

FLORIDA BUILDING COMMISSION

Embassy Suites Ft. Lauderdale

1100 SE 17th Street Causeway

Ft. Lauderdale, Florida

Plenary Session

August 16-17, 2015

8:30 AM

MINUTES

DAY ONE

COMMISSIONERS PRESENT:

Dick Browdy, Chairman
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
Brian Swope

COMMISSIONERS NOT PRESENT:

Hamid Bahadori

Jeff Stone

STAFF PRESENT:

Jim Richmond
April Hammonds
Jim Hammers

Mo Madani
Norman Bellamy
Marlita Peters

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 Day One August 16, 2016:

Time: 8:30 am

Chairman Browdy welcomed Commissioners, staff, and members of the public to Ft. Lauderdale and the August 16-17, 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 our various committees and workgroups, the primary focus of the August meeting is 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.

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 and thanked all for their 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 four 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:

- 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.

Agenda Review and Approval (cont.):

- To Receive Public Comment.
- To Discuss Commissioner Comments and Issues.
- To Review Committee Assignments and Issues for the Next Meeting—October 11, 2016.

Chairman Browdy requested a motion to approve the August 16-17, 2015 agenda as presented. A motion was entered by Commissioner Schilling and seconded by Commissioner Schiffer, the motion passed unanimously with a vote of 24 to 0.

Approval of the June 8, 2016 Facilitator’s Summary Report and Meeting Minutes.

Chairman Browdy requested a motion for the Approval of the June 8, 2015 Facilitator’s Summary Report and Meeting Minutes.

Commissioner Schilling entered a motion to approve the June 8, 2015 Facilitator’s Summary Report and Meeting Minutes as posted. The motion was seconded by Commissioner Schiffer. The motion passed unanimously with a vote of 24 to 0.

Chairman’s Discussion Issues and Recommendations:

Commission Milestones:

Chairman Browdy advised the Commissioners to note that there is document linked to the Commission Agenda under Chair’s Discussion Issues titled Commission Milestones. He said 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. Chairman Browdy said that this is a useful document that Commissioners and stakeholders will find valuable and he wants to ensure it is easily accessible. Chairman Browdy advised that going forward the Updated Commission Milestones will be linked to the FBC agenda.

Construction Industry Workforce Task Force:

Chairman Browdy reported 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. He said that 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;

Construction Industry Workforce Task Force (cont.):

- 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.

Chairman Browdy further advised that the Task Force had its initial meeting on July 27th, 2016. He said that the meeting was facilitated by Jim Sullivan, Director of Undergraduate Studies at the Rinker School at the University of Florida. Chairman Browdy said that informative presentations were given relating to Workforce Development. He advised that the next meeting will be scheduled in early October. Chairman Browdy said based on this initial meeting, he saw no reason why the Task Force will be unable to present its findings and recommendations by the February 1, 2017 legislative deadline and that he will keep the Commission informed of the Task Force's progress going forward.

Appointments:

Chairman Browdy stated he was appointing Mike Romano to the Plumbing TAC to replace Robert Trumbower who has rolled off of the TAC. He thanked Mike for agreeing to serve, and thanked Robert for his service on the Plumbing TAC over the years

Recognition for Commissioner Schilling:

Chairman Browdy said that a Master Plumber in Boca Raton, Florida, and our 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 said that he will 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. Chairman Browdy congratulated Commissioner Schilling.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017):

Chairman Browdy said the Proposed Code modifications to the Florida Building Code were reviewed by the Commission's TACs in meetings conducted in April 2016. He continued saying 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. Chairman Browdy stated the TACs met in June 2016 to review the public comments, and provided TAC comments to the Commission regarding whether the submitted public comments address their concerns relative to their original recommendations on proposed Code modifications. Chairman Browdy stated there were 533 modifications, 405 were passed as submitted or with amendments, 104 received no affirmative action, and 24 were withdrawn. He said the Commission will now consider the TAC's recommendations and comments on public comments regarding proposed modifications for the Florida Building Code, 6th Edition (2017). Subsequent to today's review the Commission will 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. Chairman Browdy said the TACs will review proposed Glitch amendments after the Code's effective date of December 31, 2017, if needed.

Chairman Browdy said that Jeff Blair will explain the process and the consent agendas, serve as moderator for public comments, and facilitate the Commission's consideration of proposed code modifications in turn. He said that due to the size of the agenda, if allowable with the Commissioners they may order lunch to be brought in as there will not be a lunch break.

Mr. Blair explained the process for the Commissioners. He detailed the voting process and advised the public will be allowed to make requests to pull modifications on each of the TAC's recommendations as they are introduced for consideration by the Commission. Mr. Blair stated any Commissioner can then decide whether to pull off specific modifications based on a request from a member of the public.

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

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Sunshine Law:

Ms. Hammonds provided the Commission and proponents or stakeholders in the public of the Sunshine Law and advised of the caution of sharing information via e-mail process or in person. She further advised that caution needed to be taken not to breach this law.

Chairman Browdy stated that the meeting will start with the summary of motions and explained those motions.

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

Mr. Blair stated the reason for the standing motion is that there motion to approve every modification and it is going to take series of motions to get the group there. He stated each time the Commission makes a motion on a modification they will need to address the series of statutory requirements so with the standing motion in place for each of the consent agendas without comments, with comments and those that are pulled will only require a second that are being required by statute and the whole motion will not need to be entered each time.

Standing Motions:

The first motion is to approve the consent agendas of modifications that did not receive public comments as recommended by the TACs and amended by the Commission based on the following findings, the modification is needed in order to accommodate the specific needs of this State and the modification has a reasonable and substantial connection to the health, safety and welfare of the general public and the modifications strengthens or improves the Florida Building Code on the case of new innovation in the case of new technology will provide equivalent or better products methods or systems of construction and the modification does not discriminate against materials, products, methods of construction of demonstrated capabilities and the modification does not create the effectiveness of the Florida Building Code and the modification has the following fiscal impact. He said the Fiscal impact of enforcement imposed upon local government is as indicated by the proponent. Mr. Blair further said the fiscal impact imposed on building and property owner is as indicated by the proponent and the fiscal impact of compliance

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Standing Motions (cont.):

imposed on the industry is as indicated by the proponent, the fiscal impact of compliance imposed on small business is as indicated by the proponent, the modification benefits noted with regard to fiscal impact and ethnicity out weigh the cost imposed. He further stated the modification does not diminish resistance or prevention of wind resistance or water intrusions contained in the code as its referenced standards and criteria. He further stated Florida specific amendments that expire with the updated Code and are resubmitted as amendments to the updated Code and have to request whether the proposed code amendments are addressed in the applicable International Code, the amendment demonstrates by evidence or data that the geographical jurisdiction of Florida exhibits a need to strengthen the foundation codes beyond the needs of the regional variations and not addressed by the Foundation Code and why the proposed amendment applies to this State and the proposed amendment was submitted and to be included in the foundation Codes to avoid resubmission to the Florida Building Code amendment process.

Chairman Browdy asked for a motion to impose the language provided by Mr. Blair for the standing motion.

Commissioner Schiffer entered a motion for the standard motion language to approve. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Mr. Blair advised the next motion is to approve the consent agendas with public comments as recommended by the Technical Advisory Committees and amended by the Florida Building Commission based on above findings A-I that was just read into the record.

Chairman Browdy asked for a motion to approve the consent agenda with the modifications received with public comments received as recommended by the TACs and amended by the Florida Building Commission based on the findings A-I as previously recommended.

Commissioner Schiffer entered the motion to approve the consent agenda with language provided based on A-I. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Mr. Blair advised that a motion will be requested to approve each amendment that is pulled off the consent agenda; he stated that does not mean that they are approved, but the motion is in place to put it in the final vote. He said because the Commissions Laws requires only motions to

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Standing Motions (cont.):

approve and it makes sense to do it this way and because we will address the statutory findings summarily by doing so.

Mr. Blair stated the next motion will be to approve each amendment pulled off the consent agendas of TACs recommendations for individual consideration based on the above findings A-I previously stated for the record.

Chairman Browdy asked for a motion to approve each amendment pulled off the consent agendas of TAC recommendation for individual consideration based on the findings A-I.

Commissioner Schiffer entered the motion to approve each amendment pulled off the consent agendas of TACs recommendations for individual consideration based on the above findings A-I previously stated for the record. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Commissioner Schock requested clarification on the standing motions, and Chairman Browdy explained.

Mr. Blair stated the final motion until the end of the meeting would be a motion to approve the consent agenda of staff recommendations regarding correlation of integration of carried forward Florida specific amendments for the Florida Building Code 6th Edition 2107 Code update.

Chairman Browdy asked for a motion to approve the consent agenda of the staff recommendations regarding correlation of integration of carried forward Florida specific amendments for the Florida Building Code 6th Edition 2107 Code update.

Commissioner Schiffer entered the motion to approve the consent agenda of the staff recommendations regarding correlation of integration of carried forward Florida specific amendments for the Florida Building Code 6th Edition 2107 Code update. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Chairman Browdy asked Mr. Madani to explain the documents being used in the meeting by staff.

Mr. Madani explained the documents being displayed and how they are to be read on the code modifications and how the information was compiled and will be used to track the action today.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Chairman Browdy advised that Mr. Blair will now begin the process of the Commission's consideration of TAC's recommendations and comments on public comments regarding proposed Code modifications. He advised the Commission will allow up to 3 minutes per comment and Mr. Blair will keep time and provide a one-minute alert to assist speakers with keeping track of their time.

Accessibility TAC:

Mr. Blair advised there is only one modification on consent agenda with comments for Accessibility.

Commissioner Gross requested to pull the one modification number 6942 for further consideration.

Mr. Madani provided background on A-8 language and advised the vote was favorable before the Accessibility and Plumbing TACs.

Robert Fine, HRC, BAC stated that they are happy with the TAC recommendation with the exception that the TAC stated the language "may" appears three times in the modification and asked that "may" be changed to "shall be" and is fine with the group to have staff change.

Commissioner Schiffer entered a motion to approve as modified changing "may" to "shall be allowed to". Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Code Administration TAC:

Mr. Blair introduced the consent agenda without comment and asked if there are any modifications to be pulled from the list.

Commissioner Schiffer requested to pull modifications 6787 and 6788 for further consideration.

Commissioner Schiffer entered a motion to approve consent agenda as amended. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Code Administration TAC (cont.):

6787 – Commissioner Schiffer stated his concerns over definition of interior designers in the code but not referenced in the code. He said the code is for regulation standard and not licensing and may be confusing with orphan definition. Commissioner Schiffer asked for NAR for this modification.

Mr. Blair stated there needed to be a second for this modification for purpose of negative roll call.

Commissioner Schiffer entered a second for the purpose of a negative roll call.

David Roberts, ASID stated they feel this is to end any confusion in the future. He said they are asking for support of TAC recommendation.

Jan Morel, licensed Interior Designer and Trainer at Art Institute of Florida stated he is in favor of TAC recommendation.

Commissioner Schiffer responded to Mr. Morel and Mr. Roberts.

Commissioner Flanagan asked if this vote would be reversing the TAC recommendation.

Commissioner Schiffer explained his position.

Commissioner Brown asked for further clarification of the vote.

Mr. Blair explained.

Commissioner Bassett states he thought the Code referenced licensed verses registered.

Commissioner Schock stated he supported Commissioner Schiffer's recommendation.

Chairman Browdy asked for vote.

The motion failed or the TAC recommendation with a vote of 14 yes and 10 no. Result NAR.

6788:

Mr. Roberts stated this is same argument this is a simple definition.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Code Administration TAC (cont.):

Commissioner Schiffer entered a second for a negative roll call same reason only on residential code.

Commissioner Bassett agrees not adding definition.

Chairman Browdy requested the vote.

The motion failed on the TAC recommendation with a vote of 13 yes and 11 no. Result NAR.

Mr. Blair introduced the consent agenda with comments and asked if there are any modifications to be pulled from the list.

Commissioner Carlson requested modifications 6430, 6462 and 6498 be pulled from the consent agenda with comments.

6430:

Mr. Madani explained the modification and G-3 comment. He stated this went before the Code Administration and Structural TACs and both were favorable on the comment.

Joe Belcher, FHBA and MAF, Florida Independent Concrete Association stated that they support the TAC recommendation.

Eric Stafford, IBHS stated they also support the TAC recommendation.

Robert Fine HCBASF stated they supported TAC recommendation.

Don Beers, Masonry Association of FL stated they also support the TAC recommendation.

Commissioner Schock entered the second the standing motion.

Commissioner Schock entered a motion to support the TAC recommendation as submitted. Commissioner Bassett seconded the motion. The motion passed unanimously 24 to 0 with the Chairman joining.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Code Administration TAC (cont.):

6462:

Mr. Madani explained the comments G4 and G3 as advised the TAC approved as submitted.

Joe Belcher, FHBA and MAF, Florida Independent Concrete Association stated that they support the TAC recommendation.

Commissioner Schock entered the second the standing motion.

Commissioner Schock entered a motion to accept TAC recommendation. Commissioner Bassett seconded the motion. The motion passed unanimously 24 to 0 with the Chairman joining.

6498:

Mr. explained this modification was taken up by the Electrical, Swimming Pool and Code Administration TACs, with comment A-3 and received favorable by all three. He stated the TACs approved as amended.

Jennifer Hatfield, FSPA, stated they supported A3 and said she wanted to be sure the language should be clear from the July 18th meeting.

Mr. Madani advised specified language was included.

Commissioner Batts entered the second for the standing motion.

Commissioner Batts entered a motion to support the TACs recommendation as amended. Commissioner Swope seconded the motion. The motion passed unanimously 24 to 0 with the Chairman joining.

Electrical TAC:

Mr. Blair introduced the consent agenda without comments and asked if there are any modifications to be pulled from the list.

Bryan Holland requested to pull 6460.

