



FLORIDA BUILDING COMMISSION

"STRONGER CODES THROUGH SCIENCE AND CONSENSUS"

Florida Department of
Business
Professional
Regulation

FACILITATOR'S SUMMARY REPORT OF THE AUGUST 16 - 17, 2016 FLORIDA BUILDING COMMISSION MEETING FORT LAUDERDALE, FLORIDA

PROCESS DESIGN, CONSENSUS-BUILDING AND FACILITATION BY



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FLORIDA BUILDING COMMISSION

AUGUST 16 - 17, 2016 FACILITATOR'S MEETING SUMMARY REPORT

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FLORIDA BUILDING COMMISSION
AUGUST 16 - 17, 2016 FACILITATOR'S SUMMARY REPORT



FLORIDA BUILDING COMMISSION

"STRONGER CODES THROUGH SCIENCE AND CONSENSUS"

OVERVIEW OF COMMISSION'S KEY ACTIONS AND DECISIONS

DAY ONE—TUESDAY, AUGUST 16, 2016

WELCOME AND INTRODUCTIONS

Chairman Browdy welcomed the Commission, DBPR staff and the public to Fort Lauderdale and day one of the August 16 - 17, 2016 plenary session of the Florida Building Commission. The Chair noted that in addition to considering regular procedural issues including product and entity approvals, applications for accreditor and course approvals, petitions for declaratory statements, accessibility waivers, and recommendations from our various committees and workgroups, the primary focus of the August meeting was for the purpose of: considering proposed modifications to the 2015 International Codes for inclusion in the Florida Building Code, 6th Edition (2017); conducting a rule adoption hearing on the Florida Building Code Rule to adopt code modifications resulting from 2016 legislation; considering research projects for fiscal year 2016 – 2017; and considering the Calder Sloan Swimming Pool Electrical Safety Task Force's recommendations.

The Chair explained that if one wished to address the Commission on any of the issues before the Commission they should sign-in on the appropriate sheet(s), and as always, the Commission will provide an opportunity for public comment on each of the Commission's substantive discussion topics. The Chair explained that if one wants to comment on a specific substantive Commission agenda item, they should come to the speaker's table at the appropriate time so the Commission knows they wish to speak. The Chair noted that public input is welcome, but should be offered before there is a formal motion on the floor.

Chairman Browdy explained that 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. Participants whose board participates may sign-in on the laptop kiosk station located in the meeting room.

I. PLENARY SESSION SUMMARY AND OVERVIEW

At the August 16 - 17, 2016 meeting conducted in Fort Lauderdale the Commission considered and decided on Chair's issues and recommendations, product and entity approvals, applications for accreditor and course approvals, petitions for declaratory statements, accessibility waivers, and recommendations from the Commission's various committees. Specific actions included voting: unanimously to adopt the Commission's package of recommendations of approved Code modifications for the Florida Building Code, 6th Edition (2017), to proceed with rule making and to delegate authority to Jim Richmond to sign rulemaking documents on behalf of the Chairman of the Florida Building Commission; to approve funding the research projects for fiscal year 2016 - 2017 as recommended by the Committee of TAC Chairs on the basis that the proposed projects evaluated meet the definition of "research" and/or "technical enrichment", and are approved for funding based on the TAC chairs' recommendations, and staff administering and overseeing the research, and to charge staff with negotiating scoping and contracting as appropriate; unanimously to adopt the consensus package of recommendations submitted by the Calder Sloan Swimming Pool Electrical Safety Task Force, and to charge the Chair with reviewing and approving the final Report prior to submittal to the Legislature and Governor; and, unanimously to approve the revised text for Rule 61G20-1.001, Florida Building Code which has been modified in response to comments received from JAPC, and authorize the Department of Business & Professional Regulation to proceed with publishing the Notice of Change for Rule 61G20-1.001, and also to proceed with the adoption of Rule 61G20-1.001 by filing the adopted Rule with the Secretary of State and to delegate authority to Jim Richmond to sign rulemaking documents on behalf of the Chairman of the Florida Building Commission.

(Attachment 1—Meeting Evaluation Results)

II. COMMISSION ATTENDANCE

The following Commissioners attended the Tuesday, August 16, 2016 meeting:

Dick Browdy (Chair), Hamid Bahadori*, Steve Bassett, James Batts, Bob Boyer, Donald Brown, Kelly Smith Burk, Oscar Calleja, Jay Carlson, David Compton, Nan Dean, Kevin Flanagan, Charles Frank, Shane Gerwig, David Gilson, Richard Goff, Jeff Gross, Robert Hamberger, Brian Langille, Darrell Phillips, Brad Schiffer, Frederick Schilling, Jim Schock, Drew Smith, and Brian Swope.

(24 of 26 seated Commissioners attended day one, and 25 of 26 Commissioners attended day two).

Absent Commissioners Day One:

Hamid Bahadori* (day one), and Jeff Stone.

Absent Commissioners Day Two:

Jeff Stone.

DBPR STAFF PRESENT

Norman Bellamy, Jim Hammers, April Hammonds, Mo Madani, Marlita Peters, and Jim Richmond.

MEETING FACILITATION

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



CONSENSUS CENTER

PROJECT WEBPAGE

Information on the Florida Building Commission project, including agenda packets, meeting reports, and related documents may be found at the Commission Webpage. Located at the following URL: <http://floridabuilding.org/c/default.aspx>

III. AGENDA REVIEW AND APPROVAL

The Commission voted unanimously, 24 - 0 in favor, to approve the agenda for the August 16 - 17, 2016 meeting as posted/presented. Following are the key agenda items approved for consideration:

- To Consider Regular Procedural Issues: Agenda Approval and Approval of the June 8, 2016 Facilitator's Summary Report and Meeting 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 & Product Approval Entities.
- To Consider/Decide on Applications for Accreditor and Course Approval.
- To Consider/Decide on Petitions for Declaratory Statements.
- To Consider/Decide on Proposed Modifications to the 2015 International Codes for inclusion in the Florida Building Code, 6th Edition (2017).
- To Conduct Rule Adoption Hearing Regarding Rule 61G20-1.001, Florida Building Code Adopted.
- To Evaluate/Select Research Projects for Fiscal Year 2016 – 2017 Funding.
- To Review/Approve Recommendations from Calder Sloan Swimming Pool Electrical Safety Task Force.
- To Receive Report of Legal Issues.
- To Consider/Decide on Technical Advisory Committees (TACs) (12): Committee of TAC Chairs, Accessibility, Code Administration, Electrical, Energy, Fire, Mechanical, Plumbing, Roofing, Special Occupancy, Structural, and Swimming Pool TACs.
- To Consider/Decide on Program Oversight Committees (POCs): Education and Product Approval POC Reports/Recommendations.
- To Receive Public Comment.
- To Discuss Commissioner Comments and Issues.
- To Review Committee Assignments and Issues for the Next Meeting—October, 2016.

Amendments to the Posted Agenda:

None.

(Attachment 5—August 16 - 17, 2016 Commission Agenda)

IV. JUNE 8, 2016 FACILITATOR'S SUMMARY REPORT AND MEETING MINUTES

MOTION—The Commission voted unanimously, 24 - 0 in favor, to approve the June 8, 2016 Facilitator's Summary Report and Meeting Minutes as presented/posted.

Amendments: There were no amendments offered.

