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1-866-899-4679
MEETING ID 533-378-925
Plenary Session
August 4, 2020
8:30 AM**

MINUTES

COMMISSIONERS PRESENT:

James Schock, Acting Chairman	Richard Goff
Hamid Bahadori	Jeff Gross
James Batts	Robert Hamberger
Bob Boyer	David John
Donald Brown	Brian Langille
Kelley Smith Burk	Brad Schiffer
Oscar Calleja	Fred Schilling
David Compton	Drew Smith
Nan Dean	Jeff Stone
Charles Fischer	Brian Swope
John Gatlin	Don Whitehead
Shane Gerwig	

COMMISSIONERS NOT PRESENT:

David Gilson	John Wiseman
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STAFF PRESENT:

Thomas Campbell	Justin Vogel
Mo Madani	Jim Hammers
Chris Howell	

MEETING FACILITATION:

The meeting was facilitated by Jeff Blair from Facilitated Solutions, LLC. Consultation, Process Design & Facilitation. Information at: [facilitatedsolutions.org](https://www.facilitatedsolutions.org)

Time: 8:30 am

Acting Chairman Schock welcomed Commissioners, staff, and members of the public to the August 4, 2020 virtual plenary session of the Florida Building Commission via webinar and teleconference. He stated that he hoped that everyone is safe and taking the necessary health and social distancing precautions to help reduce the spread of the coronavirus.

Acting Chairman Schock stated that in addition to considering regular procedural issues including product and entity approvals, applications for accreditor and course approvals, petitions for declaratory statements, accessibility waivers, and recommendations from our various committees and workgroups, specific actions is to conduct a rule development workshop regarding an elected chair's length of term and term limits, and to approve research projects for FY 2020-2021 funding.

Acting Chairman Schock stated that as always, we will provide an opportunity for public comment on each of the Commission's substantive discussion topics. He advised that if anyone wanted to comment on a specific substantive Commission agenda item, that they please wait until the facilitator invites members of the public to speak at the appropriate times throughout the meeting. Acting Chairman Schock stated that public input is welcome, but should be offered before there is a formal motion on the floor.

Acting Chairman Schock advised that Jeff Blair will review the Commission's adopted Webinar and Teleconference Participation Process before taking roll call.

Webinar and Teleconference Participation Process:

Mr. Blair provided detail of the process for the Commission and the public participating online and on the phone.

Roll Call:

Mr. Blair performed roll call; a quorum was met with 23 members present at roll call.

Agenda Review and Approval:

Mr. Blair covered the agenda items for the meeting today.

Acting Chairman Schock requested a motion for approval of the agenda for today's meeting.

Commissioner Schilling entered a motion to approve the agenda as posted. The motion was seconded by Commissioner Boyer. The motion passed unanimously with a vote of 23 to 0 in favor.

Approval of Previous Meeting Minutes and Facilitator Report for June 2, 2020:

Acting Chairman Schock requested a motion for approval of the June 2, 2020 Facilitator's Summary Report and meeting minutes.

Commissioner Schilling entered a motion to approve the June 2, 2020 Facilitator's Summary Report and meeting minutes as posted. The motion was seconded by Commissioner Boyer. The motion passed unanimously with a vote of 23 to 0 in favor.

Chairman's Discussion Issues and Recommendations:

Acting Chairman Schock stated there were no new appointments.

Commission Milestones:

Acting Chairman Schock reminded the participants the updated Commission Milestones document is linked to the agenda for today's meeting and also on the BCIS.

Executive Director Announcements and Discussions:

Mr. Campbell thanked the Commissioners for completion of the ethics forms and advised there were none outstanding.

Future Meeting Location:

Mr. Campbell advised as a reminder the next Commission meeting will be October 13, 2020, at the Shores Resort and Spa, Daytona Beach Shores or by webinar should this be determined to be necessary. He stated that staff will advise how the meeting will be conducted as the date gets closer.

- December 15, 2020, Hyatt Regency, Sarasota, FL or by webinar TBD

7th Edition (2020) Florida Building Code Workplan:

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

Mr. Madani advised that he will provide a new workplan for the 8th Edition (2023) FBC at the October Commission meeting.

Mr. Madani stated that there was a document attached to the agenda with the price list of the new 2020 Code.

Joe Belcher, FHBA asked when the PDF file of the new code will be available.

