

**FLORIDA BUILDING COMMISSION
TELECONFERENCE MEETING
Tallahassee, Florida**

CALL-IN NUMBER: 1 866 899 4679; CODE: 298-341-661

WEB PARTICIPATION URL: <https://global.gotomeeting.com/join/298341661>

September 21, 2016

10:00 AM

COMMISSIONERS PRESENT:

Dick Browdy, Chairman
Steve Bassett
James Batts
Kelley Burk
Bob Boyer
Donald Brown
Jay Carlson
David Compton
Nan Dean
Kevin Flanagan

Charles Frank
Shane Gerwig
David Gilson
Robert Hamberger
Darrell Phillips
Bradley W. Schiffer
James Schock
Drew Smith
Jeff Stone
Brian Swope

COMMISSIONERS NOT PRESENT:

Hamid Bahadori
Oscar Calleja
Richard Goff

Jeff Gross
Brian Langille
Frederick Schilling

OTHERS PRESENT:

Drew Winters
April Hammonds
Nick DuVal

Mo Madani
Chris Howell
Jim Hammers

MEETING FACILITATION:

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

Welcome:

Time: 10:00 am

Chairman Browdy welcomed Commissioners, staff, and members of the public to the September 21, 2016 Florida Building Commission Teleconference call. He asked Mr. Blair to provide the process for the participants and perform roll Call.

Mr. Blair provided a detailed explanation of the process of the teleconference participation process.

Roll Call:

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

Agenda Review and Approval:

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

Jeff Blair introduced the agenda for today's call.

A motion was entered by Commissioner Boyer to approve the agenda as presented. The motion was seconded by Commissioner Phillips. The motion passed unanimously 20-0 in favor with the Chairman joining in.

Letter of Certification of Equivalence to DOE - latest draft of the 6th Edition (2017) Florida Building Code, Energy Conservation to ASHRAE 90.1 -2013:

Chairman Browdy explained the purpose and background of the requirement of this letter and how the information and decisions were compiled for the response.

Chairman Browdy asked for any questions or comments from the Commission. There being none he then asked for questions or comments from the public. There were no public comments or questions.

Chairman Browdy asked for a motion for this approval.

Commissioner Boyer entered the motion as stated by the Chairman to approve the attached letter, with authority for staff to make edits as needed and for Chairman Browdy to sign on behalf of the Commission, and to certify that the commercial building provisions of the proposed 6th

Letter of Certification of Equivalence to DOE - latest draft of the 6th Edition (2017) Florida Building Code, Energy Conservation to ASHRAE 90.1 -2013 (cont.):

Edition (2017) Florida Building Code, Energy Conservation, will meet the 2013 edition of the Energy Standard for Buildings, Except Low-Rise Residential Buildings, American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE)/ Illuminating Engineering Society of North America (IESNA) Standard 90.1, as referenced by the 2015 International Energy Conservation Code, for buildings other than low-rise residential. Commissioner Schiffer seconded the motion. The motion passed unanimously 20-0 in favor with the Chairman joining in.

Approval of recommendations of the Energy Rating Index Workgroup:

Chairman Browdy advised the Commission that the 2016 Legislature through passage of HB 535 (Section 34) required the Commission to amend the Florida Building Code, 5th Edition (2014) Energy Conservation, to adopt into the Code Section 406 Alternative Performance Path, Energy Rating Index, in conformance with the provisions described in statute. He stated at the June 8, 2016 meeting the Commission conducted a rule development workshop and adopted language to implement this provision.

Chairman Browdy stated in addition, Section 34 assigned 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. He further stated 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. Chairman Browdy said in response to this Legislative assignment and based on the Energy TAC's 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.

Chairman Browdy advised the Energy Rating Index Workgroup met on July 20, 2016 and again on August 17, 2016 where they adopted a package of consensus recommendations to the Commission regarding the Energy Rating Index (ERI) alternative path for demonstrating compliance with the energy provisions of the Florida Building Code, Energy Conservation. He said in addition, the Commission's Energy TAC met on September 12, 2016 and recommend that the Commission adopt the Workgroup's package of consensus recommendations.