V. CHAIR'S DISCUSSION ISSUES AND RECOMMENDATIONS

Commission Milestones

The Chair noted that there is a document linked to the Commission Agenda under Chair's Discussion Issues titled *Commission Milestones*. The Chair indicated that Jeff Blair has been maintaining a Commission Milestones document that summarizes all of the Commission's key actions by meeting since the Commission's inception in July of 1998. The Chair stated that this is a useful document that Commissioners and stakeholders will find valuable and he wanted to ensure it is easily accessible. Going forward the Updated Commission Milestones will be linked to the FBC agenda.

Construction Industry Workforce Task Force

Chairman Browdy noted that the Construction Industry Workforce Task Force was established by the 2016 Florida Legislature (HB 535) to look at the existing critical shortage of training individuals and develop a consensus path for training the next generation of construction workers.

The goals of the Construction Industry Workforce Task Force included in the bill, are to:

- Address the critical shortage of individuals trained in building construction and inspection;
- Develop a consensus path for training the next generation of construction workers in the state;
- Determine the causes for the current shortage of a trained construction industry work force and address the impact of the shortages on the recovery of the real estate market;
- Review current methods and resources available for construction training;
- Review the state of construction training available in K–12 schools; and,
- Address training issues relating to building code inspectors to increase the number of qualified inspectors.

The Chair reported that the Task Force had its initial meeting on July 27th, 2016. The meeting was facilitated by Jim Sullivan, Director of Undergraduate Studies at the Rinker School at the University of Florida. Informative presentations were given relating to Workforce Development. The next meeting will be scheduled in early October. Based on this initial meeting, the Chair felt there was no reason why the Task Force will be unable to present its findings and recommendations by the February 1, 2017 legislative deadline. The Chair indicated that he would keep the Commission informed of the Task Force's progress going forward.

TAC Appointments

The Chair announced the following TAC appointments:

Plumbing TAC. The Chair appointed Mike Romano to the Plumbing TAC to replace Robert Trumbower who rolled off of the TAC. The Chair thanked Robert for his service, and welcomed Mike to the TAC.

Recognition for Commissioner Schilling

Chairman Browdy reported that Commissioner Schilling, a Master Plumber in Boca Raton, Florida, and the Commission's plumber's representative on the Commission, has been chosen as one of the breakout speakers at the World Plumbing Council meeting in September in South Africa representing Plumbers Without Borders. He'll be speaking about the need for standards and possibly a minimum code that could be used for developing countries worldwide. Commissioner Schilling was one of the first members of Plumbers Without Borders, an organization dedicated to improving sanitation and providing clean drinking water in developing countries throughout the world.

VI. DISCUSS AND CONSIDER PROPOSED MODIFICATIONS TO THE 2015 INTERNATIONAL CODES FOR INCLUSION IN THE FLORIDA BUILDING CODE, 6TH EDITION (2017)

Chairman Browdy explained that proposed Code modifications to the Florida Building Code were reviewed by the Commission's TACs in meetings conducted in April 2016. The TAC's recommendations regarding proposed Code modifications were posted to the Commission's website for a minimum of 45 days and the public was provided an opportunity to comment on the TACs recommendations during this time-frame (second 45-day review period). The TACs met in June 2016 to review the public comments, and provided TAC comments to the Commission regarding whether the submitted public comments addressed their concerns relative to their original recommendations on proposed Code modifications (TAC feedback on public comments to the Commission). The Chair noted that the next step in the process was for the Commission to consider the TAC's recommendations and comments on public comments regarding proposed modifications for the Florida Building Code, 6th Edition (2017).

The Chair noted that subsequent to August's review the Commission would conduct a rule development workshop on December 13, 2016, and conduct a rule adoption hearing on the final version of the Code on June 8, 2017. The TACs will review proposed Glitch amendments after the Code's effective date of December 31, 2017, if needed.

At the Chairman's request Jeff Blair explained the process and the consent agendas, and served as moderator for public comments, and facilitated the Commission's consideration of proposed code modifications in turn. Jeff explained the process and standing motions as outlined in "*Attachment 6—FBC Code Review Process.*" Mo Madani reviewed the Code modification materials organized electronically. Following are the procedural actions taken by the Commission prior to considering proposed Florida Building Code, 6th Edition (2017) code modifications:

FBC Code Update Process

Jeff Blair reviewed the adopted process for the Commission's consideration of proposed Code modifications for the Florida Building Code, 6th Edition (2017) Code Update Process, noting that the process is the same process adopted and used for the 2013 Code Update Process.

Following a review of the process and the standing motions to approve, the Commission took the following actions:

Commission Actions:

MOTION—The Commission voted unanimously, 24 - 0 in favor, to approve the consent agenda(s) of the modifications that did not receive public comments as recommended by the Technical Advisory Committee's (TAC's), and amended by the FBC, based on the findings (A – I).

MOTION—The Commission voted unanimously, 24 - 0 in favor, to approve the consent agenda(s) of the modifications that received public comment(s) as recommended by the Technical Advisory Committee's (TAC's), and amended by the FBC, based on the findings (A – I).

MOTION—The Commission voted unanimously, 24 - 0 in favor, to approve each amendment pulled off of the consent agendas of TAC recommendations for individual consideration, based on the findings (A – I).

MOTION—The Commission voted unanimously, 24 - 0 in favor, to approve the consent agenda of Staff's recommendations regarding correlation issues and integration of carried forward Florida Specific amendments for the 2013 Code Update.

Following questions and answers and public comment on all of the modifications pulled from the consent agendas for individual consideration, and subsequent to the Commission having made decisions on all of the proposed Code modifications and local technical amendments submitted for statewide approval, the Commission took the following action:

Commission Action:

MOTION—The Commission voted unanimously, 23 - 0 in favor, to adopt the Commission's package of recommendations of approved Code modifications for the Florida Building Code, 6th Edition (2017); to proceed with rule making; and, to delegate authority to Jim Richmond to sign rulemaking documents on behalf of the Chairman of the Florida Building Commission.

VII. RESEARCH PROJECTS FOR FISCAL YEAR 2016 – 2017, TAC CHAIRS' REPORT

Chairman Browdy reported 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. 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 has done so since that time. For fiscal year 2016 - 2017 the TACs met during the Summer of 2015 to discuss research needs and developed recommendations for the Commission's consideration. Subsequently, the TAC chairs met on August 15, 2016 and developed recommendations for the Commission's consideration regarding the funding of proposed research projects.

Jeff Blair, Commission Facilitator, reported that at the Monday, August 15, 2016 meeting the TAC chairs 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. The TAC Chairs' voted to recommend the Commission approve funding the research projects for fiscal year 2016 - 2017 as recommended by the TAC chairs 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 (\$248,207 total), and staff administering and overseeing the research, and negotiating scoping and contracting as appropriate.

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

Commission Actions:

MOTION—The Commission voted, 21 – 01 in favor, to approve funding the research projects for fiscal year 2016 - 2017 as recommended by the Committee of TAC Chairs on the basis that the proposed projects evaluated meet the definition of “research” and/or “technical enrichment”, and are approved for funding based on the TAC chairs’ recommendations, and staff administering and overseeing the research, and to charge staff with negotiating scoping and contracting as appropriate

(Attachment 7—Research Projects Approved for Funding FY 2016 - 2017)

VIII. LEGAL REPORT

April Hammonds reported there was a recent ruling that there is not absolute sovereign immunity for matters related to anti-trust liability for state boards that could potentially impact members of the Florida Building Commission. April indicated that although the issue was somewhat tangential to the Commission’s purview, Commissioners should still be aware of the ruling. April noted that the Department is aware of the issue and is including the Commission on obtaining coverage for these types of potential issues.