7th Edition (2020) Florida Building Code Workplan (cont.):

Mr. Madani stated it is available now.

Commissioner Smith entered a motion to approve the updated workplan/schedule for the (2020 code update process), Florida Building Code, 7th Edition (2020). Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 23 to 0.

Rules Workshop on 61G20-2.001:

Acting Chairman Schock advised that the 2020 Florida Legislature passed CS/HB 1193 reducing the Florida Building Commission from 27 to 19 members, effective on January 1, 2021. He said at the June 2020 meeting the Commission voted to initiate rulemaking for Rule 61G20-2.001 to revise their operational procedures to reflect the elimination of the appointed chair position. Acting Chairman Schock stated that staff has prepared options for their consideration for the election of a chair and the associated length of term and term limit options for consideration during today's rule development workshop.

Acting Chairman Schock advised that once the Commission agrees on the chair's length of term, term limits and the related rule language revisions the rulemaking process will proceed.

Acting Chairman Schock said that Tom Campbell will review the options for election of the chair regarding length of term and term options.

Mr. Campbell explained the changes needed within the rule. He said new language was inserted in sub section (1) to indicate that the position is now an elected position and the election will be completed by the Commission. He then stated in sub section (11) there was some rule clean up due to an incorrect citation that can now be corrected. Mr. Campbell said in sub section (13), for election of the Chair, the 75% super majority vote has been changed to a simple majority vote with a full explanation of why this was changed. He said after more election cycles this could be changed if needed.

Mr. Campbell provided the length of Chair term options which are:

1. Annually.
2. Every 3 years coinciding with the Florida Building Code's triennial update process.
3. Every 6 years.
4. Other.

Rules Workshop on 61G20-2.001 (cont.):

Mr. Campbell then provided Chair term limit options which are:

1. None.
2. No Chairman may serve for more than one term.
3. No Chairman may serve for more than three consecutive years.
4. No Chairman may serve for more than six consecutive years.
5. No Chairman may serve for more than nine consecutive years.
6. No Chairman may serve for more than twelve consecutive years.
7. Other.

Commission Clarifying Question:

Commissioner Schilling stated he had read in a statute that only an Architect or Contractor can be a chair.

Mr. Campbell stated that is not the statute in effect currently, and any of the Commissioners can be elected Chairman.

General Public Comments:

Joe Belcher, FHBA stated they would like to see the vote of 75% to maintain consensus. He stated the 3-year term would be no issue to run with the Code cycle.

Mike Silvers, FRSA stated they would be in favor of a 3-year term to cover the code cycle.

Commission Comments on the Term:

Commissioner Schilling stated he would favor the 3-year term coinciding with the code cycle.

Acting Chairman Schock stated he would propose that in order to be qualified to be elected Chairman that you must have served on the Commission for 3 years. He further stated that he would suggest that it be only for one term limit.

Commissioner John stated that the 3-year cycle is the best option, again coinciding with the code cycle. He provided examples having served on ASHRAE and using their process to inform his decision.

Commissioner Compton stated he agrees with the 3-year term and feels they should serve more than one code cycle.

Commissioner Gatlin asked what provisions will be in place if there needs to be an election during mid-cycle of the code.

Rules Workshop on 61G20-2.001 (cont.):

Commission Comments on the Term (cont.):

Mr. Campbell stated the rule does contemplate this and the Vice Chair would step in.

Commissioner Swope stated he is also in favor of the 3-year term to coincide with the code cycle, serving no more than 6 years' service.

Commissioner Calleja stated he would support a 3-year term coinciding with the code cycle with no limits on the term of service. He further stated the Commission should be allowed to recommend re-election of a person if they feel they have served well in the capacity and the person should be able to continue to serve as Chair if re-elected.

Commissioner Fischer stated he agreed with Commissioner Schock on the experience of three years and agrees with 3 years to coincide with the code cycle and no limits on service term, they should be allowed to re-elect the same person if the Commission so desires.

Commissioner Schiffer stated now that the Chair is elected by the appointed Commissioners, there could be an issue where someone is not re-appointed by the Governor for a new term, so he does not feel they will have control over the time that they would serve.

Commissioner Hamberger stated he would favor the 3-year term coinciding with the code cycle with no limit in service term.

