

**FLORIDA BUILDING COMMISSION
HYATT REGENCY
1000 BOULEVARD OF THE ARTS
SARASOTA, FLORIDA 34236
Plenary Session
October 8, 2018
8:30 AM**

MINUTES

COMMISSIONERS PRESENT:

Jay Carlson, Chairman	Shane Gerwig
Hamid Bahadori	David Gilson
Steve Bassett	Richard Goff
James Batts	Robert Hamberger
Bob Boyer	Brian Langille
Donald Brown	Brad Schiffer
Kelley Smith Burk	Fred Schilling
Oscar Calleja	James Schock, Vice Chairman
David Compton	Jeff Stone
Nan Dean	Brian Swope
Kevin Flanagan	Don Whitehead

COMMISSIONERS NOT PRESENT:

Jeff Gross	Drew Smith
Diana Worrall	

STAFF PRESENT:

Thomas Campbell	Justin Vogel
Mo Madani	Jim Hammers
Chris Howell	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/>

Time: 8:30 am

Chairman Carlson welcomed Commissioners, staff, and members of the public to Sarasota and the October 8, 2018 plenary session of the Florida Building Commission. He stated 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 October meeting is to decide on the TACs' recommendations regarding proposed 2018 I-Codes changes for inclusion in the 7th Edition, Florida Building Code 2020.

Chairman Carlson stated that members of the public are requested 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 advised 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 Carlson stated that 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. He said that public input is welcome, but should be offered before there is a formal motion on the floor. Chairman Carlson asked that all please remember to keep all electronic devices turned off or in a silent mode and thanked them for their cooperation.

Chairman Carlson advised all in attendance that if they are licensed by the Building Code Administrators and Inspectors Board and interested in CE credits they must complete the CE sign-in sheet in the binder located on the speaker's table in the center of the room.

Roll Call:

Chairman Carlson asked that Jeff Blair perform roll call, a quorum was met with 21 members present at roll call.

Agenda Review and Approval:

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

Jeff Blair welcomed participants to the October Plenary Session and introduced the agenda.

Commissioner Boyer entered a motion to approve the agenda as posted. The motion was seconded by Commissioner Schiffer. The motion passed unanimously with a vote of 21 to 0 in favor.

Approval of Meeting Minutes and Facilitator Report for August 15, 2018

Chairman Carlson requested a motion for approval of the August 15, 2018 Facilitator's Summary Report and Meeting Minutes.

Commissioner Schock entered a motion to approve August 15, 2018 Facilitator's Summary Report and Meeting Minutes, as posted. The motion was seconded by Commissioner Schilling. The motion passed unanimously with a vote of 21 to 0 in favor.

Chairman's Discussion Issues and Recommendations:

Appointments:

Residential Construction Cost Impact Workgroup:

Chairman Carlson advised that he was appointing Brian Walsh of Highland Homes to serve on the Residential Construction Cost Impact Workgroup. He thanked Mr. Walsh for agreeing to serve on the workgroup.

Fenestration Water Resistant Workgroup:

Chairman Carlson stated he was appointing the following group to the Fenestration Water Resistance Workgroup:

- Joe Belcher: (Home Builders), FHBA, (Fire TAC)
- Warner Chang: (Insurance Industry), IBHS, (Structural TAC)
- David Compton: (Engineers), Bracken Engineering, (Structural TAC)

Chairman's Discussion Issues and Recommendations (cont.):

- Jamie Gascon: (Local Gov.), Miami-Dade Regulatory & Economic Resources, (Structural TAC)
- Jeff Gross: (Building Owners), BOMA, (Accessibility TAC)
- Mike Guerasio: (Building Officials), Broward County BORA, (Administrative TAC)
- Gary Hartman: (Testing Labs), Intertek Building & Construction
- John Holt: (Fenestration Distributors), Solar-Tite Windows & Doors
- Dan Lavrich: (Engineers), Lavrich and Associates, (Structural TAC)
- Adam Locke: (High Rise Building Design), SEA Engineers
- Anthony Miller: (Manufacturers), PGT
- Jason Seals: (Manufacturers), AAMA
- Jim Schock: (Building Officials), St. Augustine Building Services Division, (Chair Structural TAC)
- Steve Strawn: (Manufacturers), JELD-WEN Inc., (Structural TAC)

Accessibility Advisory Council Appointment:

Chairman Carlson advised the Commission that DBPR Secretary Jonathan Zachem has appointed Allison Kline to replace Carol Stachurski on the Accessibility Advisory Council to serve as a representative for the Advocacy Center for Persons with Disabilities, Inc.