He was advised this was on the consent agenda with comments.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Electrical TAC (cont.):

Commissioner Flanagan entered the second on the standing motion. The motion passed unanimously 24 to 0 with the Chairman joining.

Mr. Blair introduced the consent agenda with comments and asked if there are any modifications to be pulled from the list.

Commissioner Flanagan requested to pull 6498, 6496, 6531, 6493, 6494, 6530 and 6529.

Mr. Blair stated that left only one modification on the consent agenda 6460 and asked if any member of the public wished to pull this modification.

Mr. Holland, NEMA requested to pull 6460.

Commissioner Flanagan stated he would pull.

6498:

Mr. Madani stated was taken up by Swimming Pool and Electrical TAC both had favorable recommendation with comment A-3.

Commissioner Flanagan entered a motion to accept as amended by the TACs. Commissioner Batts seconded the motion. The motion passed unanimously 24 to 0 with the Chairman joining.

6496:

Mr. Madani stated was taken up by Swimming Pool and Electrical TAC both had favorable recommendation with comment A-1.

Jennifer Hatfield, FSPA asked if 6529 could be viewed first as this modification would affect this modification by its outcome.

Commissioner Flanagan entered a motion to table modification 6596 at this time. Commissioner Brown seconded the motion. The motion passed unanimously 24 to 0 with the Chairman joining.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Electrical TAC (cont.):

6529:

Mr. Madani stated was taken up by Swimming Pool and Electrical TAC both had favorable recommendation with comment A-1 and he stated Ms. Hatfield has provided additional language for this modification after the July meeting.

Jennifer Hatfield, FSPA stated the language that was being passed out to the Commissioners. She said in short they are clarifying bonding systems. Ms. Hatfield said this is additional language.

Mr. Holland, NEMA provided additional background and sated they are in support of the additional language.

Commissioner Swope entered the second for the standing motion.

Commissioner Batts entered a motion to approve the TACs recommendation with the additional language provided by Ms. Hatfield, FSPA. Commissioner Calleja seconded the motion. The motion passed unanimously 24 to 0 with the Chairman joining.

6496:

Chairman Browdy asked for a motion to remove modification 6496 from the table for consideration.

Commissioner Brown entered a motion to remove modification 6496 from the table for consideration. Commissioner Bassett seconded the motion. The motion passed unanimously 24 to 0 with the Chairman joining.

Mr. Madani stated was taken up by Swimming Pool and Electrical TAC both had favorable recommendation with comment A-1 and he stated Ms. Hatfield has provided additional language for this modification after the July meeting.

Ms. Hatfield, FSPA provided additional language for existing public pools with the exact language as under modification 6529.

Commissioner Batts entered the second for the standing motion.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Electrical TAC (cont.):

Commissioner Calleja entered a motion to approve the TACs recommendation with the additional language provided by Ms. Hatfield, FSPA. Commissioner Flanagan seconded the motion. The motion passed unanimously 24 to 0 with the Chairman joining.

6531:

Mr. Madani stated was taken up by Swimming Pool and Electrical TAC both had favorable recommendation with comment A-1.

Ms. Hatfield, FSPA stated they were in support of the modification.

Commissioner Flanagan entered a motion to approve the TACs recommendation as amended. Commissioner Batts seconded the motion. The motion passed unanimously 24 to 0 with the Chairman joining.

6493:

Mr. Madani stated was taken up by Swimming Pool and Electrical TAC both had favorable recommendation with comment A-1.

Ms. Hatfield, FSPA stated this modification is no longer needed and would request NAR based on previous action being placed in Chapter 3.

Mr. Holland, NEMA stated he agreed this is no longer needed

Commissioner Batts entered a second for a negative roll call for NAR.

Commissioner Gerwig requested information on NAR on this modification as well as 6494 will the technical language in Chapter 3 be enough or should it be left.

Mr. Madani stated this will cover all the options with Chapter 3.

The motion passed unanimously 24 to 0 with the Chairman joining.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Electrical TAC (cont.):

6494:

Mr. Madani stated was taken up by Swimming Pool and Electrical TAC both had favorable recommendation with comment A-1.

Ms. Hatfield, FSPA stated this modification is no longer needed and would request NAR based on previous action being placed in Chapter 3 and this would be the same vote as 6493.

Mr. Holland, NEMA stated he agreed this is no longer needed

Commissioner Batts entered a second for a negative roll call for NAR. The motion passed unanimously 24 to 0 with the Chairman joining.

6530:

Mr. Madani stated was taken up by Swimming Pool and Electrical TAC both had favorable recommendation with comment A-1.

Commissioner Schiffer entered the second for the standing motion to accept TACs recommendation. The motion passed unanimously 24 to 0 with the Chairman joining.

6460:

Mr. Madani provided background and was taken up by the Electrical TAC in April with NAR and Comment G-4 was reviewed in July, the TAC was not favorable with the comment and recommended NAR with a vote of 7 to 3.

Mr. Holland, NEMA stated the costly event of lightening and he feels 6460 will bring in necessary regulation to help prevent this and be enforced in the field and many supporting comments. He stated this has been placed before with full cost analysis. He said this is not a mandate.

Mr. Blair asked if he was requesting the modification be approved as submitted.

Mr. Holland stated yes.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Electrical TAC (cont.):

Mitchel Guthrie, Engineering Consultant, stated he is in support of Mr. Holland's proposal and provided detail of his support.

Eric Stafford, IBHS, stated they are in support.

Mark Morgan, East Coast Lightening Equipment, stated they are in support.

Dennis Stillman, Bonded Lightening Electrical Systems, stated they are in support.

Carlos Mata, Member of Kennedy Space Center Safety Assessment Committee and he is support of this modification.

Commissioner Flanagan stated there was a lot of time spent on this item. He further stated this is an important item and he strongly in favor of the modification.

Commissioner Flanagan entered a second on the standing motion.

Commissioner Flanagan then entered a motion to approve the modification as presents with comment as submitted. Commissioner Swope seconded the motion.

Commissioner Brown asked for clarification of lightening protection is so high in commercial, why would we exempt family dwelling.

Chairman Browdy stated as a home builder on high end homes it is typically included unless excluded by owner. He stated imposing on all construction it would impact the cost.

Commissioner Hamberger asked Commissioner Flanagan about the risk assessment came back positive would it be required.

Commissioner Flanagan stated it would be required other than one or two dwelling.

Commissioner Gerwig asked the proponent of the percentage of losses data. He asked for data between commercial and residential.

Mr. Holland stated yes in the packet with exclusion of 1 and 2 family dwelling.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Electrical TAC (cont.):

There was further discussion on exclusion and costs and need.

Commissioner Brown asked Mr. Holland what the costs of installation of this into 1 family home be.

Mr. Holland stated this would be too difficult it would depend on the type of installation and design, but base typically would be less than 1% of the cost of the building.

Doug Buck, FHBA responded to Commissioner Brown stating it is based on the cost of the house and the risk that the house would have. He said there are a lot of risks such as trees. Mr. Buck stated putting mandates on home would there be a reduction in insurance to install and if the companies do not value this risk it would not benefit the homeowner. He said this is a decision of costs.

Chairman Browdy asked for a vote on the motion to approve the modification as submitted.

The motion passed with a vote of 20 to 4.

Local Technical Amendment:

Mr. Blair stated all of the local technical amendments were discussed in the TAC and the vote was NAR on all.

Commissioner Flanagan entered a motion to support the TACs recommendation not to approve NAR. Commissioner Batts seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

**Break
Reconvene 10:38 am**

Chairman Browdy called the meeting back to order.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Energy TAC:

Mr. Blair introduced the consent agenda without comments and asked if there are any modifications to be pulled from the list.

There was no request to pull modifications from this consent agenda without comments.

Commissioner Calleja entered the second on the standing motion. The motion passed with a vote of 22 to 0 with the Chairman joining and two members absent from the vote.

Mr. Blair introduced the consent agenda with comments and asked if there are any modifications to be pulled from the list.

Commissioner Smith requested 6564, 6722, 6727, 6764, 6765, 6933, 6806 and 6920 be pulled from the consent agenda.

Eric Lacey, RECA requested 6934 be pulled.

Commissioner Smith agreed to pull 6934.

Mr. Blair stated 6727 and 6933 need to be pulled to be deferred until after the meeting of the Energy Rating Index Workgroup meets.

Chairman Browdy stated there needed to be a vote to defer 6727 and 6933 until after the meeting of the Energy Rating Index Workgroup meets. The Commission voted unanimously to defer with a vote of 24 to 0 with the Chairman joining.

Mr. Blair advised a second to the standing motion was needed to approve the consent agenda with comments as amended.

Commissioner Smith entered the second the standing motion to approve the consent agenda with comments as amended. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Energy TAC (cont.):

6564:

Mr. Madani provided the background and stated it was approved as submitted a comment was submitted A-2 in July with favorable action.

Dick Wilhelm, AAMA stated they were in support.

Commissioner Calleja entered the second the standing motion.

Commissioner Smith entered a motion to approve the TAC recommendation as amended. Commissioner Calleja seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6764:

Mr. Madani provided the background and stated it was approved as submitted a comment was submitted A-1 in July with favorable action.

Commissioner Smith entered the second the standing motion.

Commissioner Smith entered a motion to approve as amended. Commissioner Burk seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6765

Mr. Madani provided the background and stated it was approved as submitted a comment was submitted A-1 in July with favorable action.

Commissioner Smith entered the second the standing motion.

Commissioner Smith entered a motion to approve as amended. Commissioner Calleja seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Energy TAC (cont.):

6806:

Mr. Madani provided the background received NAR at the April meeting, a comment was submitted G-2 and was approved by the Mechanical and Energy TAC as submitted

Joe Belcher, FHBA stated they support this recommendation.

Commissioner Smith entered the second the standing motion.

Commissioner Smith entered a motion to approve as submitted. Commissioner Calleja seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6920:

Mr. Madani provided the background and advised that the TAC had NAR in April and a general comment was submitted for the July meeting and the TAC did not vote favorable.

Joe Belcher, FHBA said he submitted an alternate today and the handout was provided to the Commissioners. Mr. Belcher explained the exact language change 5 air changes per hour to 7 air changes per hour.

Jeff Sonne, FSEC stated they were in support.

Eric Lacey, RECA stated he holds mild opposition and provided explanations to make sure there was no conflict with 6927.

Mr. Belcher provided response to Mr. Lacey stating he is changing the number only.

Ms. Stewart stated for clarification maybe we should defer to insure there is no conflict.

Mr. Madani stated there is no conflict with this specific modification.

Commissioner Smith entered the second the standing motion.

Commissioner Calleja entered a motion to approve as submitted with public comment (as amended). Commissioner Smith seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Energy TAC (cont.):

6934:

Mr. Madani provided background NAR in April and A-1 was submitted and the TAC did not give favorable recommendation.

Eric Lacey, RECA explained his position and the reasoning behind the alternate language.

Amanda Hickman, Intercode, stated they were opposed.

Jeff Sonne, FSEC, stated they were opposed.

Joe Belcher, FHBA, Masonry Association of FL stated they were opposed.

Don Beers, Masonry Association of FL stated they were opposed.

Mr. Lacey, RECA provided rebuttal and second request for consideration.

Commissioner Smith entered the second the standing motion.

Commissioner Smith entered a motion to approve TAC recommendation NAR. Commissioner Calleja seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Fire TAC:

Mr. Blair introduced the consent agenda without comments and asked if there are any modifications to be pulled from the list.

There was no request to pull modifications from this consent agenda without comments.

Commissioner Schiffer entered the second on the standing motion. The motion passed with a vote of 24 to 0 with the Chairman joining.

Mr. Blair introduced the consent agenda comments and asked if there are any modifications to be pulled from the list.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Fire TAC (cont.):

Commissioner Schock approved requested to pull 6799, 6801, and 6822,.

Joe Belcher requested to pull 6852.

Commissioner Schock approved request to pull 6852.

Commissioner Schock entered the second on the standing motion to approve the consent agenda with comments as amended. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6799:

Mr. Madani provided background with comment G-1 he stated the TAC voted favorable on the comment.

Mr. Belcher, FHBA stated they support the recommendation.

Commissioner Schock entered the second on the standing motion.

Commissioner Schock entered motion to approve TAC recommendation on G-1 as submitted. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6801:

Mr. Madani provided background with comment A-3 he stated the TAC voted favorable on the comment.

Mr. Belcher, FHBA stated they support the recommendation.

Commissioner Schock entered the second on the standing motion.

Commissioner Schock entered motion to approve TAC recommendation as submitted with A-3. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Fire TAC (cont.):

6822:

Mr. Madani provided background with comment G-1 he stated the TAC voted favorable on the comment.

Mr. Belcher, FHBA stated they support the recommendation.

Commissioner Schock entered the second on the standing motion.

Commissioner Schock entered motion to approve TAC recommendation on G-1 as submitted. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6852:

Mr. Madani provided background with comment G-1 he stated the TAC did not vote favorable on the comment with a vote of 3 in favor and 4 against the modification remained NAR.

Mr. Belcher, Masonry Association of FL, provided background on the comment and asked for the Commissions support to approve with G-1 comment and vote approval as amended.

Don Beers, Masonry Association of FL, stated they are in support of Mr. Belcher's proposal.

Commissioner Schiffer entered the second on the standing motion.

Commissioner Schock entered motion to approve as submitted. Commissioner Smith seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Local Technical Amendment:

Mr. Blair stated all of the local technical amendments were discussed in the TAC and the vote was NAR on all.

Commissioner Schock entered a motion to support the TACs recommendation not to approve NAR. Commissioner Smith seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Mechanical TAC:

Mr. Blair introduced the consent agenda without comments and asked if there are any modifications to be pulled from the list.

Commissioner Calleja requested to pull 7011 and 7022.