Commissioner Smith said he agrees with the code cycle as far as term limits but would not put a service time limit as they may elect a Chair they want to have continue to serve. He also agreed with Commissioner Schock that the person recommended should have at least 3 years' service on the Commission to be eligible.

Commissioner Compton stated he agrees with Commissioner Schock that the person recommended should have at least 3 years' service on the Commission to be eligible.

Commissioner Calleja entered a motion to recommend setting the term of one complete Code development cycle of three years, with no term limits. Commissioner Compton seconded the motion.

Mr. Campbell asked if the staff could add language to cover the possibility that if there was a time that there was no Commissioner that had served three years on the Commission to qualify for election there would be an alternate election.

Commissioner Calleja stated he would amend his motion to allow staff to compose wording in the rule to cover that the Commissioner had served three years on the Commission to qualify for election. Commissioner Compton also agreed with amended motion.

Rules Workshop on 61G20-2.001 (cont.):

Commission Comments on the Term (cont.):

Amended Motion:

Commissioner Calleja entered a motion to recommend setting the term of one complete Code development cycle of three years, with no term limits and the requirement that the Commissioner had served three years on the Commission to qualify for election. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 23 to 0.

Commission Comments on the Majority Vote of 75% or Simple Majority:

Commissioner Calleja stated is in favor of maintaining the 75% majority for consensus.

Acting Chairman Schock stated he is in favor of simple majority.

Commissioner Brown stated he favors the simple majority and had explanation but would withhold his comments.

Commissioner Hamberger stated he would like to hear Commissioner Brown's explanation of why he would prefer a simple majority vote.

Commissioner Brown stated if you have unlimited service term there needs to be a balance to that in you could have a faction within the Commission that would prevent the majority from seeing a new Chair of the Commission. He said using the simple majority vote would alleviate some of the concerns about having unlimited opportunity to be re-elected repeatedly. Commissioner Brown further stated that he would feel more comfortable if the Commission had the ability to, on a majority basis to replace the Chair if they are going to have the opportunity to have unlimited re-election of terms.

Commissioner Schiffer asked for clarification about whether electing the Chairman would create another seat on the Commission.

Mr. Campbell stated it would not create an additional seat.

Commissioner Schiffer asked if the elected Chair's term expires, would the Commission need to elect a new Chairman.

Mr. Campbell stated yes.

Commissioner Schilling asked what the role of the Vice Chair would be should the Chair step down or not be re-appointed.

Rules Workshop on 61G20-2.001 (cont.):

Commission Comments on the Term (cont.):

Mr. Campbell stated they had overlooked the language in sub section (4) changing the word appointed to elected. He advised as it is written now the Vice Chair would take the role of Acting Chair after 30 days and serve the remainder of the Chairman's term with a new election at the end of that term or code cycle.

Commissioner Brown agrees with the statement on the vice chairman by Mr. Campbell.

Commissioner Schock entered a motion that the chair be elected by simple majority. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 23 to 0.

Commissioner Gerwig entered a motion to proceed with rule adoption for Rule 61G20-2.001— Commission Organization and Operations, approving the proposed rule language and the selected length of term and term limit for the chair's term, qualifications of three years of service on the Commission, for a cycle of three years to coincide with the code cycle with no service limit time to be issued and to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of the Commission. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 23 to 0.

Accessibility Waivers:

Acting Chairman Schock advised that the Commission will now consider this month's requests for accessibility waivers. He stated Justin Vogel will serve as legal counsel and present the Accessibility Advisory Council's recommendations. Acting Chairman Schock asked that Mr. Vogel present the Council's recommendations regarding waiver requests.

RAJSEJ Properties LLC – Waiver 371 - 1115 22nd Street, Vero Beach 32960

Issue: Vertical accessibility to the second floor.

Mr. Vogel presented the waiver. He advised that the Council recommended granting the waiver to the extent it has been made necessary.

Commissioner Schilling entered a motion to grant the waiver to the extent it has been made necessary. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 23 to 0.

Accessibility Waivers (cont.):

Dept. of VA Mental Health and Outpatient Clinics – Waiver 462 - 3349 SW Williston Road, Gainesville 32601 Issue: Accessible parking.

Mr. Vogel advised the Commission that the applicant requested to withdraw the waiver and the Council did not review due to withdrawal. No action needed by the Commission.