Commission Milestones:

Chairman Carlson reminded everyone that the updated Commission Milestones documents are linked to the Agenda and on the BCIS.

Executive Director Announcements and Discussions:

Future Meeting Location:

Mr. Campbell advised that the Commissioners of the following scheduled meetings and locations.

December 11, 2018 meeting will be at the USF Embassy Suites Tampa.

February 12, 2019* meeting will be at the Hyatt Regency, Jacksonville.

*Correction, the February meeting will be held on February 19, 2019.

March 18-22, 2019 meeting will be at the Embassy Suites, Altamonte Springs (TAC Meetings for submitted code mods)

Accessibility Waivers:

Chairman Carlson 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. Chairman Carlson asked that Mr. Vogel present the Council's recommendations regarding waiver requests.

1233 Collins – Waiver 330 – 1233 Collins Avenue, Miami Beach 33139 – Issue: Vertical accessibility to the second floor.

Mr. Vogel presented the waiver and advised that the two Council members present recommended this application be deferred to request a full site plan and more photographs of the building.

Commissioner Schilling entered a motion to accept the Council's recommendation to defer the waiver on the grounds of historical significance pending receipt of a site plan and additional photographs. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 21 to 0.

8143 Harding Hotel – Waiver 347 – 8143 Harding Avenue, Miami Beach 33141- Issue: Vertical accessibility to the second and third floors.

Mr. Vogel presented the waiver and advised that the two Council members present recommended granting the request based on economic hardship.

Commissioner Schiffer entered a motion to accept the Council's recommendation to grant the request for waiver based on economic hardship. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 21 to 0.

Mercury Buildings – Waiver 300 – 4843 Victor Street, Jacksonville 32207 – Issue: Vertical accessibility to the second floor (buildings 1 and 3).

Mr. Vogel presented the waiver and advised that the two Council members present recommended granting the request based on economic hardship.

Commissioner Schiffer entered a motion to accept the Council's recommendation to grant the request for waiver based on economic hardship. Commissioner Goff seconded the motion. The motion passed unanimously with a vote of 21 to 0.

Accessibility Waivers (cont.):

Life House – Miami Beach 0 Waiver 326 – 321 Collins Avenue, Miami Beach 33139 – Issue: Vertical accessibility to the second floor.

Mr. Vogel presented the waiver and advised that the two Council members present recommended granting the request based on historical significance.

Commissioner Schiffer entered a motion to accept the Council’s recommendation to grant based on historical significance. Commissioner Boyer seconded the motion. The motion passed with a vote of 20 to 1 with Commissioner Schilling voting against.

Product Approval:

Chairman Carlson 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.

Commissioner Stone entered a motion to approve the 10 product approval entities as posted. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 21 to 0.

Product Approval Applications without Comments Consent Agenda:

Commissioner Stone entered a motion to approve the 154 products on the consent agenda list pulling FL 23358-R2 for individual consideration. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 21 to 0.

Product Approval Applications with Comments (2017 Code):

Jeff Blair presented the POC’s recommendations for product approvals with discussion and/or submitted public comments.

23358-R2 – Commissioner Stone entered a motion to approve the withdrawal of 23358-R2 as requested by the applicant. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 21 to 0.

1592-R8 – Commissioner Stone entered a motion for conditional approval of 1592-R8. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 21 to 0.

Product Approval Applications with Comments (2017 Code):

3859-R2 - Commissioner Stone entered a motion for conditional approval of 3859-R2. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 21 to 0.

11602-R7 - Commissioner Stone entered a motion for conditional approval of 11602-R7. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 21 to 0.