IX. CALDER SLOAN SWIMMING POOL ELECTRICAL SAFETY TASK FORCE RECOMMENDATIONS

Chairman Browdy reported that Section 30 of HB 535 established within the Florida Building Commission the Calder Sloan Swimming Pool Electrical Safety Task Force. The Swimming Pool TAC and the Electrical TAC were designated and served as the Task Force. The Task Force was convened and charged by the Commission at the June 2016 meeting with reviewing the Commission’s pool electrical safety enhancement actions to date, the status of the eight current proposed code modifications to the 2017 Code Update, and the seven topical issues identified by public comment (at the May 24, 2016 concurrent meeting of the Swimming Pool and Electrical TACs) and approved by the Commission (June 8, 2016). In addition, the Task Force was required to specifically evaluate pool electrical safety standards related to: grounding, bonding, lighting, wiring, and all electrical aspects for safety in and around public and private swimming pools. The Task Force was required to deliver their consensus recommendations to the Florida Building Commission in advance of the November 1, 2016 deadline established for the Commission to report back to the Governor and the Florida Legislature. Once the Commission takes action on the Task Force’s recommendations a final report will be drafted and submitted by the deadline as required.

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

Commission Actions:

MOTION—The Commission voted unanimously, 23 – 0 in favor, to accept the July 18, 2016 meeting summary report and to adopt the consensus package of recommendations submitted by the Calder Sloan Swimming Pool Electrical Safety Task Force, and to charge the Chair with reviewing and approving the final Report prior to submittal to the Legislature and Governor.

(Attachment 8—Swimming Pool Electrical Safety Recommendations)

X. COMMITTEE REPORTS AND RECOMMENDATIONS

Chairman Browdy requested TAC and POC chairs to confine their reports to a brief summary of any key recommendations, emphasizing any issues requiring an action from the Commission. The Chair requested if the TAC/POC requires Commission action, to frame the needed action in the form of a proposed motion. This will ensure that the Commission understands exactly what the TAC/POC's are recommending, and the subsequent action requested of the Commission. Acceptance of a committee report does not approve any recommendations contained within the report. Committee reports are linked to the following URL (linked to Commission's August 16 - 17, 2016 Agenda): http://www.floridabuilding.org/fbc/commission/FBC_0816/index.htm.

Committee of TAC Chairs

Chairman Browdy presented the Committee of TAC Chairs' report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 23 – 0 in favor, to accept the Committee of TAC Chairs' report as presented/posted (August 15, 2016).

(See Agenda for Linked Committee Report)

Accessibility TAC

Commissioner Gross presented the TAC's reports and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 23 – 0 in favor, to accept the TAC's reports as presented/posted (June 24, 2016 and July 14, 2016).

(See Agenda for Linked Committee Report)

Code Administration TAC

Commissioner Carlson presented the TAC's reports and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 23 – 0 in favor, to accept the TAC's reports as presented/posted (June 23, 2016 and July 15, 2016).

(See Agenda for Linked Committee Report)

Education POC

Commissioner Dean presented the POC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 23 – 0 in favor, to accept the POC's report as presented/posted (August 2, 2016).

(See Agenda for Linked Committee Report)

Electrical TAC

Commissioner Flanagan presented the TAC's reports and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 23 – 0 in favor, to accept the TAC's reports as presented/posted (June 15, 2016, June 27, 2016, July 18, 2016, and July 18, 2016 Pool Safety Report).

(See Agenda for Linked Committee Report)

Energy TAC

Commissioner Smith presented the TAC's reports and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 23 – 0 in favor, to accept the TAC's reports as presented/posted (June 15, 2016, and July 19, 2016).

(See Agenda for Linked Committee Report)

Fire TAC

Commissioner Schock presented the TAC's reports and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 23 – 0 in favor, to accept the TAC's reports as presented/posted (June 14, 2016 and July 15, 2016).

(See Agenda for Linked Committee Report)

Mechanical TAC

Commissioner Bassett presented the TAC's reports and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 23 – 0 in favor, to accept the TAC's reports as presented/posted (June 15, 2016, and (2) July 14, 2016).

(See Agenda for Linked Committee Report)

Plumbing TAC

Mo Madani presented the TAC's reports and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 23 – 0 in favor, to accept the TAC's reports as presented/posted (June 15, 2016, July 14, 2016, and August 3, 2016).

(See Agenda for Linked Committee Report)

Product Approval POC

Commissioner Compton presented the Committee's reports and any recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 23 – 0 in favor, to accept the POC's reports as presented/posted (July 28, 2016 and August 3, 2016).

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

Roofing TAC

Commissioner Swope presented the TAC's reports and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 23 – 0 in favor, to accept the TAC's reports as presented/posted (June 14, 2016, June 24, 2016, and July 19, 2016).

(See Agenda for Linked Committee Report)

Special Occupancy TAC

Commissioner Phillips presented the TAC's reports and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 23 – 0 in favor, to accept the TAC's reports as presented/posted (June 24, 2016 and July 13, 2016).

(See Agenda for Linked Committee Report)

Structural TAC

Commissioner Schock presented the TAC's reports and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 23 – 0 in favor, to accept the TAC's reports as presented/posted (June 14, 2016, July 21, 2016, and August 3, 2016).

(See Agenda for Linked Committee Report)

Swimming Pool TAC

Commissioner Batts presented the TAC's reports and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 23 – 0 in favor, to accept the TAC's reports as presented/posted (June 24, 2016, June 27, 2016, July 18, 2016, and July 18, 2016 Pool Safety Report).

(See Agenda for Linked Committee Report)

Energy Rating Index Workgroup

Jeff Blair presented the Workgroup's report.

Commission Action:

MOTION—The Commission voted unanimously, 23 – 0 in favor, to accept the ERI Workgroup report as presented/posted (July 20, 2016).

(See Agenda for Linked Committee Report)

RECESS

Chairman Browdy recessed the Commission at this point in the meeting until 8:30 AM on Wednesday, August 17, 2016.

DAY TWO—WEDNESDAY, AUGUST 17, 2016

WELCOME AND INTRODUCTIONS

Chairman Browdy welcomed the Commission, DBPR staff and the public to Fort Lauderdale and day two of the August 16 - 17, 2016 plenary session of the Florida Building Commission. The Chair noted that the August 17, 2016 Plenary Session was focused on completing all agenda business not specifically noticed for the second day.

The Chair explained that if one wished to address the Commission on any of the issues before the Commission they should sign-in on the appropriate sheet(s), and as always, the Commission will provide an opportunity for public comment on each of the Commission's substantive discussion topics. The Chair explained that if one wants to comment on a specific substantive Commission agenda item, they should come to the speaker's table at the appropriate time so the Commission knows they wish to speak. The Chair noted that public input is welcome, but should be offered before there is a formal motion on the floor.

XI. RULE ADOPTION HEARING RULE 61G20-1.001, F.A.C., FLORIDA BUILDING CODE, ADOPTED

Chairman Browdy indicated that the rule adoption hearing regarding Rule 61G20-1.001, Florida Building Code, was to finalize the implementation of the changes in the Florida Building Code, 5th Edition (2014) pursuant to the changes made to ch. 553, F.S. within ch. 2016-129 L.O.F. (HB 535), and the creation of s. 399.031 F.S. within 2016-211, Laws of Florida (SB 1602).

At the June 8, 2016 meeting the Commission conducted a rule development workshop regarding Rule 61G20-1.001, Florida Building Code, and adopted language for each of the Code provisions as directed in HB 535. At the conclusion of the rule development workshop the Commission voted unanimously to adopt the approved rule text for revisions to Rule 61G20-1.001, Florida Building Code, to authorize the Department of Business & Professional Regulation to publish a Notice of Proposed Rule for Rule 61G20-1.001, to proceed with the adoption of Rule 61G20-1.001 and, to delegate authority to Jim Richmond to sign rulemaking documents on behalf of the Chairman of the Florida Building Commission. The Chair noted that the rule adoption hearing provided an opportunity for public comment before the Commission proceeds with rulemaking on the Florida Building Code Rule.