Commissioner Bassett entered the second on the standing motion to approve the consent agenda without comments as amended. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

7011:

Mr. Madani provided background stating 7011 and 7022 are together and 7011 was approved as submitted by the Mechanical TAC and was also taken up by the Fire TAC and was approved as amended. He stated the difference between the two TACs was approved as submitted would require smoke detectors installed in the air distribution system on the supply side and the Fire TAC would require the detectors in both the return and supply side. Mr. Madani said because there are two different recommendations/actions taken by two different TACs the decision would be to approve as submitted as per the Mechanical TAC or approve as amended by the Fire TAC. He stated the lead on this modification is the Mechanical TAC.

Cheryl Harris, FL Refrigeration and Air Condition Contractors Association, stated she would request the approval of the Mechanical TAC recommendation as submitted.

Commissioner Calleja entered the second the standing motion

Commissioner Calleja entered a motion to accept the Mechanical TACs recommendation as submitted. Commissioner Boyer seconded the motion. The motion passed with a vote of 23 to 1 with the Chairman joining.

7022:

Mr. Madani provided the background on 7022 stating this is a companion to 7011 and putting reference in Chapter 15 of the Mechanical Code and was approved as submitted by the Mechanical TAC and the Fire TAC did not approve. He stated the lead on this modification is the Mechanical TAC.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Mechanical TAC (cont.,):

Commissioner Calleja entered the second the standing motion

Commissioner Calleja entered a motion to accept the Mechanical TACs recommendation as submitted. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 23 to 0 with the Chairman joining and one Commissioner out of the meeting room.

Mr. Blair introduced the consent agenda with comments and asked if there are any modifications to be pulled from the list.

Commissioner Bassett requested to pull 6806.

Commissioner Bassett entered the second on the standing motion to approve the consent agenda with comments as amended. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6806:

Mo provided background was taken up by the Mechanical TAC and the Energy TAC. He said the Mechanical TAC recommendation was approved as submitted and the Energy TAC was to NAR. Mr. Madani stated the request was to approve as submitted.

Commissioner Bassett entered a motion to approve as submitted. Commissioner Calleja seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Local Technical Amendment:

Mr. Blair stated all of the local technical amendments were discussed in the TAC and the vote was NAR on all.

Commissioner Bassett deferred to Commissioner Calleja and would recuse himself as he is the member that made most of the amendments and will recuse himself from the vote.

Commissioner Calleja entered a motion to support the TACs recommendation not to approve NAR. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 23 to 1 with the Chairman joining and Commissioner Bassett recusing himself from the vote.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Plumbing TAC:

Mr. Blair introduced the consent agenda without comments and asked if there are any modifications to be pulled from the list.

Commissioner Schilling entered the second on the standing motion to approve the consent agenda without comments as submitted. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Mr. Blair introduced the consent agenda with comments and asked if there are any modifications to be pulled from the list.

Commissioner Schilling requested to pull 6851, 6852, 6859, 6661, 6610, 6836, 6667 and 6668.

There were no modifications left on the consent agenda with comments therefore no motion needed.

6667:

Mo provided background was taken up by the Plumbing TAC and voted to approve as modified.

Cheryl Harris, Florida Irrigation Society, stated she would request to review this modification last in the list to review 6836 as the action on 6836 may impact the decision of 6667.

Commissioner Calleja entered a motion to table modification 6667. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6851:

Mo provided background was taken up by the Plumbing TAC and voted to approve as modified with comment G-5.

Joe Eysie, FL Natural Gas Association explained the modification to correlate with the fuel gas code.

Commissioner Schilling entered the second on the standing motion.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Plumbing TAC (cont.):

Commissioner Schilling entered motion to approve as amended. Commissioner Langille seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6668:

Mo provided background was taken up by the Plumbing TAC and voted to NAR.

Commissioner Schilling entered the second on the standing motion.

Commissioner Schilling entered a motion to support the TACs original recommendation of NAR (no action recommended). Commissioner Smith seconded the motion.

Voting Issue:

Chairman Browdy advised that there has been a procedural issue that has come up and for clarity purposes he is asking April Hammonds, Assistant General Counsel for the FBC to clarify the issue and the correction process and the procedure will be modify some going forward.

Ms. Hammonds stated it became very clear during the last vote that there was a second to the standing motion regarding that it meets all of the statutory criteria which was a motion that was put out as a standing motion at the beginning of this. She stated what has not been occurring is a vote, there has not been a vote on any of these that have been pulled, there has been a second to the standing motion that yes it meets all the statutory criteria and it needs to be a statement that standing on the proponents rationale if that is indeed the case. Ms. Hammonds further stated that there have been no votes taken for the previous TACs, so at this time what they would like to do is for all the TACs that have been completed where there were motions and seconds would be a vote to state that they are standing on the proponents rationale that it meets the statutory criteria which was motioned and seconded but there was not a formal vote taken by Mr. Blair. She advised going forward at each point where there is a second to the standing motion to include standing on the proponents rationale there will be a vote and then we will move on. Ms. Hammonds advised there was no vote taken for the Commission to say yes that they are saying it meets statutory criteria, thus a vote must be captured or called for.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Plumbing TAC (cont.):

Voting Issue (cont.):

Chairman Browdy stated at this point they will need to have the Commission reaffirm it's previous actions on those seconds that were made by various individuals which basically will reaffirm the previous actions but will allow them to vote on all of those at one time rather than to restructure what they have been doing.

Chairman Browdy called for a vote to reaffirm the previous action of the Commission on all seconds to amendments to the standing motions that were not taken.

Commissioner Brown entered a motion to call for a vote to reaffirm the previous action of the Commission on all seconds to amendments to the standing motions that were not taken. The motion was seconded by Commissioner Bassett. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Commissioner Schilling withdrew his original second.

The motion on the floor is as follows:

Commissioner Schilling entered a motion to support the TACs original recommendation of approval as submitted. Commissioner Smith seconded the motion.

Commissioner Flanagan asked for clarification of this modification in voting the NAR.

Commissioner Schilling stated yes, he said that they are now trying to approve the proponent's comments.

Commissioner Flanagan stated this is against what the entire TAC voted for was that correct.

Commissioner Schilling stated yes.

Commissioner Flanagan asked Commissioner Schilling to explain why he is supporting this when the entire TAC did not support.

Commissioner Schilling stated some of the confusion is that some of these modifications are similar and explained what the proponents are proposing on water conservation.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Plumbing TAC (cont.):

Commissioner Gilson asked about the further water reduction and is this available at this time and is it widely available.

Commissioner Schilling explained what occurred previously and stated in general some of the areas have been using this for some time and provided examples of the reduction. He said he feels technology has far advanced and should be considered with the saving not only consumption as well as the discharge.

Commissioner Gilson stated in his jurisdiction states this has more impact including showers.

Commissioner Smith stated he wanted to reaffirm what Commissioner Schilling was referring to and there have been more requests for these products to reduce water usage and would vote in favor of this amendment.

Commissioner Carlson stated he also has a problem with overturning a full TAC recommendation and feels he would not be able to support this and would vote to stay with the TAC recommendation of NAR.

Commissioner Boyer stated he also has a problem with overturning a full TAC recommendation and feels he would not be able to support this and would vote to stay with the TAC recommendation of NAR.

Commissioner Calleja asked Commissioner Schilling if these regulations are currently being enforced in Miami-Dade and Broward Counties and have been there how many years.

Commissioner Schilling stated they have been in effect almost a decade.

Commissioner Calleja stated so with that we are expanding to the whole State what have been in force in Miami-Dade and Broward Counties for a decade.

Commissioner Schilling stated that is correct.

Joe Belcher, FHBA, stated they are in support of the TAC recommendation.

Commissioner Schilling responded that he feels the Commission should respond and should adopt these policies.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Plumbing TAC (cont.):

Chairman Browdy summarized stating that the TAC recommendation is to NAR. He said there is a motion to amend the recommendation.

Doug Buck, FHBA responded to Commissioner Schilling that social conservation issues coming through FBC, the legislature regulates the conservation issues. He provided examples of how this could be done. He said using the Code to achieve objectives should not occur.

Chairman Browdy asked for the vote to amend the TAC recommendation.

The vote was taken and the motion failed with a vote of 10 members in favor and 14 members against.

Mr. Blair stated the TAC's recommendation of NAR will stand.

6661:

Mo provided background was taken up by the Plumbing TAC a comment was submitted G-3 to support original modification and did not receive favorable action. The TAC voted NAR.

Joe Belcher, FHBA stated he supported the TAC action.

Commissioner Schilling gave rebuttal to Mr. Belcher's comments.

Commissioner Schilling entered a motion to approve the modification as submitted standing on the proponent's rationale and addressing the statutory findings A-I. Commissioner Calleja seconded the motion. The motion failed with a vote of 9 in favor and 17 against with the Chairman joining.

Mr. Blair stated the TAC's recommendation of NAR will stand.

6836:

Mo provided background was taken up by the Plumbing TAC a comment was submitted G-2 to support original modification and did not receive favorable action. The TAC voted NAR. He stated the vote failed with a vote of 5 to 2.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Plumbing TAC (cont.):

Cheryl Harris, FL Irrigation Society asked that there be a reversal of the TAC recommendation and consider the comment. She provided detail on the comment and argument to consider. She further stated FIS is asking for the standard to be statewide to be consistent.

Mark Zehnal, FRSA stated that they should consider and provided examples of the reason to support.

Scott King, State President of the FL Irrigation Society stated they are asking for support and provided additional information on irrigation and the waste involved.

Commissioner Brown asked Mr. King about the waste of the irrigation systems.

Mr. King provided the details of standards that show the waste. Mr. King said this is nationwide issue.

Rob Vieira, FSEC stated they supported the water conservation issue on this modification.

Kevin Cavaioli, Licensed Landscape Architect stated they are working to free up water. He stated they are in support of a standard and would support this amendment.

Mr. Richmond stated that the Legislature has pre-empted our ability to do this in an existing FL Statute 373.228 that was amended in 2008-2009 to specifically refer to our appendix F which is the voluntary appendix to the Plumbing Code. He further stated that many organizations being represented here today that are in favor of this change get together with other organizations and State Agencies to utilize appendix F as a foundation for model guidelines for commercial and residential landscaping and irrigation, he said the Statute goes on to say Local Governments shall use the standards and guidelines when developing landscape irrigation in Florida friendly workman systems. Mr. Richmond said in this case the Legislature has spoken and this is the manner by which the irrigation standards will be adopted Florida and it is not mandatory through the building code.

Joe Belcher, FHBA stated they are opposed and thanked Mr. Richmond and stated this is outside of the Building Code.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Plumbing TAC (cont.):

Doug Buck, FHBA questioned if this went into the code would it not require additional inspections, compliance, etc. He stated they are opposed.

Cheryl Harris, FL Irrigation Society stated they understood further requirements for inspections, but there is already Chapter 14 that addresses irrigation systems when it comes to unpotable water so there will already be an inspection and permitting. She said another regulation in the Florida Statute that has water sensors and this requires inspections upon installation. Ms. Harris said their amendment does not require annual inspections and she urged them to look at the amendment and add it to the Code.

Joe Belcher, FHBA, Chapter 14 is talking about recycled water which is different. He said this amendment calls for permits, inspections etc.

Commissioner Schilling addressed the opponent's comments in regards to inspections, and the recycled water. He said they are not putting limit of use in the Code.

Commissioner Schilling entered a motion to approve the original modification as amended standing on the proponent's rationale and addressing the statutory findings A-I. Commissioner Smith seconded the motion.

Commissioner Schock explained his reasoning for not supporting this language.

Commissioner Smith stated he feels this is good for green certification and supports the language.

Commissioner Bassett stated his position on the amendment and the service he had completed in Broward County and the outcome of that service. He said water conservation has an energy component and we need to work to gain water conservation. He stated he is in support for the State.

Commissioner Gilson stated he agrees with Commissioner Bassett, and asked for statistics.

Ms. Harris responded to Commissioner Gilson and advised there is a lack of statistics.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Plumbing TAC (cont.):

Commissioner Gilson stated this was not what he looked for and had many questions on licensing and what impact there would be.

Ms. Harris stated there have not been standards so the standards and the enforcement and then the licensure issue.

Commissioner Calleja stated contractors coming in and asking for this standard we should consider and he supports the amendment.

Commissioner Gerwig stated listening to the discussion is the single family installations and looking at this goes into Chapter 14 it would not be in residential. He stated he is opposed.

Mr. Madani stated only if it is in Chapter 14.

The motion failed with a vote of 10 in favor and 14 against with the Chairman joining.

Mr. Blair stated the TAC's recommendation of NAR will stand.

6667:

Commissioner Shilling entered a motion to remove 6667 modification from the table. Commissioner Hamberger seconded the motion. The motion passed unanimously with a vote 24 to 0 with the Chairman joining.

Mr. Madani provided the background and the TAC approved as modified and there was an additional comment G-2 to support TAC.

Cheryl Harris, FL Irrigation Society asked the Commission to reverse the TAC decision and go with the original language approval without modification.

Joe Belcher, FHBA stated they are in favor of adding to the appendix and support TAC.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Plumbing TAC (cont.):

Commissioner Schilling entered a motion to approve the TAC recommendation as amended standing on the proponent's rationale and addressing the statutory findings A-I. Commissioner Hamberger seconded. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6859:

Mr. Madani provided background stating was affirmative in April, G-1 was submitted in July and the TAC voted favorably. There was editorial language provided today that will not change the language that was voted on in the TAC.

Joe Eysie. FL Natural Gas Association stated he provided only editorial language there was no change to the language approved by the TAC.

Commissioner Bassett entered a motion to approve the TAC recommendation as amended standing on the proponent's rationale and addressing the statutory findings A-I. Commissioner Hamberger seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6610

Mr. Madani provided background stating was affirmative in April, G-1 was submitted in July and the TAC recommendation was NAR.

Commissioner Bassett entered a motion for a negative roll call for NAR standing on the proponent's rationale and addressing the statutory findings A-I. Commissioner Flanagan seconded the motion. The motion failed with a vote of 5 in favor and 19 against with the Chairman joining.