12400-R9 - Commissioner Stone entered a motion for conditional approval of 12400-R9. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 21 to 0.

12847-R5 - Commissioner Stone entered a motion for approval of 12847-R5. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 21 to 0.

13104-R5 – Commissioner Stone entered a motion for approval of 13104-R5. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 21 to 0.

14482-R8 – Commissioner Stone entered a motion for approval of 14482-R8. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 21 to 0.

14911-R11 – Commissioner Stone entered a motion for conditional approval of 14911-R11. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 21 to 0.

14994-R4 – Commissioner Stone entered a motion for conditional approval of 14994-R4. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 21 to 0.

14996-R5 – Commissioner Stone entered a motion for conditional approval of 14996-R5. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 21 to 0.

15905-R8 – Commissioner Stone entered a motion for conditional approval of 15905-R8. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 21 to 0.

21852-R2 - Commissioner Stone entered a motion for approval of 21852-R2. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 21 to 0.

Product Approval Applications with Comments (2017 Code):

Fred Book with Metal Industries (applicant) and James Seibert with Rice Engineering were present to respond to the questions submitted by the POC on FL 22527-R3.

The Commission heard the responses and the decision was to approve at this time. Commission action listed below.

22527-R3 – Commissioner Stone entered a motion for approval of 22527-R3. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 21 to 0.

25610-R2 – Commissioner Stone entered a motion for conditional approval of 25610-R2. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 21 to 0.

27559 – Commissioner Stone entered a motion for approval of 27559. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 21 to 0.

27725 – Commissioner Stone entered a motion for approval of 27725. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 21 to 0. This product was placed in deferral by the POC, however, the applicants

Commissioner Brown joined the meeting at 9:02 am bringing the number of members present to 22.

27914 – Commissioner Stone entered a motion for approval of 27914. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 22 to 0.

27971 - Commissioner Stone entered a motion for approval of 27971. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 22 to 0.

DBPR Applications 2017:

Chairman Stone advised that there were 102 products with no comments under the 2017 Code and there were 8 products with comments under the 2017 Code that have been addressed. He stated there is no action needed from the Commission.

Accreditor and Course Approval:

Chairman Carlson advised Commissioner Dean would present the Education Program Oversight Committee's recommendations regarding applications for accreditor and course approval.

Commissioner Dean entered a motion to approve advanced accredited courses 916.0, 918.0, 900.0, 921.0 and 919.0. Commissioner Flanagan seconded the motion. The motion passed unanimously with a vote of 22 to 0 in favor.

Commissioner Dean entered a motion to conditionally approve 920.0 advanced accredited course. Commissioner Flanagan seconded the motion. The motion passed unanimously with a vote of 22 to 0 in favor.

Legal Report:

Rule Challenge Decision Appeal:

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

Mr. Vogel advised that the latest update to the rule challenge is that the Court has scheduled oral arguments for October 23, 2018 at 9 am and will be streamed live on the DCA website should anyone wish to view the proceeding. He advised he will provide updates on the status of the appeal as the process continues.

Petition for Declaratory Statement:

Chairman Carlson stated if anyone wished to speak on a declaratory statement please come to the public comment table once the specific declaratory statement is introduced. He advised that Justin Vogel will serve as the Commission's counsel. Chairman Carlson stated that after legal counsel reviews the petition, he will ask for public comment on the petition.

DS 2018-066 by David Porter of David Porter Associates Architects, Inc.

Mr. Vogel presented the declaratory statement and advised that the Energy TAC considered the petition on September 27, 2018 and recommended staff analysis and the following answers:

To the question, "does section R403.5.1 state that all single-family dwelling Must install hot water recirculating systems?" The answer is "No." The requirements of Section R403.5.1 of the 6th Edition (2017) Florida Building Code (FBC), Energy Conservation do not apply to the project in question. This section is mandatory if a heated water circulation system is installed.

Petition for Declaratory Statement (cont.):

To the question, “does R403.5.1 state that IF a hot water recirculating system is installed in a single-family dwelling, it then MUST conform to the control systems stipulated in section R403.5.1?” The answer is “Yes.” The requirements of Section R403.5.1 of the FBC, Energy Conservation are mandatory for a heated water circulation system.