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

Commission Actions:

MOTION—The Commission voted unanimously, 25 – 0 in favor, to approve the revised text for Rule 61G20-1.001, Florida Building Code which has been modified in response to comments received from JAPC, and authorize the Department of Business & Professional Regulation to proceed with publishing the Notice of Change for Rule 61G20-1.001; and also to proceed with the adoption of Rule 61G20-1.001 by filing the adopted Rule with the Secretary of State and to delegate authority to Jim Richmond to sign rulemaking documents on behalf of the Chairman of the Florida Building Commission.

XII. CONSIDERATION OF ACCESSIBILITY WAIVER APPLICATIONS

April Hammonds, Accessibility Advisory Council legal advisor, presented the Accessibility Advisory Council's recommendations for all applications, and the Commission reviewed and decided on the Waiver applications submitted for their consideration.

Commission Actions Regarding Accessibility Waiver Applications:

a. The Magell Inn #148 - 1410 Magellan Drive Sarasota, 34243

MOTION—The Commission voted unanimously, 25 - 0 in favor, to grant the waiver from vertical accessibility as unreasonable based on economic hardship.

b. Dyer Mazda #159, 999 US Highway 1, Vero Beach, 32960

MOTION—The Commission voted, 22 - 3 in favor, to grant the waiver from vertical accessibility as unreasonable based on economic hardship.

c. I-TEC Interior Addition #171, 10575 SW 147th Circle Dunnellon, 34432

MOTION—The Commission voted unanimously, 25 - 0 in favor, to grant the waiver from vertical accessibility as unreasonable based on economic hardship.

d. A & S Courier International #140, 7620 NW 25th Street, Suite No: 2, Miami, 33122

MOTION—The Commission voted, 15 - 10 in favor, to deny the waiver request.

e. McHardy Renovation #134 - 432 MLK Blvd Stuart, 34994

MOTION—The Commission voted, 24 - 1 in favor, to defer the application for additional information (for the actual estimates and not just information provided by the applicant).

f. Clinton Hotel #163, 825-835 Washington Ave., Miami Beach, 33139

MOTION—The Commission voted unanimously, 25 - 0 in favor, to grant the waiver from vertical accessibility as unreasonable based on economic hardship and on the historic nature of the building.

g. 8260 Byron Avenue #170, 8260 Byron Avenue, Miami Beach, 33141

MOTION—The Commission voted unanimously, 25 - 0 in favor, to grant the waiver from vertical accessibility based on the historic nature of the building.

XIII. CONSIDERATION OF APPLICATIONS FOR PRODUCT AND ENTITY APPROVAL

Commissioner Compton presented the Product Approval Oversight Committee's recommendations for entities and product approvals on consent agendas 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 as posted/presented.

MOTION—The Commission voted unanimously, 25 - 0 in favor, to approve the consent agenda of products recommended for approval to the 2014 Code as posted/presented.

Commission Actions Regarding Product Approval Applications With Comments:

MOTION—The Commission voted unanimously, 25 – 0 in favor, to conditionally approve product #10980 R-5 based on the condition(s) recommended by the POC.

MOTION—The Commission voted unanimously, 25 – 0 in favor, to conditionally approve product #15937 R-3 based on the condition(s) recommended by the POC.

MOTION—The Commission voted unanimously, 25 – 0 in favor, to conditionally approve product #16644 R-1 based on the condition(s) recommended by the POC.

MOTION—The Commission voted unanimously, 25 – 0 in favor, to conditionally approve product #20651 based on the condition(s) recommended by the POC.

MOTION—The Commission voted unanimously, 25 – 0 in favor, to approve product #20652.

MOTION—The Commission voted unanimously, 25 – 0 in favor, to approve product #20732.

MOTION—The Commission voted unanimously, 25 – 0 in favor, to conditionally approve product #20736 based on the condition(s) recommended by the POC.

MOTION—The Commission voted unanimously, 25 – 0 in favor, to conditionally approve product #20766 based on the condition(s) recommended by the POC.

MOTION—The Commission voted unanimously, 25 – 0 in favor, to conditionally approve product #20764 based on the condition(s) recommended by the POC.

Commission Actions Regarding DBPR Applications:

There was no Commission action required regarding the August 2016 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)

XIV. 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 Charles Barr as an accreditor for the following topical areas: Alarm I and Alarm II, Building-Special Occupancy, Commercial Pool/Spa, Electrical Commercial & Residential, Energy, Fire, Fuel/Gas, Existing Building Code, Mechanical, Plumbing, and Pollutant Storage Systems.

MOTION—The Commission voted unanimously, 25 – 0 in favor, to approve the consent agenda for approval for advanced accredited course numbers: 798.0, 794.0, 801.0, and 799.0

MOTION—The Commission voted unanimously, 25 – 0 in favor, to conditionally approve advanced accredited course number 796.0.

MOTION—The Commission voted unanimously, 25 – 0 in favor, to approve administratively approved updated course number 635.1.

MOTION—The Commission voted unanimously, 25 – 0 in favor, to approve administratively approved updated course number 359.2.

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

XV. CONSIDERATION OF PETITIONS FOR DECLARATORY STATEMENTS

Petitions For Declaratory Statements

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

a. DS 2016-048, Ted Berman and Associates LLC.

Motion—The Commission voted unanimously, 25 - 0 in favor, to approve the Product Approval POC's and Structural TAC's recommendation on the Petition (to approve staff's analysis (Option #3) as presented/posted).

b. DS 2016-049, Patriot Plumbing Corp. of USA

Motion—The Commission voted unanimously, 25 - 0 in favor, to approve the Plumbing TAC's recommendation on the Petition (to approve staff's analysis as presented/posted).

c. DS 2016-050, Deco-Flash

Motion—The Commission voted unanimously, 25 - 0 in favor, to approve the Product Approval POC's and Structural TAC's recommendation on the Petition (to approve staff's analysis (Option #3) as presented/posted).

OTHER COMMISSION ACTIONS

There were no additional Commission actions.

XVI. GENERAL PUBLIC COMMENT

Members of the public were offered an opportunity to provide comment during each of the Commission's substantive discussion agenda items. In addition, Chairman Browdy invited members of the public to address the Commission on any issues under the Commission's purview.

Public Comments:

- D.K. Meek, BOMA: commented regarding section 34 of HB 535 regarding the Energy Rating Index (ERI) alternative path for demonstrating compliance with the energy provisions of the Florida Building Code. Indicating that one hundred percent of the amount of onsite renewable power generation should be credited toward the ERI score.

XVII. 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.

Commission Member Comments:

- Chairman Dick Browdy: thanked Mo Madani, DBPR staff and Jeff Blair for their hard work and good job on the Code modification review process.