Chairman Browdy asked Mr. Blair to provide the review of the Energy Rating Index Workgroup's package of consensus recommendations.

Approval of recommendations of the Energy Rating Index Workgroup (cont.):

Mr. Blair went on record commending the Work Group for their hard work in gaining a consensus package for the Commission.

Mr. Blair provided the following information from the package of consensus recommendations.

1. That the use of onsite renewable power generation should be allowed as an option to achieve compliance when using the ERI path (counted toward the ERI score adopted into the Code).
2. That there should not be a time stipulation for the recommended ERI 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, further request that the Legislature clarify their intent in this regard, and recommend to the Legislature that there should not be any statutory timeframes associated with this provision, and that the ERI provision should be treated according to the same procedures for review that govern all code provisions utilizing the Commission's Code update cycle.
3. That the Code provision be adopted into the Florida Building Code for both the Florida Building Code, 5th Edition (2014) Energy Conservation, and the Florida Building Code, 6th Edition (2017) Energy Conservation.
4. That the specific code language should be as follows:

R406.2 Mandatory requirements. Compliance with this section requires that the provisions identified in Sections R401 through R404 labeled as "mandatory" and Section R403.5.3 of the 2015 *International Energy Conservation Code* be met. For buildings that do not utilize on-site renewable power production for compliance with this section, the building thermal envelope shall be greater than or equal to levels of efficiency and Solar Heat Gain Coefficient in Table 402.1.1 or 402.1.3 of the 2009 *International Energy Conservation Code*. For buildings that utilize on-site renewable power production for compliance with this section, the building thermal envelope shall be greater than or equal to levels of efficiency and Solar Heat Gain Coefficient in Table R402.1.2 or Table R402.1.4 of the 2015 *International Energy Conservation Code*.

Exception: Supply and return ducts not completely inside the building thermal envelope shall be insulated to a minimum of R-6.

R406.4 ERI-based compliance.

The ERI for the *rated design* shall be determined in accordance with ANSI/RESNET/ICC 301-2014, including Addendum A-2015, and ~~Compliance based on an ERI analysis requires that the *rated design*~~ be shown to have an ERI less than or equal to the appropriate value listed in Table R406.4 ~~when compared to the *ERI reference design*.~~

Approval of recommendations of the Energy Rating Index Workgroup (cont.):

Chairman Browdy asked if there were any Commissioners with questions or comments. There being none, he then asked for public comments. There were no further comments.

Chairman Browdy asked for a motion to adopt the Energy Rating Index Workgroup's package of consensus recommendations; and, to conduct a supplemental rule hearing on Rule 61G20-1.001 on regarding the inclusion of the recommended Code provisions into the Florida Building Code, 5th Edition (2014) and to authorize him to approve the report to the Legislature pursuant to HB 535.

Mr. Blair advised Chairman Browdy that prior to the motion a date needs to be selected for the rule hearing. He stated it is up to the Commission to select the date, he offered that this could be done at the next Plenary Meeting on October 13th or the Commission could select another date if the desired.

Chairman Browdy asked that the motion previously requested be amended to include the rule hearing to take place at the October 13th Plenary Meeting in Gainesville.

Commissioner Smith entered a motion to adopt the Energy Rating Index Workgroup's package of consensus recommendations; and, to conduct a supplemental rule hearing on Rule 61G20-1.001 on October 13, 2016, regarding the inclusion of the recommended Code provisions into the Florida Building Code, 5th Edition (2014) and to authorize Chairman Browdy to approve the report to the Legislature pursuant to HB 535. Commissioner Boyer seconded the motion.

Commissioner Bassett advised that he would be voting against this motion as he did not feel there should be a time limit.

Chairman Browdy asked for the vote on the motion. The motion passed 19 members in favor and 1 member voting against.

Mr. Blair performed a final roll call, there were 20 of 20 Commissioners remaining on the call.

Chairman Browdy thanked the Work Group for their hard work. He asked if there were any public comments. There being none, he asked for a motion to adjourn.

Commissioner Schiffer entered a motion to adjourn. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 20 to 0. The meeting adjourned at 10:22 a.m.