Commissioner Schilling entered a motion to accept the Energy TAC recommendation of the staff’s analysis. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 22 to 0.

To review and provide recommendation to the Commission on possible submittals for approval of Energy compliance software for compliance with the 6th Edition (2017) FBC, Energy Conservation:

Chairman Carlson advised that periodically the Commission is requested to consider approval of Energy Code Compliance Software for specific editions of the Florida Building Code, Energy Conservation. He advised that the last submittal was at the June 12, 2018 meeting when the Commission voted to conditionally approve Energy Code Compliance Software for the 6th Edition (2017) Florida Building Code, Energy Conservation, specifically Right-Suite Universal 2018 using its Right- Energy 2017 module for demonstrating compliance with residential building energy requirements for new construction, single-family homes using the Energy Rating Index compliance method.

Chairman Carlson stated that today the Commission is being asked to approve Energy Code Compliance Software for the 6th Edition (2017) Florida Building Code, Energy Conservation, specifically Integrated Environmental Solutions’ IESVE software for demonstrating compliance with commercial buildings energy requirements using the ASHRAE Energy Cost Budget Method.

Chairman Carlson asked that Commissioner Calleja provide the Energy TAC’s recommendation on behalf of Commissioner Smith, and then Mo will provide any technical background needed and answer members’ questions.

Commissioner Calleja stated that the Energy TAC recommended to conditionally approve Energy Code Compliance Software for the 6th Edition (2017) Florida Building Code, Energy Conservation, specifically Integrated Environmental Solutions’ IESVE software for demonstrating compliance with commercial buildings energy requirements using the ASHRAE Energy Cost Budget Method. Conditioned on IES revising the software as follows: 1.) Compliance report should be revised to provide for specific documentation of the proposed building design energy measures for the applicable building systems (building Envelope, Lighting, HVAC, Service Water Heating etc.) 2.) The compliance report should document compliance with the mandatory requirements of Section 11; Energy cost Budget Method of

To review and provide recommendation to the Commission on possible submittals for approval of Energy compliance software for compliance with the 6th Edition (2017) FBC, Energy Conservation (cont.):

ASHRAE 90.1 – 13. 3.) He said the last issue was the baselines energy measures should be locked and users should not be allowed to edit them.

Commissioner Calleja entered a motion to conditionally approve Energy Code Compliance Software for the 6th Edition (2017) Florida Building Code, Energy Conservation, specifically Integrated Environmental Solutions' IESVE software for demonstrating compliance with commercial buildings energy requirements using the ASHRAE Energy Cost Budget Method. Conditioned on IES revising the software as follows: 1.) The compliance report should be revised to provide for specific documentation of the proposed building design energy measures for the applicable building systems (building Envelope, Lighting, HVAC, Service Water Heating...etc.); 2.) The compliance report should document compliance with the mandatory requirements of Section 11; Energy cost Budget Method of ASHRAE 90.1 – 13; and, 3.) Baselines energy measures should be locked and users should not be allowed to edit them. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 22 to 0.

Committee Reports:

Education Program Oversight Committee;

Commissioner Dean provided a brief summary of the Education POC's September 25, 2018 teleconference meeting.

Commissioner Dean entered a motion to accept the report from the September 25, 2018 teleconference meeting. Commissioner Flanagan seconded the motion. The motion passed unanimously with a vote of 22 to 0.

Energy Technical Advisory Committee

Commissioner Calleja provided a brief summary of the Energy TAC's September 27, 2018 teleconference meeting.

Commissioner Calleja entered a motion to accept the report of the Energy TAC's September 27, 2018 teleconference meeting. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 22 to 0.

Committee Reports (cont.):

Product Approval Program Oversight Committee

Commissioner Stone provided a brief summary of the Product Approval POC's September 27, 2018 teleconference meeting.

Commissioner Stone entered a motion to approve the report of the Product Approval POC's September 27, 2018 teleconference meeting. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 22 to 0.

Chairperson Technical Advisory Committee:

Mr. Blair provided a brief summary of the Chairperson TAC meeting held on August 14, 2018 in Coral Gables.