SoBe Hostel – Waiver 469 - 235 Washington Avenue, Miami Beach 33139

Issue: Vertical accessibility to the first and second floors.

Mr. Vogel presented the waiver. He advised that the Council recommended granting based on economic hardship and historical nature of the property.

Commissioner Schiffer entered a motion to grant the waiver for vertical accessibility to the second floor based on the grounds of economic hardship and historical nature of the property. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 23 to 0.

Iceberg 721 LLC – Waiver 457 - 721 Michigan Avenue, Miami Beach 33139

Issue: Vertical accessibility to the second floors of two separate existing two-story rooming houses.

Mr. Vogel presented the waiver. He advised that the Council recommended granting based on economic hardship.

Commissioner Schiffer entered a motion to grant the waiver based on the grounds of economic hardship. Commissioner Shilling seconded the motion. The motion passed unanimously with a vote of 23 to 0.

Product Approval:

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

Entities:

Commissioner Stone entered a motion to approve the 9 product approval entities as posted. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 23 to 0.

Product Approval Applications without Comments Consent Agenda:

Commissioner Stone entered a motion to approve the 126 products on the consent agenda as modified removing FL 20155 R-3 as applicant requested to be moved to conditional approval. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 23 to 0.

Product Approval Application with Comments:

32364 – Commissioner Stone entered a motion for conditional approval of 32364. Commissioner Compton seconded the motion. The motion passed with a vote of 23 to 0.

32407 – Commissioner Stone entered a motion for conditional approval of 32407. Commissioner Compton seconded the motion. The motion passed with a vote of 23 to 0.

20155 R3 – Commissioner Stone entered a motion for conditional approval of 21055 R3 as requested by applicant. Commissioner Compton seconded the motion. The motion passed with a vote of 23 to 0.

Complaint Submitted Against The International Association Of Plumbing And Mechanical Officials (IAPMO) And Fi Foil Company, Inc. By Dermot Ennis Of International Insulation Products:

Acting Chairman Schock advised that a complaint was submitted against the International Association of Plumbing and Mechanical Officials (IAPMO) and Fi Foil Company, Inc. by Dermot Ennis of International Insulation Products. He stated that the POC decided to divide the complaint into two separate actions, the complaint on the product and the complaint on the evaluation entity. Acting Chairman Schock advised that the Commission will take each issue separately.

First Action:

Acting Chairman Schock said that on the first action, the POC decided that the product was outside the scope of the Rule and Commission's authority, and recommended that the Commission dismiss the complaint against Fi Foil Company, Inc. on the basis that the product is outside the scope of the Product Approval Rule and the Commission's authority.

Motion on Complaint against Fi Foil Company:

Commissioner Smith entered a motion to dismiss the complaint against Fi Foil Company, Inc. by Dermot Ennis of International Insulation Products on the basis that the product is outside the scope of the Product Approval Rule and the Commission's authority. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 22 to 0 with Commissioner Schilling abstaining from the vote on the grounds that a plumbing organization he is heavily involved with has frequently been the recipient of donations from IAPMO.

Complaint Submitted Against The International Association Of Plumbing And Mechanical Officials (IAPMO) And Fi Foil Company, Inc. By Dermot Ennis Of International Insulation Products (cont.):

Second Action:

Acting Chairman Schock said that on the second action, the POC determined that there was no substantial material evidence that any of seven provisions of the Rule for revocation or modification of entities by the Commission were violated, and the POC is recommending that the Commission dismiss the complaint and not initiate an investigation regarding the complaint submitted against the International Association of Plumbing and Mechanical Officials (IAPMO) by Dermot Ennis of International Insulation Products on the basis that there is not substantial material evidence of a violation of the applicable provisions of the Product Approval Program by IAPMO.

Acting Chairman Schock stated that several commissioners on the POC felt that there were valid concerns in the complaint, but in so far as the Commission's authorities allow there were no apparent violations of the Product Approval Rule.

Acting Chairman Schock advised that the POC is recommending that the Commission dismiss the complaint and not initiate an investigation regarding the complaint submitted against the International Association of Plumbing and Mechanical Officials (IAPMO) by Dermot Ennis of International Insulation Products on the basis that there is not substantial material evidence of a violation of the applicable provisions of the Product Approval Program by IAPMO.