Local Technical Amendment:

Mr. Blair stated all of the local technical amendments were discussed in the TAC and the vote was NAR on all.

Commissioner Schilling entered a motion to support the TACs recommendation not to approve NAR. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Commissioner Brown stated that there are two points on the water conservation area, he said in North Florida where he resides there is more abundant water than other areas of the State, He advised consensus is that they would be happy to share some of those resources as long as they get to flush them.

BREAK 12:50 p.m.
RECONVENE: 1:03 p.m.

Chairman Browdy called the meeting back to order with 16 members present for a quorum.

Roofing TAC:

Mr. Blair introduced the consent agenda without comments and asked if there are any modifications to be pulled from the list.

Mark Zehnal, FRSA requested to pull and withdraw 6603, 6624, 6625, 6650, 6651, 6662, 6677, 6682, 6683, 6713, 6716 and 6719.

Commissioner Swope entered a motion to approve the consent agenda without comments as amended pulling and withdrawing 12 modification amendments by proponent. Commissioner Goff seconded the motion. The motion passed unanimously with a vote of 16 to 0 with the Chairman joining. There were 8 members not present for this vote.

Mr. Blair introduced the consent agenda with comments and asked if there are any modifications to be pulled from the list.

Commissioner Swope requested to pull 6640, 6723, 6725, 6666, 6691, 6692, 7090, 7093, 7095, 6642, 6643, 6644, 6646, 6647, 6648, 6649, 6698, 6601, 6604, 6605, 6607, 6608, 6609, 6627, 6636, 6671, 6481, 6655, 6676, 7083 from the consent agenda with comments.

Commissioner Brown entered a motion to approve the consent agenda with comments as amended. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Roofing TAC (cont.):

6640:

Mr. Madani provided the background and the TAC approved as modified and there was an additional comment A-2, he said that the TAC was favorable for this comment.

Mr. Zehnal, FRSA requested approval of the TAC recommendation as modified with A-1 which included R-1.

Commissioner Swope entered a motion to approve as amended standing on the proponent's rationale and addressing the statutory findings A-I. Commissioner Batts seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6723:

Mr. Madani provided the background and the TAC approved as modified and there was an additional comment A-1, he said that the TAC was favorable for this comment.

Mr. Zehnal FRSA stated there was an additional handout that unfortunately was not included at the July meeting R-1 use of stainless steel fasteners. He explained the additional amendment.

Mr. Blair asked if this was a complete replacement.

Mr. Zehnal stated yes.

Mr. Madani asked if this was electronically transmitted.

Mr. Zehnal stated yes as requested.

Commissioner Swope entered a motion to approve the proponents amended proposal submitted today and based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Roofing TAC (cont.):

6725:

Mr. Madani provided the background and the TAC approved as modified and there was an additional comment A-1, he said that the TAC was favorable for this comment.

Mr. Zehnal FRSA stated he stands on the same comments of 6723 and referenced the same language.

Mr. Blair asked if this was a complete replacement.

Mr. Zehnal stated yes.

Commissioner Swope entered a motion to approve the proponents amended proposal submitted today and based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6666:

Mr. Madani provided the background and the TAC approved as modified and there was an additional comment A-4 plus original, he said that the TAC was favorable for this comment.

Mr. Blair asked if this was a replacement.

Mr. Zehnal FRSA stated no this went through the TAC and they approved. He further stated they wanted to correlate this with the ABHS and the R803.2.3 which would talk about the ring shank nail.

Mr. Blair advised the motion should be to approve the TAC recommendation as modified standing on rationale and findings.

Mr. Richmond stated that was incorrect, that the TAC cannot modify its recommendation, so it would be staff's recommendation of A-4 plus the original.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Roofing TAC (cont.):

Commissioner Swope entered a motion to approve staff recommendation A-4 plus the original TAC modification based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6691:

Mr. Madani provided the background and the TAC approved as modified and there was an additional comment A-1 he said that the TAC was favorable for this comment.

Mr. Zehnal FRSA stated they were adding the reference standards and updating them.

Commissioner Swope entered a motion to approve staff recommendation plus A-1 and R-1 the original TAC modification based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6692:

Mr. Madani provided the background and the TAC approved as modified and there was an additional comment A-1 he said that the TAC was favorable for this comment.

Mr. Zehnal FRSA stated they were adding the reference standards and updating them.

Commissioner Swope entered a motion to approve staff recommendation plus A-1 and R-1 the original TAC modification based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Roofing TAC (cont.):

7090:

Mr. Madani provided the background and the TAC approved as modified and there was an additional comment G-4, A-2, and A-3 he said that the TAC was favorable for these comment.

Mike Fisher, Kellen Co. explained the rationale of this submission. He said they are asked for approval by the Commission.

George Acebo, Miami-Dade Product Control echoed Mr. Fischer's modifications.

Mark Zehnal, FRSA stated they support this modification.

Commissioner Swope entered a motion to approve staff recommendation plus A-2, A-3, and G-4 consolidated in the handout as submitted based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Batts seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

7093:

Mr. Madani provided the background and the TAC approved as modified and there was an additional comment G-6, and A-3 he said that the TAC was favorable for these comment.

Mike Fisher, Kellen Co. representing ARMA and the Polyiso Insulation Manufacturers stated they are requesting approval of what was handed out to the Commission today and e-mailed yesterday because A-3 was not really discussed at the TAC meeting was found to have some errors in correlating the reference standards of the Polyiso insulation. Mr. Fischer explained the contents of the handout including the public comment with amended language to include G-6 but does not include A-3. He stated he is asking for consideration of this today.

George Acebo, Miami-Dade Product Control stated they are in agreement with ARMA on the handout.

Mr. Blair asked for clarification that they are asking for approval of the new replacement modification. He said this modification will remove G-6. Mr. Blair further advised the way to form this motion would be to approve the proponents revised modification standing on the proponents rationale and addressing the statutory findings A-I if they agree with this amendment as submitted by the proponent.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Roofing TAC (cont.):

Commissioner Swope entered a motion to approve the proponents revised modification standing on the proponents rationale and addressing the statutory findings A-I if they agree with this amendment as submitted by the proponent with comment G-6 eliminating A-3 pursuant to the handout today. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Ms. Hammonds asked the Chairman to allow her to speak before this modification. She stated this is her second triennial code process go and she said that she has never seen so many modifications coming from the interested stakeholders after this process has been opened for as long as has been. Ms. Hammonds further stated there has been a 45 day comment period there is another process and things are still not correct and then another 45 day comment period and today here you are handing to the Commission new material for them to be voting on which they can do in good conscious as long as they feel it meets, but she would ask all of them to please ensure that when they submit things that you are looking at them and that they are certain this is what they want to do, because it is with the good graces that we are not yet in Chapter 120 rule making as this process would be in serious question. She said this is not going to the Commissioners that are trying to keep up with this mess. Ms. Hammonds thanked them for the time to speak.

Commissioner Brown asked to go on record stating he fully concurred and said that this is overwhelming.

7095:

Mr. Madani provided the background and the TAC approved as modified and there was an additional comment G-4 and he said that the TAC was favorable for these comment.

Mike Fischer, ARMA stated he is asking for support of G-4 as in the handout.

Commissioner Swope entered a motion to approve staff recommendation plus G-4 in the handout as submitted based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Roofing TAC (cont.):

6642:

Mr. Madani provided the background and the TAC approved as modified and there was an additional comment A-2 and he said that the TAC was favorable for these comment.

Mark Zehnal stated yes he agrees.

Commissioner Swope entered a motion to approve TAC recommendation plus A-2 as submitted based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Batts seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6643:

Mr. Madani provided the background and the TAC approved as modified and there was an additional amendment received, A-2 he said that the TAC was favorable for these comment.

Mark Zehnal said he stands on his previous comments.

Commissioner Swope entered a motion to approve TAC recommendation plus A-2 as submitted based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6644:

Mr. Madani provided the background and the TAC approved as modified and there was an additional amendment received, A-1 he said that the TAC was favorable for these comment.

Mark Zehnal said he stands on his previous comments.

Commissioner Swope entered a motion to approve TAC recommendation plus A-1 as submitted based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Roofing TAC (cont.):

6646:

Mr. Madani provided the background and the TAC approved as submitted and there was an additional amendment received, A-2 he said that the TAC was favorable for these comment.

Mark Zehnal said he stands on his previous comments.

Commissioner Swope entered a motion to approve TAC recommendation plus A-2 as submitted based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6647:

Mr. Madani provided the background and the TAC approved as submitted and there was an additional amendment received, A-2 he said that the TAC was favorable for these comment.

Mark Zehnal said he stands on his previous comments.

Commissioner Swope entered a motion to approve TAC recommendation plus A-2 as submitted based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Batts seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6648:

Mr. Madani provided the background and the TAC approved as submitted and there was an additional amendment received, A-2 he said that the TAC was favorable for these comment.

Mark Zehnal said he stands on his previous comments.

Commissioner Swope entered a motion to approve TAC recommendation plus A-2 as submitted based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Batts seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Roofing TAC (cont.):

6649:

Mr. Madani provided the background and the TAC approved as submitted and there was an additional amendment received, A-2 he said that the TAC was favorable for these comment.

Mark Zehnal said he stands on his previous comments.

Commissioner Swope entered a motion to approve TAC recommendation plus A-2 as submitted based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Batts seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6698:

Mr. Madani provided the background and the TAC approved as submitted and there was an additional amendment received, A-4 he said that the TAC was favorable for these comment.

Mark Zehnal said he stands on his previous comments.

Commissioner Swope entered a motion to approve TAC recommendation plus A-4 as submitted based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Batts seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6601:

Mr. Madani provided the background and the TAC approved as submitted and there was an additional amendment received, A-2 he said that the TAC was favorable for these comment.

Mark Zehnal said he stands on his previous comments.

Commissioner Swope entered a motion to approve TAC recommendation plus A-2 as submitted based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Batts seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Roofing TAC (cont.):

6604:

Mr. Madani provided the background and the TAC approved as submitted and there was an additional amendment received, A-2 he said that the TAC was favorable for these comment.

Mark Zehnal said he stands on his previous comments.

Commissioner Swope entered a motion to approve TAC recommendation plus A-2 as submitted based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Batts seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6605:

Mr. Madani provided the background and the TAC approved as submitted and there was an additional amendment received, A-1 he said that the TAC was favorable for these comment.

Mark Zehnal said he stands on his previous comments.

Commissioner Swope entered a motion to approve TAC recommendation plus A-1 as submitted based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Batts seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6607:

Mr. Madani provided the background and the TAC approved as submitted and there was an additional amendment received, A-5 he said that the TAC was favorable for these comment.

Mark Zehnal said he stands on his previous comments.

Commissioner Swope entered a motion to approve TAC recommendation plus A-5 as submitted based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Batts seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Roofing TAC (cont.):

6608:

Mr. Madani provided the background and the TAC approved as submitted and there was an additional amendment received, A-2 he said that the TAC was favorable for these comment.

Mark Zehnal said he stands on his previous comments.

Commissioner Swope entered a motion to approve TAC recommendation plus A-2 as submitted based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Batts seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6609:

Mr. Madani provided the background and the TAC approved as submitted and there was an additional amendment received, A-2 he said that the TAC was favorable for these comment.

Mark Zehnal said he stands on his previous comments.

Commissioner Swope entered a motion to approve TAC recommendation plus A-2 as submitted based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6627:

Mr. Madani provided the background and the TAC approved as submitted and there was an additional amendment received, A-2 he said that the TAC was favorable for these comment.

Mark Zehnal said he stands on his previous comments.

Commissioner Swope entered a motion to approve TAC recommendation plus A-2 as submitted based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Roofing TAC (cont.):

6636:

Mr. Madani provided the background and the TAC approved as submitted and there was an additional amendment received, A-1 he said that the TAC was favorable for these comment.

Mark Zehnal said he stands on his previous comments.

Commissioner Swope entered a motion to approve TAC recommendation A-1 plus original based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Batts seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6671:

Mr. Madani provided the background and the TAC approved as submitted and there was an additional amendment received, A-3 he said that the TAC was favorable for these comment.

Mark Zehnal said he stands on his previous comments.

Commissioner Swope entered a motion to approve TAC recommendation plus A-3 as submitted based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6481:

Mr. Madani provided the background and the TAC NAR and there was an additional amendment received, A-1 he said that the TAC was favorable for these comment.

Deborah Lawson, FL Roof Deck Association stated they are in support of the modification as amended A-1.

Commissioner Swope entered a motion to approve TAC recommendation plus A-1 as submitted based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Roofing TAC (cont.):

6655:

Mr. Madani provided the background and the TAC NAR and there was an additional amendment received, A-2 and A-3 and he said that the TAC was favorable for these comment.

Mark Zehnal stated he agrees.

Commissioner Swope entered a motion to approve TAC recommendation plus A-2 and A-3 as submitted based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6676:

Mr. Madani provided the background and the TAC NAR and there was an additional amendment received, A-2 and he said that the TAC was favorable for these comment.

Dick Wilhelm, AAMA stated they support recommendation.

Commissioner Swope entered a motion to approve TAC recommendation plus A-2 as submitted based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

7083:

Mr. Madani provided the background and the TAC NAR and there was an additional amendment received, G-5 and he said that the TAC was favorable for these comment requesting the proponent to submit alternate language. He said the language was submitted in the handout today.

Mike Fischer, Kellan stated the handout was sent electronically via BCC and also provided in hardcopy today. Mr. Fischer provided background of the amendment.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Roofing TAC (cont.):

Commissioner Swope entered a motion to approve TAC recommendation plus G-5 with alternate language requested as a handout today as submitted based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Local Technical Amendment:

Mr. Blair stated all of the local technical amendments were discussed in the TAC and the vote was NAR on all.

Commissioner Swope entered a motion to support the TACs recommendation not to approve NAR. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Special Occupancy TAC:

Mr. Blair introduced the consent agenda without comments and asked if there are any modifications to be pulled from the list.