- Jim Schock: reported that the Board of Professional Engineers (BPE) has been receiving complaints from engineers since the Commission issued a declaratory statement on threshold building inspections and would like to collaborate with the Commission to evaluate the issue. Jim noted that a workgroup or declaratory statement to clarify who is allowed to design and/or inspect threshold buildings would be appreciated.
- Andrew Lovenstein, Structural Engineers Association of Florida: at the request of Commissioner Schock elaborated on the issues related to designing and inspecting threshold buildings. Andrew indicated that it is difficult to become a special inspector with the current interpretation regarding the design and inspection of threshold buildings.
- Jim Richmond, DBPR: indicated that the item would be put before the Structural TAC for their recommendation to the Commission prior to the October 2016 Commission meeting.
- David Compton: indicated that there should be representatives of the BPE present for the Structural TAC's meeting.
- Jim Richmond, DBPR: responded that the BPE would be invited to participate.
- Jeff Gross: noted that Chairman Browdy thanked others for their efforts regarding the Code modification review process, and that the Chair also deserved appreciation for his job chairing the meeting.
- Steve Bassett: noted that at the last meeting he reported that he was having his 50th wedding anniversary, and even though he was in a car accident on the way home, he still made it for his anniversary celebration.
- Fred Schilling: thanked the Chair for his kind words during the Chairman's Issues agenda item.

XVIII. NEXT COMMISSION MEETING OVERVIEW AND ISSUES

The October 2016 meeting will tentatively be on October 13, 2016 in Gainesville, and will focus on the Commission's regular procedural and substantive issues, and needed rule development initiatives.

(Attachment 5—Commission Meeting Schedule)

STAFF ASSIGNMENTS FROM THE AUGUST 16 - 17, 2016 MEETING

There were no specific assignments requested of staff.

ADJOURNMENT

The Chair thanked Commission members, staff and the public for their attendance and participation, and adjourned the meeting at 9:51 A.M. on Wednesday, August 17, 2016.

ATTACHMENT 1
FLORIDA BUILDING COMMISSION MEETING EVALUATION RESULTS

AUGUST 16 - 17, 2016—FORT LAUDERDALE, FLORIDA

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

Number of Respondents: 20 of 25 Commissioners present completed meeting evaluations.

1. OVERALL MEETING ASSESSMENT.

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

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

- 9.8 ___ Chair's Issues and Recommendations.
- 9.7 ___ Applications for Accessibility Waiver Applications Approvals.
- 9.8 ___ Applications for Products and Product Approval Entities Approvals.
- 9.8 ___ Applications for Accreditor and Course Approvals.
- 9.7 ___ Petitions for Requests for Declaratory Statements—Legal Report.
- 9.8 ___ Legal Issues Report.
- 9.7 ___ Consideration of Proposed Modifications for Inclusion in the FBC, 6th Edition (2017).
- 9.7 ___ Rule Adoption Hearing Regarding Rule 61G20-1.001, Florida Building Code.
- 9.7 ___ Selection of Research Projects for FY 16-17.
- 9.8 ___ Adoption of Calder Sloan Swimming Pool Electrical Safety Task Force Recommendations.
- 9.7 ___ TAC, POC, Committee, and/or Workgroup Reports and Recommendations.

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

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

4. MEMBERS LEVEL OF SATISFACTION WITH THE MEETING.

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

5. HOW WELL THE NEXT STEPS WERE COMMUNICATED.

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

6. WHAT MEMBERS LIKED BEST ABOUT THE MEETING.

- Good job Jeff Blair.
- Get location near beach, great meeting room.

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

None were offered.

8. OTHER GENERAL COMMENTS.

None were offered.

COMMENTS ON SPECIFIC AGENDA ITEMS

Consideration of Proposed Modifications for Inclusion in the FBC, 6th Edition (2017).

- Difficult with handouts at the last minute.
- Tough with last minute changes.

PUBLIC-MEETING EVALUATION AND COMMENT RESULTS

None were offered.

ATTACHMENT 2
KEY TO COMMON ACRONYMS

ACRONYM	DEFINITION
ADA	Americans With Disabilities Act
ADAAG	ADA Accessibility Guidelines for Buildings and Facilities
BCSA	Florida Building Code System Assessment
BOAF	Building Officials Association of Florida
DACS or FDACS	Florida Department of Agriculture and Consumer Services
DBPR	Department of Business and Professional Regulations
DCA	Department of Community Affairs (Abolished 2011)
DEP or FDEP	Florida Department of Environmental Protection
DOH or FDOH	Florida Department of Health
EPA	U.S. Environmental Protection Agency
FACBC	Florida Accessibility Code for Building Construction
FAR	Florida Administrative Register (previously FAW)
FBC	Florida Building Code
FBC	Florida Building Commission
FECC	Florida Energy and Conservation Code
IBC	International Building Code
ICC	International Code Council
POC	Program Oversight Committee (Education and Product Approval)
SAD	ADA Standards for Accessibility Design
TAC	Technical Advisory Committee

ATTACHMENT 3

FLORIDA BUILDING COMMISSION HISTORY AND OVERVIEW

HISTORY

Following Hurricane Andrew in 1992, Florida experienced record-breaking insurance losses resulting in a crisis affecting every homeowner in the state. The Governor appointed a Building Code Study Commission, The Florida Conflict Resolution Consortium designed and facilitated a two-year study and deliberation process with the 28 members representing a range of interests in the public and private sectors, through which the Commission evaluated the building code system.

The study revealed that building code adoption and enforcement was inconsistent throughout the state and even local codes thought to be the strongest proved inadequate when tested by major hurricane events. The consequences were devastation to lives and economies and a statewide property insurance crisis. The Commission recommended reform of the state building construction system which placed emphasis on uniformity and accountability.

The legislature enacted the consensus recommendations into law in 1998. In late 1998, the Consortium was asked by the Commission's chair to assist the newly created Florida Building Commission in its effort to build consensus for a uniform building code proposal. A complex consensus building process was put in place that included designing and facilitating meetings of 12 balanced technical advisory groups of 11 members each appointed by the Commission, as well as the Commission's meetings. The FCRC Consensus Center at FSU continues to work with the Commission by providing facilitation and consensus-building services.

OVERVIEW

COMMISSION REPRESENTATION. The Florida Building Commission is a 27 member representative stakeholder group who successfully created, implemented, and maintains the new statewide Florida Building Code. The Commission is comprised of the Chair, and 26 members appointed to represent specific stakeholder groups. They are as follows: four code officials, two state government representatives, a local government representative, a representative of persons with disability, a structural engineer, a mechanical engineer, representatives of fire protection technology, the building management industry, and the insurance industry, a general contractor, residential contractor, mechanical contractor, plumbing contractor, electrical contractor, roofing/sheet metal/air conditioning contractor, a manufactured building representative, a building product manufacturer, a swimming pool contractor, a representative of the green building industry, a natural gas system distribution representative, and a member representing the Department of Agriculture and Consumer Services' Office of Energy.

CONSENSUS PROCESS. The Florida Building Commission (FBC) seeks to develop consensus decisions on its recommendations and policy decisions. General consensus is a participatory process whereby, on matters of substance, the members strive for agreements which all of the members can accept, support, live with or agree not to oppose. In instances where, after vigorously exploring possible ways to enhance the members' support for the final decision on substantive decisions, and the Commission finds that 100 percent acceptance or support is not achievable, final decisions require at least 75 percent favorable vote of all members present and voting. This super majority decision rule underscores the importance of actively developing consensus throughout the process on substantive issues with the participation of all members and which all can live with and support.

The Commission's consensus process is conducted as an open public process with multiple opportunities for the public to provide input to the Commission on substantive issues. At each Commission meeting, the public is welcome to speak during the public comment period provided for each substantive issue under consideration, as well as general public comment periods provided at the end of each day's meeting. In addition to these opportunities for public input, most complex substantive issues before the Commission go through a consensus process where recommendations are developed by appointed representative stakeholder groups.