Commissioner Smith entered a motion to dismiss the complaint and not initiate an investigation regarding the complaint submitted against the International Association of Plumbing and Mechanical Officials (IAPMO) by Dermot Ennis of International Insulation Products on the basis that there is not substantial material evidence of a violation of the applicable provisions of the Product Approval Program by IAPMO. Commissioner Compton seconded the motion. The motion passed with a vote of 22 to 0 with Commissioner Schilling again abstaining

Accreditor and Course Approval:

Acting Chairman Schock advised Commissioner Dean would present the Education Program Administrators recommendations regarding applications for accreditor and course approval.

Pending advanced accredited courses for recommendation:

Commissioner Dean entered a motion to approve advanced accredited courses 979.0, 970.0, 960.0, 954.0, 955.0, 956.0 and 957.0. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 23 to 0.

Commissioner Dean entered a motion to conditionally approve advanced accredited course, 974.0, 976.0, and 962.0. Commissioner Smith-Burk seconded the motion. The motion passed unanimously with a vote of 23 to 0.

Accreditor and Course Approval (cont.):

Commissioner Dean entered a motion to conditionally approve advanced accredited course, 971.0. Commissioner Smith-Burk seconded the motion. The motion passed with a vote of 22 to 0 with Commissioner John abstaining.

Commissioner Dean entered a motion to defer to the next meeting advanced accredited course 958.0. Commissioner Smith Burk seconded the motion. The motion passed unanimously with a vote of 23 to 0.

Pending administratively approved updated courses for recommendation: None

Pending administratively approved Self Affirmed (One Change) updated courses for recommendation:

Commissioner Dean entered a motion to approve self-affirmed (one change) updated courses 686.2, 692.2, 701.2, 659.2, 900.1, 658.2, 937.1, 949.1, 661.2, and 660.2. Commissioner Smith-Burk seconded the motion. The motion passed unanimously with a vote of 23 to 0.

Commissioner Dean entered a motion to conditionally approve self-affirmed (one change) updated courses 896.1 and 895.1. Commissioner Smith Burk seconded the motion. The motion passed unanimously with a vote of 23 to 0.

Legal Report:

Acting Chairman Schock advised that Justin Vogel will report on relevant legal matters of interest to the Commission.

Mr. Vogel advised that on June 8, the Legislature's Joint Administrative Procedures Committee sent him a letter indicating that it had reviewed chapter 61G20-3 of the Florida Administrative Code (the Commission's rules for the product approval program). He stated they inquired about various rule provisions, and requested that a number of minor changes be made. Mr. Vogel said that he submitted a response on July 23 and depending on what he hears back, the Commission may need to enter rulemaking to address JAPC's concerns, and update some portions of the rule. He advised he will keep the Commission informed of any action it may need to take, moving forward.

Consider and discuss the following Declaratory Statement:

Acting Chairman Schock stated that anyone that wished to speak on the declaratory statement should advise when it is introduced. He advised that Justin Vogel will serve as the Commission's counsel. Acting Chairman Schock stated that after legal counsel reviews the petition, he will ask for public comment on the petition prior to the Commission's consideration of the same.

Consider and discuss the following Declaratory Statement (cont.):

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

Mr. Vogel advised that the Commission first heard this petition at its June meeting,, when the declaratory statement was deferred. He said that the Roofing TAC met again on July 23, 2020 at which time the Petitioner had requested to withdraw the petition. Mr. Vogel stated that the Roofing TAC voted to recommend that the Commission accept the request to withdraw from the Petitioner.

Commissioner Compton entered a motion to accept the withdrawal from the Petitioner and dismiss the petition. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 23 to 0.

Binding Interpretation #186

Mr. Madani provided the report for Binding Interpretation #186. He advised this is informational only and no action is needed from the Commission.

Approval of Proposed Research Project for FY 2020-2021:

Acting Chairman Schock stated that the Commission has been funding hurricane resistance research based on legislatively approved spending authority since the formation of the Commission's Hurricane Research Advisory Committee in January of 2005. He said in August of 2013 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, and in April of 2019 the Commission decided to limit funding to hurricane resistant research for FY 2019-2020 based on the frequency and intensity of recent hurricanes.

Acting Chairman Schock said that at the April 7, 2020 meeting the Commission again voted to limit the scope of Commission funding of research projects for fiscal year 2020/2021 to hurricane resistant research, and to approve using the Hurricane Research Advisory Committee for reviewing and making recommendations to the Commission regarding which projects to fund.