Mr. Blair asked for a second to approve the consent agenda without comments.

Commissioner Schiffer entered the second to approve the consent agenda without comment. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Mr. Blair introduced the consent agenda with comments and asked if there are any modifications to be pulled from the list.

Commissioner Phillips approved pulling 6990, 6887, 6910, 6883 and 6623 from the consent agenda with comments.

Paul Coats, American Wood Council requested to pull 6823.

Commissioner Boyer agreed to pull 6623.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Special Occupancy TAC (cont.):

Mr. Blair advised that a second was needed to approve the consent agenda as amended.

Commissioner Boyer seconded the motion to approve the consent agenda with comments as amended.

6990:

Mr. Madani provided the background and the TAC approved as submitted and there was an additional amendment received, A-9 he said that the TAC was favorable for these comment.

Commissioner Phillips entered a motion to approve TAC recommendation based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Frank seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6623:

Mr. Madani provided the background and the TAC NAR and there was an additional amendment received, G-8 and he said that the TAC was non-favorable for this comment NAR.

Paul Coats, American Wood Council, stated they are asking the Commission to eliminate a prohibition on type three and five on wood frame school buildings and applies to only one set of school buildings under Section 453 of the Code. He said the FBC currently permits type three and type five wood frame school buildings and they are being built. Mr. Coats stated these are private schools that have to comply with all the code requirements for limiting building size, required sprinkler systems, fire alarm systems, and fire life safety systems and resistance to hurricane wind loads. He said this is not about the safety in the buildings it is about the construction type should be based on the ownership. Mr. Coats said they will hear about buildings that have failed and these buildings were not built to code and not all school buildings are used as emergency shelters. He asked them to consider their concerns.

Randy Shackelford, Simpson Strong-Tie, stated that he is in support of Mr. Coat's proposal and explained his view of this change.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Special Occupancy TAC (cont.):

Don Whitehead, DOE stated in comment G-1 they are opposed and explained the reasoning.

Don Beers, Masonry Association of FL, stated there is one area he agrees with and that is wood frame burns in the country the same way it burns in Florida. He stated they are opposed to this proposal and provided examples of the reasoning behind his statement. He spoke of the UF study and results. Mr. Beers stated they are opposed.

Joe Belcher, Independent Concrete and Associated Products stated they support DOE and that Mr. Coats did not mention these are public schools we are talking about.

Paul Coats, American Wood Council, stated he would like to reiterate that past performance of any structure or material should not be the basis when those materials or buildings have not complied with any codes in the past and should not be the basis to prohibit modern engineered wood construction which is complying with the current building codes. He further stated that also in regard to damage problems, every material has its own challenges in that regard. Mr. Coats stated that FBC is doing very well in protecting wood framed buildings for private schools so why are we treating differently the citizens of private schools over public schools.

Commissioner Phillips stated one of the things public schools do is they are hurricane shelters and the Department of Management Services will never consider a charter school as a shelter because of the material from which it is built and they do not care what the cover is made of on the exterior of the building. He further stated two three quarter inch pieces of plywood put together with a two by four went through it like a knife through cold butter. Commissioner Phillips stated this is not the material that needs to be used in building public schools. He said we need to build public schools to provide shelter for hurricane victims.

Mr. Blair asked if he was entering a motion for a negative roll call.

Commissioner Phillips stated yes.

Chairman Browdy stated this has been an issue for years and that each district has option of the building materials. He said the issue that wood frame would not be sufficient for building schools.

Commissioner Phillips entered a motion to support the TACs recommendation. Commissioner Boyer seconded the motion.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Special Occupancy TAC (cont.):

Commissioner Brown asked for clarity of voting for this modification.

Commissioner Carlson thanked the Chairman for his comments and will vote in favor Mr. Coats.

Commissioner Flanagan stated he supports the TAC.

Commissioner Schiffer expressed the owners do have the choices and build it to code.

Commissioner Boyer supports Mr. Coats.

Commissioner Gerwig agreed with the Chairman and with technology now it may be outdated. He said he will support Mr. Coats.

Commissioner Gilson stated ownerships change in the charter schools verses public school which is used for life. He stated he will support the TAC.

Commissioner Hamberger stated he does not support amendment and supports the TAC.

Chairman Browdy stated he does not disagree with what is being said, however as an owner they should have the right to make that decision. He said if the school board wants masonry they should be able to use it and we should make the Code available should they want to use wood.

The motion fails with a motion of 7 in favor and 17 against.

Commissioner Carlson entered a motion to support the modification to 6623 as submitted based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Boyer seconded the motion. The motion

Commissioner Schiffer stated this could have a large impact in cost for the smaller districts in building schools.

Commissioner Bassett stated they have schools that are 50% portable buildings that are made of wood so it does not make any difference.

Commissioner Brown stated he agrees with the Chairman at what point should we substitute our judgement for the judgement of a private party. He said there are times when Government should not be telling private citizens what to do and this may be one of them.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Special Occupancy TAC (cont.):

Commissioner Calleja said that as a building code we can offer a performance standard so that the building can perform, but not to specify the product. He said we have to make sure it is safe but we should not tell them to product to use.

Commissioner Phillips said by eliminating this from the code we may be going against a Legislative mandate as Legislation currently reads public school are to be used a hurricane shelters and the wood industry will tell you that they can make it work, however, in 1992 when Andrew came through he had just finished a store he could see apartments, homes and everything after the storm was just sand. He said most school districts would not build out of wood.

Commissioner Bassett stated in 1992 the damage from this storm affected just as many masonry builds that were destroyed as any other type structure.

Chairman Browdy called for the vote for the motion on the floor.

The motion failed with a vote of 17 in favor and 7 against.

Chairman Browdy stated what is in the code remains.

6887:

Mr. Madani provided the background and the TAC approved as submitted and there was an additional amendment received, A-5 he said that the TAC was favorable for these comment.

Commissioner Phillips entered a motion to approve TAC recommendation with comment A-5 based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Frank seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6910:

Mr. Madani provided the background and the TAC NAR and there was an additional amendment received, A-2 he said that the TAC was favorable for these comment.

Don Whitehead, DOE, supports.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Special Occupancy TAC (cont.):

Commissioner Phillips entered a motion to approve staff recommendation with comment A-2 based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Frank seconded the motion. The motion passed unanimously with a vote of 23 to 0 with the Chairman joining and one Commissioner out of the room.

6883:

Mr. Madani provided the background and was taken up the Special Occupancy TAC NAR and Structural TAC approved as submitted and there was an additional amendment received, A-4 he said that the TAC was favorable for these comment.

Robert Fine, HBA of South Florida explained his modification request.

Commissioner Schock spoke on this modification and that he is in support.

Commissioner Phillips entered a motion to approve TAC recommendation with comment A-4 based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Local Technical Amendment:

Mr. Blair stated all of the local technical amendments were discussed in the TAC and the vote was NAR on all.

Commissioner Goff entered a motion to support the TACs recommendation not to approve NAR. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Structural TAC:

Mr. Blair introduced the consent agenda without comments and asked if there are any modifications to be pulled from the list.

Eric Stafford, IBHS requested to pull 6571 for the purpose of withdrawing.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Structural TAC (cont.):

Commissioner Schock approved 6571 to withdraw per proponent.

Commissioner Schock entered a motion to approve the consent agenda without comment as amended. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Mr. Blair introduced the consent agenda with comments and asked if there are any modifications to be pulled from the list.

Commissioner Schock pulled 6536, 6976, 6606, 6977, 6541, 6941, 6952, 6544, 6815, 6598, 6537, 6814, 6896, 6611, 6430, 6462 and 6883 from the consent agenda with comments..

Joe Belcher, FHBA requested to pull 6812, 6813, 6835, 6829 and 6852 from the consent agenda with comments.

Commissioner Schock approved the list of modifications requesting to be pulled by Mr. Belcher.

Commissioner Schock entered a second to the standing motion to approve the consent agenda as modified. The motion passed unanimously with a vote of 23 to 0 with the Chairman joining with one Commissioner out of the room.

6536:

Mr. Madani provided the background and the TAC approved as modified and there was an additional amendment received, A-4 he said that the TAC was favorable for these comment.

Dick Wilhelm, AAMA stated they are in support.

Commissioner Schock entered a motion to approve TAC recommendation with comment A-4 based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Structural TAC (cont.):

6976:

Mr. Madani provided the background and the TAC approved as submitted and there was an additional amendment received, A-2 he said that the TAC was favorable for these comment.

Joe Belcher, Independent Concrete and Associated Products stated they support recommendation.

Commissioner Schock entered a motion to approve staff recommendation with comment A-2 based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6606:

Mr. Madani provided the background and the TAC approved as submitted and there was an additional amendment received, A-5 he said that the TAC was favorable for these comment.

Eric Stafford, IBHS, stated they support amendment.

Commissioner Schock entered a motion to approve TAC recommendation with comment A-5 with original based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6977:

Mr. Madani provided the background and the TAC approved as submitted and there was an additional amendment received, A-1 he said that the TAC was favorable for these comment.

Commissioner Schock entered a motion to approve TAC recommendation with comment A-1 based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Structural TAC (cont.):

6541:

Mr. Madani provided the background and the TAC approved as submitted and there was an additional amendment received, A-4 he said that the TAC was favorable for these comment.

Dick Wilhelm, AAMA stated they are in support.

Commissioner Schock entered a motion to approve TAC recommendation with comment A-4 based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6430:

Mr. Madani stated this modification was taken up by the Code Administration TAC previously.

6941:

Mr. Madani provided the background and was taken up by the TAC with NAR there was an additional amendments received, A-2 and A-1 he said that the TAC was favorable for these comments.

Joe Belcher, requested support for modification.

Commissioner Schock entered a motion to approve TAC recommendation with comment A-2 and A-1 based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6952:

Mr. Madani provided the background and was taken up by the TAC with NAR there was an additional comment was received G-1, he said that the TAC was favorable for these comments.

Joe Belcher, International Hurricane Association stated they are in support of modification.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Structural TAC (cont.):

Commissioner Schock entered a motion to approve TAC recommendation with comment G-1 based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6544:

Mr. Madani provided the background and was taken up by the TAC with NAR there was an additional amendment was received A-1, he said that the TAC was favorable for these comments.

Dick Wilhelm, AAMA asked for the Commission's support on this modification.

Commissioner Schock entered a motion to approve TAC recommendation as amended with comment A-1 based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6812:

Mr. Madani provided the background and was taken up by the TAC with NAR there was an additional amendment was received A-1, he said that the TAC was favorable for these comments but the action failed with a vote of 7 in favor and 4 against.

Joe Belcher, FHBA stated that this is in regards to custom one of a kind door as imported door. He said Mr. Brous was opponent and has worked with them and he will let him explain as they are working together and have submitted new language A-1 modified as a handout and is a stand alone proposal. He clarified that this will apply to several codes and explained how this will be placed on this modification.

Mr. Blair stated they are asking for approval of the handout language.

Paul Brous, FIDSI stated they have discussed between the parties and have come to this compromise and language for the Code.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Structural TAC (cont.):

Commissioner Compton questioned the language changed.

Mr. Belcher explained the changes for the Commissioners and how the two groups worked together to assist the building official in making their determination.

Mr. Madani questioned if the testing has been taken out and asked for clarification on mahogany doors.

Mr. Belcher stated if it is a mahogany door with glazing it would need to be tested.

Mr. Madani stated for Miami-Dade and Broward this was also apply.

Mr. Brous explained the misuse of this Code on the one of kind doors and how this change will assist the building official.

Commissioner Compton asked for clarification of the definition provided.

Mr. Brous stated the intent is a custom door is one that cannot be obtained from a supply house of mass production. He said if you look at a header it speaks to design pressure ratings and does not include impact.

Commissioner Compton asked if they are removing impact.

Mr. Brous stated yes, if they are custom one of a kind they would need to be designed under the rule of the building official.

Mr. Richmond stated that we have gone through two TAC reviews and have had ample time to present these changes. He said given the concerns given by Mr. Madani and the Commissioners, he said this should go back to the TAC for further review with the new language.

Commissioner Schock stated that he has some concerns and this is not the place to work this out. He is proposing a NAR and reverts to the original Code.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Structural TAC (cont.):

Mr. Madani clarified stating this should not be a NAR but if they go with A-1 it will keep it in the Code. He read the language under A-1.

Commissioner Schock entered a motion to accept TAC recommendation and A-1 based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6813:

Mr. Madani provided the background and was taken up by the TAC with NAR there was an additional amendment was received A-1, he said that the TAC was not favorable for these comments but the action failed with a vote of 7 in favor and 4 against.

Mr. Belcher, FHBA stated this is the same language but for the residential code.

Mr. Brous stated he is disappointed that a decision can not be made today and the abuse continues on this Code. He asked if there is a workgroup that could be put together to address this issue and explained the importance.

Commissioner Schock entered a motion to accept TAC recommendation and A-1 based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Compton seconded the motion with comment of he understands their position but needs clarification of definition. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6815:

Mr. Madani provided the background and was taken up by the TAC with NAR there was an additional comment was received G-2, he said that the TAC was favorable for these comments

Joe Belcher, FHBA asked for the Commissions support.

Commissioner Schock entered a motion to accept TAC recommendation approved as submitted with G-2 comment based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Structural TAC (cont.):

6829:

Mr. Madani provided the background and was taken up by the TAC with NAR there was an additional amendment was received A-1, he said that the TAC was not favorable for these comments.

Joe Belcher, MAF stated he would like to clear that there was no affirmative action. He said pending seismic being added to the Code. Mr. Belcher explained the language that was proposed. Mr. Belcher asked for approval.

Mr. Blair clarified that he was asking for the original modification as submitted.

Mr. Belcher advised yes the original as submitted.

Commissioner Schock entered a motion to approve the modification as submitted based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6835:

Mr. Madani provided the background and was taken up by the TAC with NAR there was an additional amendment was received A-1, he said that the TAC was not favorable for these comments.