Commissioner Bahadori entered a motion to accept the report from the August 14, 2018 Chairperson TAC meeting held in Coral Gables. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 22 to 0.

Commissioner Comments:

Commissioner Schock asked for an update on the projects that were approved at the August Commission meeting. He stated he knew that there would need to be additional negotiation on reduction of funds.

Mr. Madani advised of the status on each of the projects and what is still outstanding.

Public Comments:

Sara Yerkes, Government Relations ICC spoke to the Commission on the relationship with Florida and the need for the continued work together. She provided historical information on the I-Code and asked that the Commission continue the long tradition of updating the latest revisions of the I-Code into the Florida Building Code.

Commissioner Comments:

Commissioner Brown, Flanagan, Schock and Bassett spoke briefly on the information from Ms. Yerkes.

Mr. Campbell advised that there will be full discussion when the Commission starts item number 15 on the agenda regarding the I-Code changes.

Regular Commission business was completed at 9:31 a.m.

Consider TAC's Recommendations Regarding the Review of the 2018 I-Codes Changes for the 7th Edition (2020) Update to the Florida Building Code:

Chairman Carlson advised that ten of the Commission's Technical Advisory Committees (TACs) met in June 2018 to review and make recommendations regarding whether the Commission should include specific 2018 I-Code amendments into the 7th Edition (2020) FBC. The TACs' recommendations were posted to the BCIS in July 2018. He said in addition, the Residential Construction Cost Impact Workgroup met on July 30, 2018 to provide comments to the Commission regarding the costs/impacts of the I-Code amendments the TACs recommended for approval relevant to the Residential Building Code. These comments have been incorporated into the TACs' matrices of recommendations for approval.

Chairman Carlson stated that the Commission adopted the Review Process for 2018 I-Code Changes and the Revised Scope of Work for the 2020 Code Update Process, 7th Edition Florida Building Code at the August 15, 2018 meeting.

Chairman Carlson said that in addition, requests for amendments to be pulled for individual consideration Consent Agenda Recommended for Approval were required to be submitted to DBPR in writing by September 3, 2018. He stated there are many requests for amendments to be pulled for individual consideration, and the Commission will have to decide how they wish to respond regarding the requests in conformance with our adopted process.

Chairman Carlson said that before they began the process, he would like to strongly urge the Commission to keep the Florida Legislature's intent for this phase of the Code Update process front and center. He stated that Commissioners making a motion to recommend inclusion of a specific 2018 I-Code change shall identify why the 2018 I-Code change is needed to accommodate the specific needs of the state of Florida by identifying the relevant criteria used to

Consider TAC's Recommendations Regarding the Review of the 2018 I-Codes Changes for the 7th Edition (2020) Update to the Florida Building Code (cont.):

make the determination pursuant to Rule 61G20-2.002. Chairman Carlson said that it is critical that the Commission comply with the intent and requirements of Section 553.73 (7)(a), F.S. and Rule 61G20-2.002. He said that he would like the Commission to remember that stakeholders are welcome to propose amendments, including any of the 2018 I-Code changes, for consideration by the Commission during the 2020 Code Update process. He said that proposed code modifications should be submitted during the November 2 – December 15, 2018 submittal window.

In addition, Chairman Carlson said that the purpose of the current Phase of the Code development process was not to approve I-Code changes simply because your perspective is that the Commission should be keeping up with the I-Codes. He advised that the Legislature explicitly determined that the Florida Building Code is the base code going forward, and I-Code changes should be reviewed for whether they are needed to accommodate the specific needs of Florida, and not simply because maintaining conformity is important to some stakeholders. Chairman Carlson reminded the Commission that the next phase of the code update process would be starting in November, and as he previously mentioned I-Code changes can be proposed for consideration as a Code modification at that time. Chairman Carlson advised that the Commission's Technical Advisory Committees, the relevant code technical experts, will meet March 18 – 21, 2019 to make recommendations on proposed Code modifications, and they will meet again July 8-12, 2019 to consider public comments prior to submitting their recommendations to the Commission. He said that the full workplan is linked to the October 8, 2018 agenda on the BCIS.