Since its formation in July of 1998, the Commission has demonstrated a commitment to working with affected interests to build consensus on complex issues. The adoption of the first edition of the Florida Building Code (2001 Edition), developed from September 1998 through January of 2001, involved 27 Commission meetings, dozens of facilitated public workshops and hundreds of TAC meetings. The Commission has consistently worked with all affected interests to build the best possible consensus-based decisions for the citizens of Florida. Through its committees and workgroups comprised of experts, the Commission has always developed its decisions based on the results of the best engineering and science available. Since 1999 the Commission has convened 59 special issue stakeholder workgroups to develop broad based consensus recommendations on issues of concern to stakeholders. Although the Code is by law a minimum building code, the Florida Building Code is the strongest consensus and science based building code in the country.

ATTACHMENT 4
AUGUST 16 - 17, 2016 MEETING AGENDA

FLORIDA BUILDING COMMISSION
PLENARY SESSION
AUGUST 16-17, 2016
EMBASSY SUITES FORT LAUDERDALE
1100 SE 17TH STREET CAUSEWAY
FORT LAUDERDALE, FLORIDA

MEETING OBJECTIVES

- Ø To Approve Regular Procedural Topics (Agenda and Minutes)
- Ø To Consider/Decide on Chair's Discussion Issues/Recommendations.
- Ø To Consider/Decide on Accessibility Waiver Applications.
- Ø To Consider/Decide on Approvals and Revocations of Products and Product Approval Entities.
- Ø To Consider/Decide on Petitions for Declaratory Statement.
- Ø To Consider Applications for Accreditor and Course Approval.
- Ø To Consider Proposed Modifications to the 2015 International Codes for inclusion in the Florida Building Code, 6th Edition (2017).
- Ø To Conduct Rule Adoption Hearing, Rule 61G20-1.001, Florida Building Code Adopted.
- Ø To Evaluate/Select Research Projects for FY 16-17.
- Ø To Review/Approve Recommendations from Calder Sloan Swimming Pool Electrical Safety Task Force.
- Ø Receive Report of Legal Issues.
- Ø Receive/Decide on Reports and Recommendations from Committees.
- Ø To Hear Public Comment.
- Ø To Identify Needed Next Steps, Assignments, and Agenda Items For Next Meeting.

COMMISSION MILESTONES

Committee and Workgroup Meetings held in conjunction with the Plenary Session

Meetings are held by teleconference and webinar unless otherwise indicated

June 14	9:00 a.m.	<u>Fire Technical Advisory Committee</u>
June 14	1:00 p.m.	<u>Roofing Technical Advisory Committee</u> and <u>Structural Technical Advisory Committee</u> concurrently
June 15	10:00 a.m.	<u>Electrical Technical Advisory Committee</u> and <u>Plumbing Technical Advisory Committee</u> concurrently
June 15	1:00 p.m.	<u>Mechanical Technical Advisory Committee</u> and <u>Energy Technical Advisory Committee</u> concurrently
June 23	10:00 a.m.	<u>Code Administration Technical Advisory Committee</u>
June 24	9:00 a.m.	<u>Swimming Pool Technical Advisory Committee</u> and <u>Special Occupancy Technical Advisory Committee</u> concurrently
June 24	10:30 a.m.	<u>Accessibility Technical Advisory Committee</u>
June 24	1:00 p.m.	<u>Roofing Technical Advisory Committee</u>
June 27	10:00 a.m.	<u>Electrical Technical Advisory Committee</u> and <u>Swimming Pool Technical Advisory Committee</u> concurrently

July 13*	10:00 a.m.	Special Occupancy Technical Advisory Committee (Tallahassee)
July 14	10:00 a.m.	Plumbing Technical Advisory Committee and Accessibility Technical Advisory Committee concurrently
July 14	1:30 p.m.	Mechanical Technical Advisory Committee
July 15	10:00 a.m.	Code Administration Technical Advisory Committee
July 15	1:30 p.m.	Fire Technical Advisory Committee
July 18*	8:30 a.m.	Electrical Technical Advisory Committee and Swimming Pool Technical Advisory Committee concurrently and jointly as the Calder Sloan Swimming Pool Electrical Safety Task Force (Gainesville)
July 19*	8:30 a.m.	Roofing Technical Advisory Committee (Gainesville)
July 19*	1:00 p.m.	Energy Technical Advisory Committee (Gainesville)
July 20*	8:30 a.m.	Energy Rating Index Workgroup (Gainesville)
July 21*	8:30 a.m.	Structural Technical Advisory Committee (Gainesville)
July 28	10:00 a.m.	Product Approval Program Oversight Committee
August 2	10:00 a.m.	Education Program Oversight Committee
August 3	10:00 a.m.	Product Approval Program Oversight Committee and Structural Technical Advisory Committee concurrently
August 3	1:30 p.m.	Plumbing Technical Advisory Committee
August 4	2:00 p.m.	Accessibility Advisory Council
August 15*	10:00 p.m.	Committee of TAC Chairs (Fort Lauderdale)

MEETING AGENDA—AUGUST 16-17, 2016		
<i>All Agenda Times—including Adjournment—are Approximate and Subject to Change</i>		
Aug. 16, 8:30 a.m.	1.)	Welcome and Opening, Roll Call
	2.)	Review and Approval of Meeting Agenda
	3.)	Review and Approval of Previous Meeting Minutes and Facilitator’s Summary Report Minutes: June 8, 2016 Facilitator’s Summary Report: June 8, 2016 Plenary
	4.)	Chair’s Discussion Issues Milestones
	5.)	Consideration of Proposed Modifications to the 2015 International Codes for inclusion in the Florida Building Code, 6th Edition (2017). Code Review Process
	6.)	Evaluate and Select Research Projects for FY 16-17
	7.)	Legal Report
	8.)	Review and Approve Recommendations from Calder Sloan Swimming Pool Electrical Safety Task Force Report
	9.)	Committee Reports
		a.) Committee of TAC Chairs; b.) Accessibility Technical Advisory Committee; (June 24) (July 14) (August 4) c.) Code Administration Technical Advisory Committee; (June 23) (July 15) d.) Education Program Oversight Committee ; e.) Electrical Technical Advisory Committee; (June 15)(June 27)(July 18) Pool Safety

		Report f.) Energy Technical Advisory Committee ; g.) Fire Technical Advisory Committee ; (June 14) (July 15) h.) Mechanical Technical Advisory Committee ; (June 15) (July 14) i.) Plumbing Technical Advisory Committee (June 15) (July 14) (Aug 3) j.) Product Approval Program Oversight Committee ; (July 28) (Aug 3) k.) Roofing Technical Advisory Committee ; (June 6) (June 24) (July 19) l.) Special Occupancy Technical Advisory Committee ; (June 24) (July 13) m.) Structural Technical Advisory Committee ; (June 14) (July 21) (Aug 3) n.) Swimming Pool Technical Advisory Committee . (June 24) (June 27) (July 18) Pool Safety Report o.) Energy Rating Index Workgroup (Report)
Aug. 17, 8:30 a.m.	10.)	Reconvene, Roll Call
	11.)	Conduct Rule Adoption Hearing, Rule 61G20-1.001, Florida Building Code Adopted (code modifications resulting from 2016 Legislation) .
	12.)	Accessibility Waiver Applications
		a. The Magell Inn, 1410 Magellan Drive, Sarasota ; b. Dyer Mazda, 999 US Highway 1, Vero Beach ; c. I-TEC Interior Addition, 10575 SW 147th Circle Dunnellon ; d. A & S Courier International, 7620 NW 25th Street, Suite No: 2, Miami ; e. McHardy Renovation, 432 MLK Blvd., Stuart ; f. Clinton Hotel, 825-835 Washington Ave., Miami Beach ; g. 8260 Byron Avenue, 8260 Byron Ave., Miami Beach .
	13.)	Applications for Product and Entity Approval
	14.)	Applications for Accreditor and Course Approval
	15.)	Petitions for Declaratory Statement - Legal Report
		a. DS 2016-048, Ted Berman and Associates LLC ; b. DS 2016-049, Patriot Plumbing Corp. of USA ; c. DS 2016-050, Deco-Flash .
	16.)	Public Comment
	17.)	Commissioner Comment
	18.)	<i>Adjourn</i>