Acting Chairman Schock advised that the Hurricane Research Advisory Committee reviewed proposed research project proposals during their April 30, June 26 and July 28, 2020 meetings. He advised at the August 3, 2020 meeting the HRAC prioritized the proposed research projects for Commission consideration and funding.

Acting Chairman Schock stated that the research projects determined to meet the criteria for funding will be funded in prioritized order based on the amount of funding available for the fiscal year. He said that if additional funds become available during the fiscal year the next priority level project or projects will be funded with staff contracting, administering and overseeing the research, and negotiating scoping and funding levels as appropriate.

Approval of Proposed Research Project for FY 2020-2021 (cont.):

Acting Chairman Schock advised that the following research projects have been identified by staff as needed to support the effective implementation and enforcement of the 7th Edition (2020) FBC, or for the development of the 8th Edition (2023) FBC. He said staff is requesting that the Commission approve funding these four research projects first, and then we will consider the HRAC's priorities for funding the additional research projects based on available funding.

A. Evaluation of the Cost Impact and Benefit of 2021 IBC Prescriptive Code Changes (UF/\$99,898).

B. Deletion of the Earthquake and Snow Provisions in the FBC (Eric Stafford/\$15,600).

C. Comparison of the 7th Edition Florida Building Energy Conservation Code with IECC 2021 & ASHRAE 90.1-2019 (FSEC/\$75,000).

D. 7th Edition (2020) Florida Building Code, Energy Conservation Volume vs. 2018 International Energy Conservation Code Residential Stringency Analysis (FSEC/\$11,000).

Mr. Madani explained the purpose of each program and provided reasons for approvals for these continuing projects. He did ask the Commission due to establishment of the Residential Construction Cost Impact Workgroup, whether the residential part of project A should be removed and only the Commercial be evaluated.

Commissioner Questions/Comments:

Commissioner Brown inquired on the project that was cut by the HRAC which was item number four.

Mr. Blair explained the evaluation process and advised the additional projects will be discussed after the current four ongoing projects are addressed.

Commissioner Calleja stated he was in favor of restricting project A - Evaluation of the Cost Impact and Benefit of 2021 IBC Prescriptive Code Changes to commercial and to remove the residential component.

Mr. Madani stated there would be negotiations with UF if the Commission decided to change the project to commercial only.

Commissioner Gerwig asked staff to draft contracts which included clear recommendations to the Commission as deliverables.

Commissioner Boyer stated he felt that project A - Evaluation of the Cost Impact and Benefit of 2021 IBC Prescriptive Code Change should include both residential and commercial and provided detail of why this should not be changed.

Public Comment: None

Approval of Proposed Research Project for FY 2020-2021 (cont.):

Motion:

Commissioner Boyer entered a motion to continue project A - Evaluation of the Cost Impact and Benefit of 2021 IBC Prescriptive Code Change include both residential and commercial. Commissioner John seconded the motion. The motion passed with a vote of 22 in favor and 1 opposed.

Motion for research projects have been identified by staff as needed to support the effective implementation and enforcement of the 7th Edition (2020) FBC, or for the development of the 8th Edition (2023) FBC:

Commissioner Calleja entered a motion to approve funding the four research projects recommended by staff for FY 2020-2021 to support the effective implementation and enforcement of the 7th Edition (2020) FBC, and/or for the development of the 8th Edition (2023) FBC, and to charge staff with contracting, administering and overseeing the research, and negotiating scoping and funding levels as appropriate. Commissioner John seconded the motion. The motion passed unanimously with a vote of 23 to 0.

HRAC Proposed Research Projects:

Acting Chairman Schock advised that the HRAC reviewed five proposed research projects for FY 2020-2021 and determined that they all met the criteria for research project funding. Subsequently, the HRAC prioritized the projects and is recommending that the following 5 research projects relevant to hurricane resistant research (priorities 1-5) for fiscal year 2020-2021 be funded based on available funds in the following order:

