teleconference on July 31, 2017.

A motion was entered by Commissioner Boyer to accept the Mechanical TAC report. The motion was seconded by Commissioner Dean. The motion passed unanimously with a vote of 21 to 0.

**Product Approval Program Oversight Committee**

Commissioner Stone provided a brief summary of the Education POC meeting held via teleconference on August 10, 2015.

Commissioner Stone stated in addition to the regular business of the POC, they also again addressed 2010 product issue with Zion Tile Corporation. He stated The POC recommends that the Commission take no further action regarding Dan Arguelles' request for the Commission to initiate another investigation against Zion Tile Corporation of Miami on the basis that: the issue was resolved by the POC's June 5, 2015 recommendation to dismiss the complaint, and by the Commission's subsequent vote to dismiss the complaint at the June 19, 2015 meeting; there was no new information presented by Dan Arguelles at the August 10, 2015 POC meeting; Zion Tile Corporation of Miami's product FL 16057-R1 was not revised to demonstrate compliance with the 2014 Code, and as a result Zion Tile does not have a product approved for use complying with the requirements of the 2014 Code; and, therefore the Commission has no jurisdiction on the matter.

Commissioner Stone entered a motion to approve the Education POC report. The motion was seconded by Commissioner Compton. The motion passed unanimously with a vote of 21 to 0.

Commissioner Stone entered a motion to accept the decision of the POC to take no further action regarding Dan Arguelles' request for the Commission to initiate another investigation against Zion Tile Corporation of Miami on the basis that: the issue was resolved by the POC's June 5, 2015 recommendation to dismiss the complaint, and by the Commission's subsequent vote to dismiss the complaint at the June 19, 2015 meeting; there was no new information presented by Dan Arguelles at the August 10, 2015 POC meeting; Zion Tile Corporation of Miami's product FL 16057-R1 was not revised to demonstrate compliance with the 2014 Code, and as a result Zion Tile does not have a product approved for use complying with the requirements of the 2014 Code; and, therefore the Commission has no jurisdiction on the matter. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 21 to 0.

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

**Roofing Technical Advisory Committee**

Commissioner Swope provided a brief summary of the Roofing TAC meeting held via teleconference on August 6, 2015.

Commissioner Swope entered a motion to approve the Roofing TAC report. Commissioner Bassett seconded the motion. The motion passed unanimously with a vote of 21 to 0.

**Special Occupancy Technical Advisory Committee**

Commissioner Phillips provided a brief summary of the Special Occupancy TAC meeting held via teleconference on July 31, 2015.

Commissioner Phillips entered a motion to approve the Special Occupancy TAC report. Commissioner Frank seconded the motion. The motion passed unanimously with a vote of 21 to 0.

**Structural Technical Advisory Committee**

Commissioner Schock provided a brief summary of the Structural TAC meeting held via teleconference on August 6, 2015.

Commissioner Schock entered a motion to approve the Structural TAC report. Commissioner Bassett seconded the motion. The motion passed unanimously with a vote of 21 to 0.

**Swimming Pool Technical Advisory Committee**

Commissioner Batts provided a brief summary of the Swimming Pool TAC meeting held via teleconference on August 7, 2015.

Commissioner Batts entered a motion to approve the Swimming Pool TAC report. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 21 to 0.

**Public Comment:**

Chairman Browdy stated if you wish to address the Commission and have not yet signed the speaker's list please do so now. He said that the Commission welcomes their comments on its actions or any other topic under the Commission's purview and authority.



**Public Comment (cont.):**

Arlene Stewart, AZS Consulting, spoke on Agenda Item #13 and indicated that the research project approved to estimate the cost impact of the 2015 International Building Codes and that the changes, should include a cost benefit analysis for the mechanical ventilation requirement.

Jennifer Hatfield, FSPSA, spoke on Agenda Item # 6 and indicated that the research project that was approved regarding the swimming pool electrocution prevention study should look at more than just the low voltage lighting issue.

Mike Fisher, representing himself, indicated that the research project approved regarding the documentation of field cases of attics sealed with spray foam insulation should really focus on the threshold question of is there a problem, and if so is the problem Florida specific. There should be a full survey conducted to verify there is actually a problem, and the solution is likely that of education and guidance for proper installation rather than an inherent problem with spray foam insulation.

Doug Buck, FHBA, said he is in support of the mechanical ventilation study, and appreciated the delay in implementation that will provide time to research the issue.

Mark Zehnal, FRSA, requested that the Energy TAC should have a member appointed from the roofing industry to ensure this key perspective is included in the TAC's work.

**Commission Member Comment and Issues:**

Chairman Browdy invited Commission members to offer any general comments to the Commission, or identify any issues or agenda items for the next Commission meeting.

Commissioner Schock advised that the Florida Board of Professional Engineers is still wrestling with issues regarding alterations to threshold buildings and he would like to recommend that the Commission consider reconvening the Threshold Building Renovations Workgroup to work with FBPE to develop consensus recommendations.

**Next Commissioner Meeting Overview and Issues:**

Chairman Browdy stated Commission will meet October 15, 2015 meeting in Daytona Beach will focus on the Commission's regular procedural and substantive issues, and any needed rule development initiatives. He stated the Code Coordination Implementation Workgroup is scheduled to meet at 1 pm; however, he is delaying the start time for the meeting until 1:30 pm.

**Adjournment:**

Chairman Browdy stated there was no further business to bring before the Commission and asked for a motion to adjourn.

Commissioner Schiffer entered a motion to adjourn the Plenary Session. The motion was seconded by Commissioner Frank. The motion passed unanimously with a vote of 21 to 0.

The meeting was adjourned at 12:33 pm.