ATTACHMENT 5
COMMISSION'S UPDATED MEETING SCHEDULE AND CODE UPDATE WORKPLAN

(UPDATED JUNE 8, 2016)

COMMISSION MEETING SCHEDULE

FY 2015 - 2016	LOCATION
August 18, 2015	Daytona Beach
October 14 - 15, 2015	Daytona Beach (Plaza Hotel)
December 15, 2015	Gainesville (Hilton)
February 10, 2016	Jacksonville (Hyatt Regency)
April 12, 2016	Gainesville (Hilton)
June 8, 2016	Gainesville (Hilton)

FY 2016-2017	LOCATION
August 15-17, 2016	Fort Lauderdale (Embassy Suites)
October, 2016	TBD (Tentatively October 13, 2016 in Gainesville)
December 13, 2016	TBD
February 7, 2017	TBD
April 4, 2017	TBD
June 13, 2017	TBD

ATTACHMENT 6

COMMISSION FOUNDATION CODE MODIFICATION REVIEW PROCESS

Proposed Code modifications to the Florida Building Code will be reviewed by the Commission's TACs in meetings conducted in April 2016. The TAC's recommendations regarding proposed Code modifications will subsequently be posted to the Commission's website for a minimum of 45 days and the public will be provided an opportunity to comment on the TACs recommendations during this time-frame (second 45-day review period). The TACs will meet in July to review the public comments, and provide TAC comments to the Commission regarding whether the submitted comments address their concerns regarding their recommendations on proposed code modifications (TAC feedback on public comments to the Commission).

The Commission will consider the TACs recommendations and comments on public comments on August 16, 2016 concurrent with August 15-17, 2016 Commission meeting, conduct a rule development workshop on December 13, 2016, and conduct a rule adoption hearing on the final version of the Code on June 8, 2017. The TACs will review proposed Glitch amendments after the Code's effective date of December 31, 2017, if needed.

The Commission will consider the TACs recommendations on two (2) consent agendas per topical code area. TAC chairs will pull for individual consideration all modifications that have received comments that address the TAC's concerns. Any Commissioner can pull any modification for individual consideration.

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

The TAC's recommendations regarding proposed code modifications for the 2017 Code Update are arranged on two (2) consent agendas as follows:

TAC's Recommendations are on Two (2) Consent Agendas Per TAC (By Code Areas):

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

* TAC chairs will pull all modifications that their TAC commented favorably regarding the public comment (defined as 75% or greater in support that the comment addresses TAC concerns and the TAC supports the public comment relative to their original recommendation). Modifications that the TAC commented on favorably are listed by TAC on a separate document (matrix). The Commission will consider all pulled modifications individually. Each individually considered modification requires a second to the standing motion to approve.

COMMISSION WILL MOVE TO ADOPT FOUR (4) STANDING MOTIONS TO APPROVE (P. 3):

1. **“Consent Agenda #1”:** TAC’s recommendations regarding proposed modifications that **did not receive** public comment during the comment period.
2. **“Consent Agenda #2”:** TAC’s recommendations regarding proposed modifications that **received** public comment during the comment period.
3. **“Pulled Modifications”:** Modifications pulled-off of the consent agenda(s) by a Commissioner for individual consideration.
4. **“Correlation and Florida Specifics Integration”:** Staff’s recommendations regarding correlation issues and integration of Florida Specific amendments for the 2017 Code Update.

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

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

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

STANDING MOTION TO APPROVE TAC'S RECOMMENDATIONS

1. Motion to approve the consent agenda(s) of the modifications that did not receive public comments as recommended by the Technical Advisory Committee's (TAC's), and amended by the FBC, based on the following findings:

- A. The modification is needed in order to accommodate the specific needs of this state; and
- B. The modification has a reasonable and substantial connection to the health, safety, and welfare of the general public; and
- C. The modification strengthens or improves the Florida Building Code, or in the case of innovation or new technology, will provide equivalent or better products or methods or systems of construction; and
- D. The modification does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities; and
- E. The modification does not degrade the effectiveness of the Florida Building Code; and
- F. The modification has the following fiscal impact:
 - 1. The fiscal impact of enforcement imposed upon local government is as indicated by the proponent.
 - 2. The fiscal impact of compliance imposed upon building and property owners is as indicated by the proponent.
 - 3. The fiscal impact of compliance imposed upon industry is as indicated by the proponent.
 - 4. The fiscal impact of compliance imposed upon small business is as indicated by the proponent (no impact or as specified by the proponent).
- G. The modification's benefits noted with regard to fiscal impact and efficacy outweigh the costs imposed.
- H. The modification does not diminish requirements related to wind resistance or prevention of water intrusion contained in the Code or its referenced standards and criteria.
- I. Florida specific amendments that expire with the updated code and are resubmitted as amendments to the updated Code have addressed whether:
 - 1. The provisions contained in the proposed amendment are addressed in the applicable international code.
 - 2. The amendment demonstrates by evidence or data that the geographical jurisdiction of Florida exhibits a need to strengthen the foundation code beyond the needs or regional variations addressed by the foundation code, and why the proposed amendment applies to this state.
 - 3. The proposed amendment was submitted or attempted to be included in the foundation codes to avoid resubmission to the Florida Building Code amendment process.

2. Motion to approve the consent agenda(s) of the modifications that received public comment(s) as recommended by the Technical Advisory Committee's (TAC's), and amended by the FBC, based on the above findings (A – I).

3. Motion to approve each amendment pulled off of the consent agendas of TAC recommendations for individual consideration, based on the above findings (A – I).

4. Motion to approve consent agenda of Staff's recommendations regarding correlation issues and integration of carried forward Florida Specific amendments for the 2017 Code Update.

FBC CODE MODIFICATION REVIEW PROCESS—2017 CODE UPDATE REVIEW AND CONSIDERATION PROCESS

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

MODIFICATIONS PULLED FOR INDIVIDUAL CONSIDERATION

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

Motions require a 75% favorable vote for approval; those with less than a 75% favorable vote, are deemed denied.