Chairman Carlson then asked Mr. Blair, Mr. Vogel and Mr. Campbell to provide the Commission with the review process adopted by the Commission for reviewing and deciding on 2018 I-Code changes recommended for inclusion into the 7th Edition.

Mr. Vogel advised that the TACs have met and prepared their recommendations. He provided the Commission with the legal requirements of Chapter 553 that requires the Commission to adopt any updates which are necessary to maintain eligibility for funding or discounts from FEMA, National Insurance Program or the Department of Housing and Development. He said he would like to note that throughout the process these provisions have helpfully been flagged by the TACs and the staff. Mr. Vogel said that the Commission has the discretion to incorporate any other model provision into the Florida Building Code provided that the Commission determines it is needed to accommodate the specific needs of this state. He advised that as has been stated throughout this entire process, this does not mean that the need has to be unique to Florida but rather that the State has a specific need for the change. Mr. Vogel stated that the TACs have identified the codes they feel will qualify and have provided justification for same.

Consider TAC's Recommendations Regarding the Review of the 2018 I-Codes Changes for the 7th Edition (2020) Update to the Florida Building Code (cont.):

Mr. Vogel advised that now it is time for the Commission to consider the TACs recommendations and they may accept or reject them. He said that Mr. Blair will facilitate the review process.

Mr. Blair presented the entire process of how the modifications will be introduced and how the public will be allowed to speak. He went through the entire process and presented a mock example for the group. Mr. Blair stated that the Commissioners will have an opportunity to ask questions and then the public will have the same opportunity.

Commission Comment:

The Commissioners offered their comments on the TACs recommendations and the process that should be used.

Public Comment:

Mr. Blair explained the process for this portion of the agenda; he stated this discussion is only on the process and not the actual modifications.

Pete Quintella, Miami-Dade asked about the 6 items on the list.

Mr. Madani explained and stated he will explain the chart further later in the discussion.

Mike Silvers, Florida Roofing and Sheet Metal Contractors spoke on the issues brought by a proponent; he asked who does the fiscal analysis.

Joe Belcher, FHBA asked how the modifications will be read [and the rationale be individually or will it be a global statement.]

John Hall, Miami-Dade County, spoke on TAC discussion on criteria "F" and that it applied on the reference code. What is the difference with industry and reference?

Consider TAC's Recommendations Regarding the Review of the 2018 I-Codes Changes for the 7th Edition (2020) Update to the Florida Building Code (cont.):

Public Comment (cont.):

Richard Logan, AIA explained their position and that they feel the TACs were not clear on their actions. He again asked the Commission to postpone any further action until the rule appeal process has been completed.

George Wiggins, City of Winter Park, explained the letter that was sent to the Commission.

Doug Wise, Palm Beach County Building Official, stated the Commission is not using enough time. He asked the entire Coalition of Stakeholders to stand in the audience. He stated again there is not enough time, this process is not correct.

Neil Burning, National Coalition stated proposals were not listed on the consent agenda and expanded his comments on cost impacts.

Randy Shackelford, Simpson Strong Tie, urged the Commission to take a broad view, they feel any provision will meet the needs of the state.

Doug Buck, FHBA stated he is an advocate of the changes resulting from the legislative mandate. He said there are many changes in the ICC that will be brought forward during the second phase of the cycle by FHBA. Mr. Buck told the audience there will be more time for them to bring modifications forward and speak on those they feel should have been incorporated in the first phase.

Joe Crum, Orange County Building Official spoke on realizing the scope, international changes and what is in the best interest of the citizens of the State of Florida.

Bryan Holland, NEMA stated his concern was the inconsistency of the meetings and the understanding of the process for same. He said that the TAC instructions were that all motions had to include one of the A-F criteria. Mr. Holland stated he could not even make a motion unless he identified one of the A-F criteria. He stated they were prepared and had the criteria labeled. He said he was advised that technical merits would be handled at phase two.