1. Assessing the Wind Loading on Elevated Residential Structures with Partially Blocked Ground Floor Areas – Amal Elawady/David Prevatt – (FIU/UF/\$150,000)
2. Wind-induced loads on roof overhangs – Ioannis Zisis – (FIU/\$150,000)
3. Updating the Statewide Extreme Rainfall Projections – Jayantha Obeysekera – (FIU/\$137,124)
4. ~~Prepare Draft Florida Building Code Appendix with Optional Enhanced Construction Techniques for the Wind, Flood, and Storm Surge Provisions – Steve Martin (FDEM/\$23,925)~~ (HRAC determined this project did not meet the criteria)
5. Development of Wind Speed Line Maps Web Viewer for the Florida Building Code, 7th Edition (2020) – Katherine Norris – (UF/\$20,000)

HRAC Proposed Research Projects (cont.):

Acting Chairman Schock advised subsequently, the HRAC prioritized the four remaining projects and recommended the following research projects relevant to hurricane resistant research be funded for fiscal year 2020-2021 based on available funds in the following order:

Priority #1: Updating the Statewide Extreme Rainfall Projections (FIU) [\$137,124].

Priority #2: Wind-Induced Loads on Roof Overhangs (FIU) [\$150,000].

Priority #3: Wind Speed Line Maps Web Viewer (UF) [\$20,000].

Priority #4: Wind Loading on Elevated Residential Structures (FIU/UF) [\$150,000].

Commissioner Questions/Comments:

Commissioner Brown stated he would like further information on the project that did not meet the criteria with a vote of 5 in favor and 6 opposing. He said that he feels this is an important project and should be reconsidered. Commissioner Brown stated he would like to hear what criteria were not met.

Mr. Blair provided the criteria needed for the project to be considered.

Acting Chairman Schock stated he was in favor of the project, but listing as an appendix was part of the issue. He provided detail of the information provided to HRAC during the meeting.

Commissioner Schiffer stated he is also on the HRAC and supported the project.

Commissioner Brown asked staff whether there was any technical issue that caused this project to not be recommended.

Mr. Madani provided detail on the history of this issue and stated that this study already exists. He said this project is proposing to the research already done and put it in an appendix format for inclusion in the 2020 code. Mr. Madani stated that the Commission historically has not approved funding for putting together a code change from a research project; the process of code change or proposals is brought in by the interested parties.

Commissioner Questions/Comments:

Commissioner Brown asked if there could be an opportunity for this debate to be moved up to the full Commission level at a subsequent meeting. He stated he would like to hear the presentation and allow full and complete vetting of whether or not this proposal provides value. Commissioner Brown stated he felt it was of value and should be there as an option.

Mr. Blair stated yes it can be brought before the Commission. He suggested they defer to another meeting to allow the PI to present to the full Commission.

HRAC Proposed Research Projects (cont.):

Mr. Campbell stated this does not have to be delayed, he asked if the Commission as a whole felt it met the criteria. He said if they do they can bring it before the Commission in October.

Mr. Blair stated it was not part of the ranking, so it would need to be reviewed individually.

Commissioner Swope stated he is on the HRAC and does not see that the Commission needs to get involved in options and was strongly against this project. He stated any homeowner or builder can choose to build above code on structures, this has always been an option, and it does not need to be in the code. Commissioner Swope stated an interested party should take this project for funding, but he feels this is not an option on the FBC.

Commissioner Calleja said one of the criteria was for the 2020 code, which would carry into the 2023 code. He stated he supported Commissioner Swope's comments and feels this is opening a door of liability by adding an appendix of this type to the code.

Commissioner Smith stated he totally agrees with Commissioners Swope and Calleja.

Acting Chairman Schock stated this topic should be tabled for this meeting to allow FDEM to present to the Commission at a later meeting.

Commissioner Brown stated he favors bringing this before the Commission to hear the full presentation to understand the project and allow the Commission options.

Commissioner John stated he is also opposed to having appendix or alternate code. He feels this would be confusing to the code users.

Commissioner Calleja entered a motion to approve referring the Appendix with Optional Enhanced Construction Techniques proposed research project to a future meeting for additional evaluation regarding whether the project should be funded by the Commission. He said that staff is charged with determining the best format (e.g., the Hurricane Research Advisory Committee) for evaluating the project, and to ensure that commissioners and interested stakeholders are invited to participate. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 23 to 0.

Public Comment: None

Acting Chairman Schock asked for a motion to approve funding the four research projects brought forth from HRAC.