ATTACHMENT 7

TAC CHIARS' RECOMMENDATIONS

TAC CONSIDERATION AND EVALUATION OF PROPOSED RESEARCH PROJECTS

TAC chairs were asked to review the three criteria and to decide whether each of the proposed research 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). The TAC chairs voted that the following 7 of 16 projects met the criteria and should be evaluated for funding (7):

- Continuation of corrosion of roofing fasteners. {Roofing TAC P2}(UF) [\$39,086]
- Document field cases of attics sealed with spray foam insulation. {Roofing TAC P1}(UF) [\$155,431]
- Evaluation of the Cost Impact of Florida's specific changes to 2015 I-Codes "Prescriptive Code Changes". {Fire TAC, Plumbing TAC and Electrical TAC}(UF) [\$38,990]
- Improved Hot Water Code Calculation. {Energy TAC P1} (FSEC) [\$22,000]
- Developing VRF System Credits for the Florida Energy Code. {Energy TAC P2} (FSEC) [\$24,000]
- Residential Performance Code Methodology for Crediting Dehumidification and Smart Vent Applications. {Energy TAC P5} (FSEC) [\$20,000]
- Supplemental Field Study of Sealed Attics. {Roofing TAC P3}(FSEC) [\$64,000]

Projects that were determined not to meet the criteria (9):

- Measured Impacts Whole-house Mechanical Ventilation on Comfort, Energy Use and Pollutants. {Energy TAC P3 and Mechanical TAC P1} (FSEC) [\$81,000]
- Simulating the Effects of Temperature Based Smart Ventilation Control on Comfort, Energy Use and Air Exchange. {Energy TAC P4 and Mechanical TAC P2}(FSEC) [\$30,000]
- Investigation of Potential Daylight Energy Savings Attributed to the Use of Skylights in Florida Residential Buildings. {Energy TAC P6} (FSEC) [\$26,000]
- Code Compliance for High-Efficiency Lighting in Florid Homes. {Energy TAC P7} (FSEC) [\$30,000]
- Thermal Analyzer for Concrete Blocks. {Energy TAC P8} (FSEC) [\$20,000]
- Study for roof drains with large size pipe larger than 4 inch through the American Society of Plumbing Engineers Research Foundation. {Plumbing TAC P1}(Gary Duren) [\$100,000]
- Expand on code changes for the first report on the zero lot line residential expanding and focus on one hour soffit and true zero lot line layouts. {Fire TAC P1}(Brad Schiffer) [\$TBD]
- Create an Electronic Storage Protocol for Building Permits. {Code Administration TAC P1}(FSEC) [\$45,000]
- Workshop on Evaluation of the Cost Impact of 2015 ICC Prescriptive Code Changes. {Fire TAC, Plumbing TAC and Electrical TAC}(UF) [\$39,500]

Proponents of the proposed research projects that met the criteria were provided with up to fifteen minutes each to present their proposed research projects.

The TAC chairs were informed that the 7 projects meeting the criteria for funding required \$363,507 to fully fund them, and there is \$250,000 available for funding, leaving a funding deficit of \$113,507 for the full funding of the 16 projects.

Following presentations and public comments the TAC chairs ranked each of the 7 projects on a 10-point scale where 10 represents the highest priority and 1 the lowest. Following is the rank order of the projects considered for funding and the amount the TAC chairs recommended each be funded:

#1 Continuation of corrosion of roofing fasteners. {Roofing TAC P2}(UF) [\$39,086]

This project was recommended to be fully funded at \$39,086

#2 Document field cases of attics sealed with spray foam insulation. {Roofing TAC P1}(UF/ONL) [\$155,431]

This project was recommended to be partially funded at \$128,221 (the two house option).

#3: Supplemental Field Study of Sealed Attics. {Roofing TAC P3}(FSEC) [\$64,000]

This project was not recommended for funding.

#4: Improved Hot Water Code Calculation. {Energy TAC P1} (FSEC) [\$22,000]

This project was recommended to be fully funded at \$22,000.

#5: Evaluation of the Cost Impact of Florida's specific changes to 2015 I-Codes "Prescriptive Code Changes". {Fire TAC, Plumbing TAC and Electrical TAC}(UF) [\$38,990]

This project was recommended to be fully funded at \$38,990.

#6: Residential Performance Code Methodology for Crediting Dehumidification and Smart Vent Applications. {Energy TAC P5} (FSEC) [\$20,000]

This project was recommended to be fully funded at \$20,000.

#7: Developing VRF System Credits for the Florida Energy Code. {Energy TAC P2} (FSEC) [\$24,000]

This project was not recommended for funding.

TAC Actions and Recommendation to the Florida Building Commission:

MOTION—The TAC chairs' voted, 9 – 2* in favor, to recommend the Commission approve funding the research projects for fiscal year 2016 - 2017 as recommended by the TAC chairs on the basis that the proposed projects evaluated meet 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 should be approved for funding based on the funding levels recommended by the TAC chairs (\$248,207 total), and staff administering and overseeing the research, and negotiating contracting and scoping as appropriate.

** Commissioner Bassett and Smith voted against the motion.*

ATTACHMENT 8

SWIMMING POOL ELECTRICAL SAFETY RECOMMENDATIONS

At the July 18, 2016 meeting the Task Force received an overview and briefing on the Task Force's scope and purpose; a review of the Commission's decision-making procedures and polices including applicability of the Sunshine Law; a review of relevant recommendations developed as a result of the three previous concurrent meetings of the Swimming Pool and Electrical TACs; and, an update on the status of the eight swimming pool safety enhancement code modifications proposed for the 6th Edition (2017) Update to the Florida Building Code. Specific Task Force actions include the following unanimous recommendations to the Florida Building Commission:

1. Recommending to the Florida Legislature the funding of a science based study to determine the extent of swimming pool electrical problems, and how any resultant problems identified should be addressed using the best science, data, practices and technologies available.
2. Recommending a mandatory requirement that 1-hour of the Chapter 489, F.S., licensed pool contractor's 14 hours of CE requirements shall include an electrical education class regarding electrical installations related to swimming pools. This should be implemented working with the appropriate DBPR licensing boards.
3. Recommending increased funding for combating unlicensed activity and increased funding for educational outreach similar to the educational materials currently being worked on by the Commission (designed to ensure consumers are aware of the pitfalls and dangers of not hiring licensed contractors and not following code requirements).
4. Recommending that Section 515.33, F.S. (Information required to be furnished to buyers) or the appropriate statutory section(s), be amended to require that swimming pool electrical safety information as well as the information currently required pursuant to Section 515.33, F.S. be provided to buyers at the time of the sale of any property that has a swimming pool or spa.

Additional Task Force recommendations include the following:

5. Supporting the evaluation of new technologies designed to prevent electrocution in swimming pools, and the development of criteria and/or guidelines for any additional electrical inspections at the time of property sale, and recommending that they should be evaluated in the context of the overarching Task Force's recommendation to fund a study (Recommendation 1).
6. Recommending that the Florida Building Code remain current with the latest edition of the NEC to ensure the latest electrical pool safety requirements are in the Florida Building Code (it was noted that new NEC provisions related to swimming pool electrical safety were few, and some suggested that adopting the NEC would need to be evaluated by the Commission in the context of all of the changes between editions).
7. Supporting the efforts currently underway to seek clarification regarding the scope of work for licensed swimming pool contractors related to installing swimming pool equipment.
8. Supporting the actions taken by the Florida Building Commission regarding education initiatives including development and dissemination of the Swimming Pool Electrical Safety Fact Sheet, the Swimming Pool Electrical Safety Self Assessment questionnaire, and the Swimming Pool Electrical Safety 1-hour education course.
9. Agreeing that swimming pool electrical safety enhancements regarding the technical requirements for grounding, bonding, lighting, wiring, and all electrical aspects for safety in and around public and private swimming pools were addressed in the context of the eight code modifications currently

proposed for approval by the Florida Building Commission for inclusion in the 6th Edition (2017) Update to the Florida Building Code. *(See Attachment 4)*

10. Supporting the recommendations developed by the three concurrent meetings of the Swimming Pool TAC and Electrical TAC and subsequently approved by the Florida Building Commission regarding education initiatives (Recommendation 8) and code enhancements (Recommendation 9).

At the conclusion of the meeting the Calder Sloan Swimming Pool Electrical Safety Task Force voted unanimously to adopt the package of consensus recommendation outlined in the nine recommendations above, and subsequently having determined that the Task Force completed its Legislative assignment, the Task Force was adjourned with no further business pending.