Mr. Belcher said this is the same action as 6829 but in a different part of the code.

Commissioner Schock entered a motion to approve the modification as submitted based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Structural TAC (cont.):

6598:

Mr. Madani provided the background and was taken up by the TAC with NAR there was an additional amendment was received A-2, he said that the TAC was favorable for these comments.

Vince Sagan, MBWA stated they support this recommendation.

Dale Nelson, Metal Roof Association stated they were also in support.

Commissioner Schock entered a motion to accept TAC recommendation approved as submitted with A-2 comment based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6537:

Mr. Madani provided the background and was taken up by the TAC with NAR there was an additional amendment was received A-6, he said that the TAC was favorable for these comments.

Dick Wilhelm, AAMA requested support of the Commission.

Commissioner Schock entered a motion to accept TAC recommendation approved as submitted with A-6 comment based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6814:

Mr. Madani provided the background and was taken up by the TAC with NAR there was an additional amendment was received A-1, he said that the TAC was favorable for these comments.

Joe Belcher, FHBA stated they are requesting support of this modification.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Structural TAC (cont.):

Jessica Ferris, WORLR, stated they are in support.

Dick Wilhelm, AAMA stated they are in support.

Commissioner Schock entered a motion to accept TAC recommendation approved as amended with A-1 comment based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6896:

Mr. Madani provided the background and was taken up by the TAC with NAR there was an additional amendment was received A-1, he said that the TAC was favorable for these comments.

Joe Belcher, FHBA stated they are requesting support of this modification.

Dick Wilhelm, AAMA stated they are in support.

Commissioner Schock entered a motion to accept TAC recommendation approved as amended with A-1 comment based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

6611:

Mr. Madani provided the background and was taken up by the TAC with NAR there was an additional amendment was received A-1, he said that the TAC was favorable for these comments.

Vince Sagan, MBWA stated they support this recommendation.

Dale Nelson, Metal Roof Association stated they were also in support.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Structural TAC (cont.):

Commissioner Schock entered a motion to accept TAC recommendation approved as amended with A-1 comment based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0 with the Chairman joining.

BREAK 10 Minutes

Chairman Browdy called the meeting back to order.

Swimming Pool TAC:

Mr. Blair introduced the consent agenda without comments and asked if there are any modifications to be pulled from the list.

Commissioner Batts seconded the standing motion to approve the consent agenda without comments. The motion passed unanimously with a vote of 23 to 0 with the Chairman joining with Commissioner Schilling out of the room.

Mr. Blair introduced the consent agenda with comments and asked if there are any modifications to be pulled from the list.

Commissioner Batts requested to remove 7070, 6498, 6496, 6509, 6511, 6512, 6531, 6584, 7016, 7058, 7073, 7074, 6529, 6493, 6494, and 6530

Commissioner Batts entered a motion to approve the consent agenda with comments as amended. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 23 to 0 with the Chairman joining with Commissioner Schilling out of the room.

7070:

Mr. Madani provided the background and was taken up by the TAC and was approved as amended with additional amendment was received A-3, he said that the TAC was favorable for these comments.

Jennifer Hatfield, FSPA stated there was a handout given today. She is requested that the handout of additional correction to be consistent.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Swimming Pool TAC (cont.):

John Centera, FPSA and a member of the TAC stated they are in support.

Commissioner Batts entered a motion to support and approve the handout today based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 23 to 0 with the Chairman joining and one Commissioner out of the room.

6509:

Mr. Madani provided the background and was taken up by the TAC and action was NAR an additional amendment was received A-1 he said that the TAC was favorable for these comments.

Jennifer Hatfield, FSPA stated they supported this action.

Commissioner Batts entered a motion to support and approve TAC action with comment A-1 based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 23 to 0 with the Chairman joining and one Commissioner out of the room.

6511:

Mr. Madani provided the background and was taken up by the TAC and action was NAR an additional amendment was received A-1 he said that the TAC was favorable for these comments.

John Centera, FPSA and a member of the TAC stated they are in support.

Commissioner Batts entered a motion to support and approve TAC action with comment A-1 based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 23 to 0 with the Chairman joining and one Commissioner out of the room.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Swimming Pool TAC (cont.):

6512:

Mr. Madani provided the background and was taken up by the TAC and action was NAR an additional comment was received G-1 he said that the TAC was favorable for these comments.

John Centera, FPSA and a member of the TAC stated they are in support.

Commissioner Batts entered a motion to support and approve with comment A-1 based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 23 to 0 with the Chairman joining and one Commissioner out of the room.

6584:

Mr. Madani provided the background and was taken up by the TAC and action was NAR an additional alternate language was received A-3 he said that the TAC was favorable for these comments.

Jennifer Hatfield, FSPA, provided handout with error corrections.

Commissioner Batts entered a motion to support and approve the handout today based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 23 to 0 with the Chairman joining and one Commissioner out of the room.

7016:

Mr. Madani provided the background and was taken up by the TAC and action was NAR an additional alternate language was received A-5 he said that the TAC was favorable for these comments.

John Centera, FPSA and a member of the TAC stated they are in support.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Swimming Pool TAC (cont.):

Commissioner Batts entered a motion to support and approve with comment A-5 based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 23 to 0 with the Chairman joining and one Commissioner out of the room.

7058:

Mr. Madani provided the background and was taken up by the TAC and action was NAR an additional alternate language was received A-3 he said that the TAC was favorable for these comments.

Commissioner Batts entered a motion to support and approve with comment A-3 based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Swope seconded the motion. Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 23 to 0 with the Chairman joining and one Commissioner out of the room.

7073:

Mr. Madani provided the background and was taken up by the TAC and action was NAR an additional alternate language was received A-1 he said that the TAC was favorable for these comments.

Jennifer Hatfield, FSPA supported modification.

Commissioner Batts entered a motion to support and approve with comment A-1 based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Swope seconded the motion. Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 23 to 0 with the Chairman joining and one Commissioner out of the room.

7074:

Mr. Madani provided the background and was taken up by the TAC and action was NAR an additional alternate language was received A-1 he said that the TAC was favorable for these comments.

Jennifer Hatfield, FSPA asked for support of A-1.

Discuss and consider proposed modifications to the 2015 international codes for inclusion in the Florida building code, 6th edition (2017) (cont.):

Swimming Pool TAC (cont.):

Commissioner Batts entered a motion to support and approve with comment A-1 based on the proponent's rationale and addressing the statutory findings A-I. Commissioner Swope seconded the motion. Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 23 to 0 with the Chairman joining and one Commissioner out of the room.

Local Technical Amendment:

Mr. Blair stated all of the local technical amendments were discussed in the TAC and the vote was NAR on all.

Commissioner Batts entered a motion to support the TACs recommendation not to approve NAR. Commissioner Carlson seconded the motion. The motion passed unanimously with a vote of 23 to 0 with the Chairman joining and one Commissioner out of the room.

Chairman Browdy stated this will end the code modifications and he then asked for a motion to approve the package of recommended approved code modifications for the Florida Building Code the 6th Edition 2017 to proceed with rule making and to delegate authority to Jim Richmond to sign rule making documents on behalf of Chairman Browdy.

Commissioner Brown entered a motion to approve the package of recommended approved code modifications for the Florida Building Code the 6th Edition 2017 to proceed with rule making and to delegate authority to Jim Richmond to sign rule making documents on behalf of Chairman Browdy. Commissioner Goff seconded the motion. The motion passed unanimously with a vote of 23 to 0 with the Chairman joining and one Commissioner out of the room.

Review and Approve Recommendations from Calder Sloan Swimming Pool Electrical Safety Task Force:

Chairman Browdy advised Section 30 of HB 535 established within the Florida Building Commission the Calder Sloan Swimming Pool Electrical Safety Task Force. He said the Swimming Pool TAC and the Electrical TAC were designated and served as the Task Force. Chairman Browdy said 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. He said 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

Review and Approve Recommendations from Calder Sloan Swimming Pool Electrical Safety Task Force (cont.):

public and private swimming pools. Chairman Browdy said 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. He advised that at the conclusion of public comment and the Commission's action on the recommendations he will ask for a motion 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. Chairman Browdy then asked Jeff Blair to provide the overview of the recommendation.

Mr. Blair stated the Task Force met and provided ten recommendations and are here for consideration today. He stated the recommendations are as follows:

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.
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 which is Recommendation 1.

Review and Approve Recommendations from Calder Sloan Swimming Pool Electrical Safety Task Force (cont.):

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 which were taken up by the Florida Building Commission today for inclusion in the 6th Edition (2017) Update to the Florida Building Code.
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 and code enhancements in recommendation 9.

Mr. Blair stated these are the recommendations from the Task Force.

Chairman Browdy stated the Commission has heard the recommendation of the Task Force and will take public comment at this time.

Chris Sloan, father of Calder Sloan said he wanted to thank the TACs and everyone in the room that has been so involved in bringing some meaning to this tragedy and he believes a lot of progress has been made to save lives. Mr. Sloan said as they have pressed along in their law suit and attended a lot of the TAC meetings one of the proposals that has come up has leaned to light construction made of brass and he felt it was important to read some information provided by professionals in the construction during his suit that would show where plastic is a more viable alternative for this. Mr. Sloan then read the reports. He said on a side note there are products that have been brought up before the TACs that are undergoing evaluation and he himself being a user and warn of electrical charges and although he does not believe that these would necessarily become law should be a part of the education outreach and make the buyers and owners aware.

Review and Approve Recommendations from Calder Sloan Swimming Pool Electrical Safety Task Force (cont.):

Chairman Browdy stated that he appreciated the efforts that Mr. Sloan had put forth in the meetings he has attended and the effort will be productive and save lives.

Skip McTighe, Safe Water Systems, Inc. stated the concern of safety is on everyone's mind including children swimming in pools. He said there are not enough laws to totally prevent these deaths from occurring; however a warning system would be beneficial to help the public to assist in avoiding power to enter the pool from stray electricity. He completed the findings of the referenced report he was reading. He said an alarm and warning system is the answer.

Chairman Browdy said that if there is no further comment he would request a motion 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 Chairman with reviewing and approving the final Report prior to submittal to the Legislature and Governor.

Commissioner Brown entered a motion 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 Chairman with reviewing and approving the final Report prior to submittal to the Legislature and Governor. Commissioner Flanagan seconded the motion. The motion passed unanimously with a vote of 23 to 0 with the Chairman joining and one Commissioner out of the room.

Evaluate and Select Research Projects for FY 16-17

Chairman Browdy stated 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. He advised for fiscal year 2016-2017 the TACs met during the summer to discuss research needs and developed recommendations for the Commission's consideration. Chairman Browdy said subsequently the TAC chairs met on August 15, 2016 yesterday and developed recommendations for the Commission's consideration during today's meeting. He advised that we will now review the Committee of TAC Chairs report and recommendations regarding the funding of research projects relevant to the Florida Building Code System for fiscal year 2016 -2017. He advised Jeff will provide the results of the meeting.

Evaluate and Select Research Projects for FY 16-17 (cont.):

Mr. Blair advised the projects that were approved:

- 1- Continuation of corrosion of roofing fasteners **\$39,086**
- 2- Document field cases of attics sealed with spray foam insulation **\$128,221 2 homes**
- 3- Improved Hot Water Code Calculation will be the next presentation **\$22,000**
- 4- Evaluation of the Cost Impact of Florida's specific changes to 2015 I-Codes "Prescriptive Code Changes" **\$38,900**
- 5- Residential Performance Code Methodology for Crediting Dehumidification and Smart Vent Application **\$20,000**

Mr. Blair stated the TAC Chairman voted 9 to 2 in favor of this package.

Commissioner Flanagan explained to all Commissioners that some of these projects are continuations.

Mr. Blair advised there was \$250,000 and these projects came in around \$249,000.

Commissioner Bassett stated that he should comment on why he voted against this package. He provided historical information on spray foam and the instances that followed with the spray foam and provided examples. He said they are asking for research to correct their product and have public funds pay for the studies. Commissioner Bassett continued by saying he will vote against it again today.

Commissioner Swope stated he wanted to respond to Commissioner Bassett and explained this is for the roofing industry but not the spray foam industry as it affects the life safety of the roofers and life responders. He stated he wanted clarify this issue.

Commissioner Schock stated he remembers this to be as Commissioner Swope explained. He feels it needs to get to the envelope to see if this is a secure insulation.

Commissioner Bassett still feels the industry is asking for the public to correct their problems.

Commissioner Flanagan stated they had to rank and vote and he was not a fan of this study, however, it came in second in the importance scale.

Mark Zehnal, FRSA stated they will be taking up the other two homes to complete the funding and they feel this is a very important study and to be able to provide facts.

Evaluate and Select Research Projects for FY 16-17 (cont.):

Mike Fischer, Kellen Industry spoke on the results and after two years we do not have results and these needs to end if there are no more results. He said no building survey has been done so we do not know the impact. They are requesting the advisory panel be re-instated.

Mr. Zehnal responded to the prior remarks. He provided background and time line of the research.

Chairman Browdy asked that Jim Richmond explain the dollars that are allocated and the oversight on the process for these projects.

Mr. Richmond said that the particular issue regarding the advisory panel, he said gives a lot of concerns as it has always been utilized by UF as a methodology in their research. He said they have never been directed by the Commission or directed to be included by the Commission and he becomes concerned when we make that request and there certainly is no question there becomes an advisory body of the Commission that requires meetings be noticed and subject to all of the Sunshine Law implications and probably would eliminate their usefulness at UF and as they exist now that is a matter of UF to concern themselves with and not the Commission.

Chairman Browdy asked if there was any further comment from the public on this issue.

No further comment offered.

Chairman Browdy asked for a motion 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 and selected 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 contracting as appropriate.

Commissioner Schock entered a motion 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 and selected 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 contracting as appropriate. Commissioner Carlson seconded the motion. The motion passed with a vote of 22 to 1 with Commissioner Bassett voting against the motion.