Commissioner Compton entered a motion to approve funding the four research projects for fiscal year 2020-2021 based on the HRAC's recommended priority order, and to charge staff with contracting, administering and overseeing the research, and negotiating scoping and funding

HRAC Proposed Research Projects (cont.):

levels as appropriate. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 23 to 0.

Committee Reports:

Education Program Oversight Committee:

Commissioner Dean provided a brief summary of the Education POC's July 23, 2020 teleconference meeting.

Commissioner Dean entered a motion to accept the report from the July 23, 2020, teleconference meeting. Commissioner Smith seconded the motion. The motion passed unanimously with a vote of 23 to 0.

Hurricane Research Advisory Committee:

Jeff Blair provided a brief summary of the Hurricane Research Advisory Committee's June 26, 2020, July 28, 2020 and August 3, 2020 teleconference meetings.

Commissioner Compton entered a motion to approve the reports of the Hurricane Research Advisory Committee's June 26, 2020, July 28, 2020 and August 3, 2020 teleconference meetings. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 23 to 0.

Commissioner Compton entered a motion to refer the Wind Driven Rain Tests of Building Envelope Systems up to Hurricane Strength Wind Driven Rain Intensity research project final report to the HRAC to evaluate the recommendations and develop recommendations for any next steps by the Commission. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 23 to 0.

Product Approval Program Oversight Committee:

Commissioner Stone provided a brief summary of the Product Approval POC's July 23, 2020 teleconference meeting.

Commissioner Stone entered a motion to approve the report of the Product Approval POC's July 23, 2020 teleconference meeting. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 23 to 0.

Committee Reports (cont.):

Roofing Technical Advisory Committee:

Commissioner Swope provided a brief summary of the Roofing Technical Advisory Committee teleconference meetings on June 11, 2020 and July 27, 2020.

Commissioner Swope entered a motion to accept the reports from the June 11, 2020 and July 27, 2020, teleconference meetings. Commissioner Goff seconded the motion. The motion passed unanimously with a vote of 23 to 0.

Structural Technical Advisory Committee:

Commissioner Schock provided a brief summary of the Structural Technical Advisory Committee teleconference meetings on June 26, 2020 and July 28, 2020.

Commissioner Schock entered a motion to accept the reports from the June 26, 2020 and July 28, 2020 teleconference meetings. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 23 to 0.

Commission Comments:

Commissioner Schiffer asked whether advanced education courses are still approved in the same manner as they were before the recent legislative changes.

Mr. Campbell responded, yes.

Public Comments:

Matt Dobson, Vinyl Siding Institute: commented on the University of Florida's Phase II: Experimental Evaluation of Pressure Equalization Factors and Wind Resistance of Vinyl Siding Systems Multi-Chamber Pressure Test Bed research project's advisory group process and the final report. He indicated that industry wanted more involvement in the project and did not feel that the advisory group was handled collaboratively, or that their input was taken seriously. Mr. Dobson further stated that requests for delays in testing to allow more effective industry participation were denied, and that the final report was not provided to the advisory group for review prior to submittal to the HRAC and Structural TAC for acceptance. He indicated that the industry was not satisfied with the advisory group process, and that industry will be submitting a more detailed response with their comments to the Commission.

Public Comments (cont.):

Fernando Pages, Consultant, Vinyl Siding Institute (VSI) spoke on the University of Florida's Phase II: Experimental Evaluation of Pressure Equalization Factors and Wind Resistance of Vinyl Siding Systems Using a Multi-Chamber Pressure Test Bed research project process and methodology. He stated that testing failures and the project's methodology caused concern for the testing result and the project's findings. Mr. Pages stated that the researchers did not work collaboratively with industry on the project. He said he felt that the testing methodology was faulty, and equipment failures led to erroneous conclusions. Mr. Pages indicated that the schedule was driving the project and not the efficiency of the testing protocols. He agreed with Mr. Dobson and stated that the VSI was not satisfied with the technical aspects of the project, or the level of collaboration with industry stakeholders.

Acting Chairman Schock stated the next meeting is scheduled for October 13, 2020 at the Shores Resort and Spa, Daytona Shores or by webinar this is to be determined and notification will be sent by staff.

Final Roll Call:

Mr. Blair performed a final roll call and all 23 members from the beginning of the call were present.

Adjournment:

Commissioner Schock stated there being no further business before the Commission adjourned the meeting at 11:23 a.m.