Legal Report:

Chairman Browdy asked Ms. Hammonds if there were any legal issues relevant to the Commission to report at this time.

Ms. Hammonds stated she wanted to bring to the Commission's attention the recent Supreme Court decision regarding Boards and Commissions and potential antitrust liability. She said in February the Supreme Court issued a ruling in *North Carolina State Board of Dental Examiners vs The Federal Trade Commission*. Ms. Hammonds advised the Court held that the State licensing boards controlled by market participants active in the market being regulated by those boards are not immune from Federal antitrust liability unless they are acting pursuant to a clearly articulated State policy to displace competition and are subject to active State supervision. She further advised that it is unlikely that this will impact the Commission and she gave them some facts in the case that may explain why but the only place that this may be perhaps the product approval process. Ms. Hammonds said in the case the State Board of Dental Examiners were composed of eight members which were actively practicing dentists which is similar to what we have here in Florida, she said when non-dentists began offering services at lower costs than the dentists the Board sent out almost fifty cease and desist letters and the Federal Trade Commission and they did not do any formal rule making on it to determine the scope of licensure and so forth would be and the Federal Trade Commission filed an administrative complaint and found that the cease and desist letters violated the Sherman Act because they were anti competitive and unfair and unjustified by any safety concerns. She said the main purpose of anti trust laws are to promote competition and to protect competition and to have free and open competition results for the best products and services similar to the research and their projects brought before the Commission to determine what they felt was best and that is the main goal of the anti trust laws. Ms. Hammonds stated private interest of one group inhibiting the competition provided by another group unless it is adequately justified by compelling public need like health and safety of the constituents could be considered and anti trust violation. She further stated the bottom line is there is no sovereign immunity for Boards and Commissions against anti trust liability, however the reason she is bringing this up is because DBPR is on top of this issue and they are in the process of obtaining coverage for these types of potential issues and they have included this Commission in the coverage policy after consultation with herself and Mr. Richmond. Ms. Hammonds said she wanted the Commission to be aware of this should they hear from other Boards they would be knowledgeable.

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

Committee Reports and Recommendations (cont.):

minutes since the complete minutes will be linked to the committees' subsequent meeting agendas for approval by the respective committees. He advised that they should move through quickly as the remainder of the agenda will be taken up in the meeting the next day.

Mr. Blair recommended the TAC Chairs should give reports by dates and provided an example for the group. He further stated they needed to approve all of the meetings in one motion standing on the minutes of each meeting.

Committee of TAC Chairs:

Chairman Browdy provided a brief summary of the TAC Chair meeting held August 15, 2016 onsite in Gainesville, Florida

A motion was entered by Chairman Browdy to accept the TAC Chair report. The motion was seconded by Commissioner Gross. The motion passed unanimously with a vote of 23 to 0.

Accessibility Technical Advisory Committee; (June 24) (July 14) (August 4):

Commissioner Gross provided a brief summary of the teleconference meetings held on June 24, July 14 and August 4, 2016.

A motion was entered by Commissioner Gross to accept the Accessibility TAC reports. The motion was seconded by Commissioner Schock. The motion passed unanimously with a vote of 23 to 0.

Code Administration Technical Advisory Committee; (June23) (July 15):

Commissioner Carlson provided a brief summary of the teleconference meetings held on June 23, and July 15, 2016.

A motion was entered by Commissioner Carlson to accept the Code Administration TAC reports. The motion was seconded by Commissioner Goff. The motion passed unanimously with a vote of 23 to 0.

Committee Reports and Recommendations (cont.):

Education Program Oversight Committee:

Commissioner Dean provided a brief summary of the teleconference meetings held on August 2, 2016.

A motion was entered by Commissioner Dean to accept the Education POC reports. The motion was seconded by Commissioner Flanagan. The motion passed unanimously with a vote of 23 to 0.

Electrical Technical Advisory Committee; (June 15)(June 27)(July 18):

Commissioner Flanagan provided a brief summary of the teleconference meetings held on June 15, June 27 and on site with the Swimming Pool TAC, in Gainesville, FL on July 18, 2016.

A motion was entered by Commissioner Flanagan to accept the Electrical TAC reports. The motion was seconded by Commissioner Gerwig. The motion passed unanimously with a vote of 23 to 0.

Energy Technical Advisory Committee; (June 15 and July 19):

Commissioner Smith provided a brief summary of the meeting held via teleconference on June 15, 2016 on onsite July 19, 2016 in Gainesville, FL.

A motion was entered by Commissioner Smith to accept the Energy TAC reports. The motion was seconded by Commissioner Smith-Burk. The motion passed unanimously with a vote of 23 to 0.

Fire Technical Advisory Committee; (June 14) (July 15):

Commissioner Schock for Commissioner Bahadori provided a brief summary of the meeting held via teleconference on June 14, and July 15, 2016.

A motion was entered by Commissioner Schock to accept the Fire TAC reports. The motion was seconded by Commissioner Schiffer. The motion passed unanimously with a vote of 23 to 0.

Committee Reports and Recommendations (cont.):

Mechanical Technical Advisory Committee; [\(June 15\)](#) [\(July 14\)](#):

Commissioner Bassett provided a brief summary of the meeting held via teleconference on June 15, and July 14, 2016.

A motion was entered by Commissioner Bassett to accept the Mechanical TAC reports. The motion was seconded by Commissioner Calleja. The motion passed unanimously with a vote of 23 to 0.

Plumbing Technical Advisory Committee ([June 15](#)) [\(July 14\)](#) [\(Aug 3\)](#):

Mr. Madani provided the report for Commissioner Schilling and gave a brief summary of the meeting held via teleconference on June 15, July 14, and August 3, 2016.

A motion was entered by Commissioner Calleja to accept the Plumbing TAC reports. The motion was seconded by Commissioner Goff. The motion passed unanimously with a vote of 23 to 0.

Product Approval Program Oversight Committee; [\(July 28\)](#) [\(Aug 3\)](#):

Commissioner Compton provided reports for Commissioner Stone and gave a brief summary of the meeting held via teleconference on July 28, and August 3, 2016.

A motion was entered by Commissioner Compton to accept the Product Approval POC reports. The motion was seconded by Commissioner Swope. The motion passed unanimously with a vote of 23 to 0.

Roofing Technical Advisory Committee; [\(June 6\)](#) [\(June 24\)](#) [\(July 19\)](#):

Commissioner Swope provided a brief summary of the meeting held via teleconference on June 6, June 24 and onsite in Gainesville, FL on July 19, 2016.

A motion was entered by Commissioner Swope to accept the Roofing TAC reports. The motion was seconded by Commissioner Boyer. The motion passed unanimously with a vote of 23 to 0.

Committee Reports and Recommendations (cont.):

Special Occupancy Technical Advisory Committee; ([June 24](#)) ([July 13](#)):

Commissioner Phillips provided a brief summary of the meeting held via teleconference on June 24 and onsite in Tallahassee, FL on July 13, 2016.

A motion was entered by Commissioner Phillips to accept the Special Occupancy TAC reports. The motion was seconded by Commissioner Frank. The motion passed unanimously with a vote of 23 to 0.

Structural Technical Advisory Committee; ([June 14](#)) ([July 21](#)) ([Aug 3](#)):

Commissioner Schock provided a brief summary of the meeting held via teleconference on June 14, July 21, and August 3, 2016.

A motion was entered by Commissioner Schock to accept the Structural TAC reports. The motion was seconded by Commissioner Compton. The motion passed unanimously with a vote of 23 to 0.

Swimming Pool Technical Advisory Committee. ([June 24](#)) ([June 27](#)) ([July 18](#)):

Commissioner Batts provided a brief summary of the meeting held via teleconference on June 24, June 27, and onsite in Gainesville, FL on July 18, 2016.

A motion was entered by Commissioner Batts to accept the Swimming Pool TAC reports. The motion was seconded by Commissioner Swope. The motion passed unanimously with a vote of 23 to 0.

[Energy Rating Index Workgroup \(Report\)](#):

Chairman Browdy stated the last item for today's agenda is the approval of the Energy Rating Index Workgroup Facilitation Report and Minutes.

Chairman Browdy advised that the 2016 Florida Legislature through passage of HB 535 (Section 34) required the Commission with determining by October 1, 2016, whether onsite renewable power generation may be used as a compliance option when using the Energy Rating Index (ERI) alternative path for demonstrating compliance with the energy provisions of the Florida Building Code, Energy Conservation. The Commission must also determine whether onsite renewable power generation may be used for a period longer than three years but not more than six consecutive years. In response to this Legislative assignment and based on the Energy TAC's

Energy Rating Index Workgroup (Report) (cont.):

recommendation, at the June 8, 2016 meeting the Commission voted to convene an Energy Rating Index Workgroup, and to charge the Workgroup with developing consensus recommendations to the Commission pursuant to Section 34 of HB 535 regarding onsite renewable power generation. The ERI Workgroup met for the first time on July 20, 2016 and will meet again at the conclusion of the Commission's August Plenary Session on August 17, 2016.

Mr. Blair provided the specific actions of the Workgroup as follows:

1. Voting unanimously, 18 – 0 in favor, to conceptually support the use of onsite renewable power generation as an option to achieve compliance when using the ERI path (counted toward the ERI score adopted into the Code).
2. Voting unanimously, 18 – 0 in favor, to recommend that there not be a time stipulation for any approved Code modification providing for the use of onsite renewable power generation. The Workgroup agreed that since the Legislation appeared to stipulate a timeframe of between 3 – 6 years that the Commission should request the maximum time of 6 years, request that the Legislature clarify their intent in this regard, and recommend to the Legislature that there should not be any timeframes associated with this provision.
3. Voting unanimously, 18 – 0 in favor, to recommend, consistent with the Energy TAC's recommendation, that the Florida Building Commission defer action on proposed Energy Code modification numbers 6727 and 6933 pending the Workgroup's final recommendations to be delivered consistent with the Project Workplan.

Commissioner Calleja entered a motion to accept the Facilitators report and the meeting minutes of the Energy Rating Index Workgroup from July 20, 2016. Commissioner Bassett. The motion passed unanimously with a vote of 23 to 0.

Chairman Browdy thanked everyone for the effort put forth in evaluating the Code Modifications. He said the work and due diligence of the staff is extraordinary work that is done.

Chairman Browdy recessed the meeting for the day at 4:50 p.m. to be reconvened at 8:30 am on Thursday, August 17, 2016.

FLORIDA BUILDING COMMISSION

Embassy Suites Ft. Lauderdale

1100 SE 17th Street Causeway

Ft. Lauderdale, Florida

Plenary Session

August 16-17, 2015

8:30 AM

MINUTES

DAY TWO

COMMISSIONERS PRESENT:

Dick Browdy, Chairman
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
Brian Swope

COMMISSIONERS NOT PRESENT:

Jeff Stone

STAFF PRESENT:

Jim Richmond
April Hammonds
Jim Hammers

Mo Madani
Norman Bellamy
Marlita Peters

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:

Chairman Browdy called the meeting to order. He welcomed Commissioners, staff, and members of the public to Fort Lauderdale and day two of the August 16 - 17, 2016 plenary session of the Florida Building Commission. He said today's Plenary Session will focus on completing all agenda business not completed on day one. Chairman Browdy said members of the public are requested to sign the attendance sheet on the speaker's table in the center of the room. He said in addition, we have a sign-up sheet for general public comment. Chairman Browdy said 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). He said if they want 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. Chairman Browdy said the public input is welcome, but should be offered before there is a formal motion on the floor. He asked that they please remember to keep all electronic devices turned off or in a silent mode and thanked them for their cooperation.

Chairman Browdy asked that Mr. Blair perform roll call. A quorum was determined with 25 members present.

Conduct [Rule Adoption Hearing, Rule 61G20-1.001, Florida Building Code Adopted \(code modifications resulting from 2016 Legislation\).](#)

Chairman Browdy stated that today's rule adoption hearing regarding Rule 61G20-1.001, Florida Building Code, is to finalize the implementation of the changes in the Florida Building Code, 5th Edition 2014 pursuant to the changes made to chapter. 553, F.S. within chapter 2016-129 L.O.F. HB 535, and the creation of s. 399.031 F.S. within 2016-211, Laws of Florida SB 1602. He said 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. Chairman Browdy advised that 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. He said today's hearing provides an opportunity for public comment before the Commission proceeds with rulemaking on the Florida Building Code. Once the rule adoption hearing is opened and public comment concludes, the Commission will adopt the Code changes and move to proceed with rule adoption on the proposed 2016 Supplement "Code Fixes" to the 5th Edition (2014), Florida Building Code.

Conduct Rule Adoption Hearing, Rule 61G20-1.001, Florida Building Code Adopted (code modifications resulting from 2016 Legislation).

Chairman Browdy stated he will open and close the hearing and Jeff will facilitate the Commission's discussions and serve as the moderator for the public comment portion of the hearing. Unless Commissioners have questions the rule adoption hearing on Rule 61G20-1.001, Florida Building Code, is now open.

Chairman Browdy further stated that the Commission's actions regarding each of the Code amendments are linked to the agenda and were posted to the BCIS. Staff will provide an overview of the materials as needed.

Chairman Browdy advised the members of the public if they wished to speak on the Commission's approved amendments to Rule 61G20-1.001, Florida Building Code, to please come forward to the speaker's table, and when it is their turn, to identify your name and representation for the record, as well as the specific component of the draft rule you wish to address. He said if they agree with other's statements please say so, add new points, and avoid repeating the same comments. Chairman Browdy said that the Commission is interested in hearing the full range of views, as well as whether they agree with what has already been stated, but prefers not to have the same idea(s) repeated without new points being added. He thanked them for their cooperation. Chairman Browdy said that Mr. Blair will explain the process and sequence for the rule adoption hearing.

Mr. Blair advised if the public has any comments this would be the time to speak on the Rule.

No public comment was offered.

Ms. Hammonds advised that they did receive a letter from JAPC at our request to put it in writing so that we would know what needed to be changed. She stated that we are asking that a notice of change be published, this does not change any of the work that was done here it is all legal technicalities and she provided examples of the changes.

Chairman Browdy stated since there were no public comments, he will close the rule adoption hearing. He stated if there is no further discussion I would ask for a motion 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.

Conduct Rule Adoption Hearing, Rule 61G20-1.001, Florida Building Code Adopted (code modifications resulting from 2016 Legislation).

Commissioner Schiffer entered a motion 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. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 25 to 0.

Accessibility Waiver Applications:

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

The Magell Inn, 1410 Magellan Drive, Sarasota; - Council recommended granting based on economic hardship.

Commissioner Schilling entered a motion to accept the recommendation of granting on the basis economic hardship. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 25 to 0 to grant.

Dyer Mazda, 999 US Highway 1, Vero Beach; - Council recommended deferral for additional information.

Jeff Ray, Architect for Dyer Mazada, stated he brought information for the use of the second floor.

Chairman Browdy stated it is policy to receive a recommendation from the Accessibility Council.

Mr. Ray stated he had forgotten to send this information in and did not get the e-mail to join the call.

Chairman Browdy stated it is up to the Commission if they would like to hear the information or if they would prefer to defer back to the Council.

Commissioner Schock questioned legal for the costs.

Accessibility Waiver Applications (cont.):

Ms. Hammonds provided the information.

Commissioner Schock stated this crosses the threshold for disproportional cost and he feels the Commissioner could vote on this based on the information alone.

Commissioner Schock entered a motion to grant on disproportional cost economic hardship. Commissioner Gross seconded the motion.

Commissioner Flanagan stated due to the footage on the second floor he would agree with this motion to grant.

Commissioner Schiffer asked about the occupancy which is showing a lounge.

Mr. Ray stated yes an employee lounge.

Commissioner Schiffer asked if there was another lounge area on the lower level.

Mr. Ray stated the lounge on the first floor is for all employees and the upstairs is for executives.

Ms. Hammonds reminded the group the second floor is 2500 square feet.

The motion to grant the waiver passed with a vote of 22 to 3.

I-TEC Interior Addition, 10575 SW 147th Circle Dunnellon; - Council recommended granting based on economic hardship.

Commissioner Schock entered a motion to accept the recommendation of granting on the basis economic hardship. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 25 to 0 to grant.

A & S Courier International, 7620 NW 25th Street, Suite No: 2, Miami; Council recommended denial.

Commissioner Schiffer entered a motion to accept the recommendation of denial. Commissioner Schilling seconded the motion.

Commissioner Schock stated he felt this would meet the exception of limited occupancy.

The motion passed with a vote of 15 in favor and 10 against to deny.

Accessibility Waiver Applications (cont.):

McHardy Renovation, 432 MLK Blvd., Stuart; - Council recommended deferral to request actual estimates.

Commissioner Schiffer entered a motion to accept the recommendation of deferral for further information. Commissioner Schilling seconded the motion. The motion passed with a vote of 24 in favor to 1 against to defer.

Clinton Hotel, 825-835 Washington Ave., Miami Beach; - Council recommended granting based on historical nature economic hardship and technical infeasibility.

Commissioner Compton questioned the current elevator not meeting ADA and asked the size would accommodate a wheelchair.

Ms. Hammonds stated yes a manual wheelchair with dimensions of 52" by 48 ½".

Commissioner Schiffer entered a motion to accept the recommendation to granting based on historical nature economic hardship and technical infeasibility. Commissioner Bahadori seconded the motion. The motion passed unanimously with a vote of 25 to 0 to grant.

Commissioner Gross stated that almost every meeting they receive a historic hotel and there is a waiver which is usually granted. He said there is an exemption in the Code for movie theaters so maybe they should consider looking at an exemption for historic hotels to save the business, Council, Staff and Commission the cost of review.

Mr. Richmond stated the theaters were placed under Federal Law guidelines and this is how it got into the Code.

Commissioner Gross stated he understood it was an idea since the Commission sees so many of these waiver types.

8260 Byron Avenue, 8260 Byron Ave., Miami Beach. – Council recommended granting based on historical nature.

Commissioner Flanagan entered a motion to accept the recommendation to granting based on historical nature. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 25 to 0 to grant.

Commissioner Schock stated they are receiving waivers that are spoken to in the code and we may want to issue fact sheets for the building officials to make decisions.

Accessibility Waiver Applications (cont.):

Chairman Browdy stated historically they do not want to make the decision and defer to the Commission.

Commissioner Schock said he felt a fact sheet might encourage the officials to make the determination.

Chairman Browdy stated if the Accessibility TAC would like to come up with a letter to the building officials that are not making determination or recommendation it may be helpful to encourage action.

Mr. Richmond stated it would difficult to draft a fact sheet unless they wanted to adopt something by rule and have these specific statutory wording adopted by rule. He further stated there have always been statutory exemptions and we have had a hard time getting officials to make the determination using specific language. Mr. Richmond provided examples where there could be room for questioning by the official.

Ms. Hammonds stated the occupant load and other determinations, historic nature, economic hardship etc. are all granting by statute to the Commission and Council and not the building official. She further stated building officials may see the economic hardship, historic nature, etc. but the FBC requires vertical accessibility period with exceptions of like press boxes and that is why these have to come before the Council and Commission even though the building official in his good judgement knows it should be granted in his opinion it still has to come before the Council and Commissions authority under 553 to grant the waivers based on those things. Ms. Hammonds stated this is why they have to come to the Council and Commission.

Commissioner Gross inquired about the white papers used in the past.

Mr. Richmond stated it is the same concern as when they were written in the past. He said they may recall they were developed but never circulated or were completed by the interest groups. Mr. Richmond pointed out that the Commission writing something as white paper as a governmental entity would be hamstrung as they are pairing back what is in statute and rule or other alternative we can adopt them by rule which would require statutory authority to implement. He stated these are our only options as a government agency. Mr. Richmond stated they could provide information to BOAF that they could possibly circulate under their letterhead, but anything that comes from the Commission has to come in the form of a rule.

Chairman Browdy stated the Commission can also respond to declaratory statements which can be used to communicate to the State at large on the position of the Commission with the explanation of the Code.

Accessibility Waiver Applications (cont.):

Mr. Richmond stated the restriction on declaratory statements is specific to facts and circumstances.

Commissioner Schiffer as legal to clarify the waiver is for the building and not the tenant so the occupancy could change with tenant change.

Ms. Hammonds stated it depends if they do not make alterations that would be true however, if they do make alterations which is typically the case with change of tenant or ownership then it comes back for review.

Commissioner Schilling stated there are many mezzanines or small second floors coming before them and he sighted a case where the Fire Marshall came back with a change.

Product and Entity Approval:

Chairman Browdy advised Commissioner Compton 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 Compton stated there were twenty six entities approved by consent agenda.

Commissioner Compton entered a motion to approve the consent agenda for twenty six entities. Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 25 to 0.

Commissioner Compton stated there 150 products approved by consent agenda.

Commissioner Compton entered a motion to approve the consent agenda for 150 products. Commissioner Swope seconded the motion, the motion passed unanimously with a vote of 25 to 0.

Commissioner Compton stated there were 9 products with comments. He advised Mr. Blair will present these products.

Mr. Blair presented the following products for discussion:

Product and Entity Approval: (cont.):

10980 – R-5– Commissioner Compton entered a motion to conditionally approve as recommended by the POC, Commissioner Swope seconded the motion passed unanimously with a vote of 25-0.

15937-R-1 - Commissioner Compton entered a motion to conditionally approve as recommended by the POC, Commissioner Swope seconded the motion passed unanimously with a vote of 25-0.

16644 – R-1 - Commissioner Compton entered a motion to conditionally approve as recommended by the POC, Commissioner Swope seconded the motion passed unanimously with a vote of 25-0.

20651 - Commissioner Compton entered a motion to conditionally approve as recommended by the POC, Commissioner Swope seconded the motion passed unanimously with a vote of 25-0.

20652 - Commissioner Compton entered a motion to approve as recommended by the POC, Commissioner Swope seconded the motion passed unanimously with a vote of 25-0.

20732 - Commissioner Compton entered a motion to approve as recommended by the POC, Commissioner Swope seconded the motion passed unanimously with a vote of 25-0.

20736.1 - Commissioner Compton entered a motion to conditionally approve as recommended by the POC, Commissioner Swope seconded the motion passed unanimously with a vote of 25-0.

20766 - Commissioner Compton entered a motion to conditionally approve as recommended by the POC, Commissioner Swope seconded the motion passed unanimously with a vote of 25-0.

20764 - Commissioner Compton entered a motion to conditionally approve as recommended by the POC, Commissioner Swope seconded. The motion passed unanimously with a vote of 25-0.

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.

Product and Entity Approval: (cont.):

Advanced Accredited Courses:

Commissioner entered a motion for 4 advanced accredited courses for approval agenda: **798.0, 794.0, 801.0 and 799.0**. Commissioner Flanagan seconded the motion. The motion passed unanimously with a vote of 25-0.

Commissioner Dean entered a motion to approve the POCs recommendation to conditionally approve course **796.0**. Commissioner Flanagan seconded the motion. The motion passed unanimously with a vote of 25-0.

Administratively Approved Courses:

Commissioner Dean entered a motion to approve the POCs recommendation on administratively approved self-affirmed course **635.1 and 359.2**. Commissioner Flanagan seconded the motion. The motion passed unanimously with a vote of 25-0.

Accreditor Application:

Commissioner Dean entered a motion to approve the POCs recommendation on accreditor application for Charles Barr. Commissioner Flanagan seconded the motion. The motion passed unanimously with a vote of 25-0.

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

Chairman Browdy stated if anyone wished to speak on a declaratory statement to please come to the public comment table once the specific declaratory statement is introduced. April Hammonds will serve as the Commission's counsel. After legal counsel reviews the petition, he said he will ask for public comment on each petition prior to the Commission's consideration of the same.

[DS 2016-048, Ted Berman and Associates LLC](#);

Ms. Hammonds read the petition from Mr. Ted Berman with response.

Ms. Hammonds stated that the Product Approval POC and Structural TAC and they voted unanimously to recommend the Commission approve the TAC's recommendation.

Commissioner Schock entered a motion to accept the TACs recommendation. Commissioner Compton seconded the motion. The motion passed unanimously 25-0.

Petitions for Declaratory Statement - [Legal Report](#) (cont.):

[DS 2016-049, Patriot Plumbing Corp. of USA:](#)

Ms. Hammonds read the petition from Patriot Plumbing with response.

Ms. Hammonds stated that the Plumbing TAC and they voted unanimously to recommend the Commission approve the TAC's recommendation.

Commissioner Schilling provided detail of the Plumbing TAC discussion and basis for the decision.

Commissioner Schilling entered a motion to accept the TAC recommendation. Commissioner Boyer seconded the motion. The motion passed unanimously 25-0.

Commissioner Gilson stated he agreed with the TAC recommendation but expressed his concerns as they have this issue in many of his own jobs.

[DS 2016-050, Deco-Flash.](#)

Ms. Hammonds read the petition from Deco-Flash with response.

Ms. Hammonds stated that the Product Approval POC and Structural TAC and they voted unanimously to recommend the Commission approve the TAC's recommendation of staff analysis option #3.

Commissioner Schilling entered a motion to accept the TACs recommendation of staff analysis option #3. Commissioner Boyer seconded the motion. The motion passed unanimously 25-0.

Public Comment:

Chairman Browdy stated if any member of the public wished to address the Commission and had not yet signed the speaker's list to please do so now. He stated the Commission welcomes their comments on its actions or any other topic under the Commission's purview and authority.

DK Mink, Mink and Mink, Inc. representing BOMA, stated she is there to speak on HB 535 section 34 renewal power generation. She stated they wanted to go on record that they number one it should be used for the ERI and number two should be as long as roof, HVAC are used and the time limit as long as the other products are used.

Commission Comments:

Commissioner Schock stated that the Board Professional Engineers requested that he participate in a conference call where they Board is receiving complaints from Engineers that do renovation type work on threshold buildings. He said the people completing that work are very specialized and often times are not qualify as structural engineers because they do not construct building from the foundation all the way through. Commissioner Schock stated the declaratory statement completed about a year ago on threshold buildings has affected their business tremendously because while they can design it they cannot do the inspection. He stated this is a specialty type of work and so the Board of Professional Engineers is reaching out to see if we can re-visit that issue together and look for a solution as the threshold rule is in 553. Commissioner Schock stated they would participate in a workgroup or maybe an additional declaratory statement. He stated Andrew Lovenstein was present and could speak further on the issues. Commissioner Schock advised that he was requested to report back to the Board.

Andrew Lovenstein, representing the Florida Structural Engineering Association explained the issue further.

Mr. Richmond advised this issue should be moved before the Structural TAC for input before the next meeting. He said there is a legal issue that our Legal Counsel and the Counsel of the Board could address. Mr. Richmond stated together they could meet and come up with a recommendation before the next meeting for any further action.

Commissioner Schock stated he will request this be added to the agenda of the Structural TAC and will report back to the Board Professional Engineers.

Ms. Hammonds asked Commissioner Schock for the reference of the declaratory statement via an e-mail so that she can review before any meetings.

Commissioner Compton stated that we may want to invite members of the Board of Professional Engineers to participate in the TAC meeting.

Commissioner Gross thanked Chairman Browdy for his hard work running the meetings and keeping everyone on track.

Chairman Browdy stated the next meeting will be the week of October 11, 2016. He also stated the Energy Rating Index Workgroup meeting will take place following the adjournment of the Plenary Session.

Commissioner Brown entered a motion to adjourn. Commissioner Flanagan seconded the motion. The motion passed unanimously with a vote of 25 to 0.

Adjournment 9:50 a.m.