Consider TAC's Recommendations Regarding the Review of the 2018 I-Codes Changes for the 7th Edition (2020) Update to the Florida Building Code (cont.):

Public Comment (cont.):

Karl Thompson, Florida Fire Marshalls Inspector Association, stated they are monitoring the code cycle. He said they oppose code changes that weaken the model codes unless there is justification. Mr. Thompson stated they have concern of not adopting the I-Code changes causing conflict between the FBC and the Fire Prevention Code. He again expressed concern over the confusion and the conflict this may cause.

John Farinelli, JC Code, Palm Beach County expressed concern over the inconsistency of the TACs. He stated there needs to be a closer look at the process.

Desiree Companion, Florida Flood Plain Association said she would encourage the Commission to take a further look as a drop in the rating could have severe consequences.

Commissioner Schock spoke on the mandate from the Legislature on the flood issues and he also spoke on the ISO ratings.

Gary Kozan, Plumbing Contractor stated he echoes the other speakers and the process was flawed and the instructions were that the mods must have A-F identification and that consent agendas were only for those not being voted in.

Public Comments Session was closed at this time.

Commission Comments:

Commissioner Schock asked the Commission to consider accepting all TAC recommendations, and with staff review for compliance move all items being requested to be pulled into phase II and post the results of the review in the first week of November. He said this will provide an opportunity to move these items back to the TACs where they belong.

Commissioner Brown asked Mr. Wise some questions on the ISO ratings. Mr. Wise responded with the information.

Chairman Carlson asked Doug Buck, FHBA if Florida has ever adopted all of the I-Codes. Mr. Buck stated no there have always been changes made to the I-Codes for Florida.

Chairman Carlson advised the meeting will be adjourned for lunch.

Consider TAC's Recommendations Regarding the Review of the 2018 I-Codes Changes for the 7th Edition (2020) Update to the Florida Building Code (cont.):

Mr. Vogel advised of the Sunshine Law and personal discussions during lunch.

The meeting adjourned for lunch at 12 noon with the Chairman requesting that everyone be back and seated by 1:15 p.m.

Commissioner Smith-Burk was called from the meeting at 12 noon; quorum was maintained with 21 members present.

Chairman Carlson called the meeting back to order at 1:17 p.m. He spoke to the Commission on some prior legislation reducing the size of the Commission, he said that he was against this and could not imagine not having the expertise of those currently serving on the Commission. Chairman Carlson thanked the Commission for their dedication and willingness to work through this process.

Mr. Blair advised of where the Commission will start in this process.

Discussion followed with the Commission members. Clarification was requested from staff and Mr. Campbell and Mr. Madani provided responses.

Commissioner Schock modified the motion to read, "Consider all TAC recommendations and move all items requested to be pulled to Phase II". Commissioner Compton seconded the motion.

Discussion followed among the Commissioners regarding those modifications with no action taken and the charts that will need action. In addition, there was in depth discussion on how the pulled modifications will be entered into the system and legal requirements.

Mr. Blair requested a straw poll from the stakeholders and interested parties in the audience that would be willing to send their requests to Phase II of the code cycle. He stated a fair number were standing that would be willing to submit their request into Phase II.

Consider TAC's Recommendations Regarding the Review of the 2018 I-Codes Changes for the 7th Edition (2020) Update to the Florida Building Code (cont.):

Mr. Blair clarified the motion and presented the actual language.

Commissioner Schock entered a modified motion to accept all TAC recommendations and move all pulled items from Chart II to Phase II to be submitted by the proponents allowing these modifications to be moved back to the TACs. Commissioner Compton accepted this amendment to the motion.

Discussion followed among the Commissioners on the definition of a proponent and further clarification of how this motion will affect the process including the chart.

Public Comments:

Mr. Blair advised the public members would now have the opportunity to speak on the motion.

Joe Crum stated he agrees with the motion on the floor but would request consideration of using the existing monograph in lieu of cut and pasting into the form.

Mr. Madani advised the form has to be completed via the system so cut and paste is the only way it can get into the system. He explained the reasons behind this process.

Richard Logan, AIA advised he did not stand in support of entry for Phase II during straw poll. He stated they have 445 modifications and does not favor moving them to Phase II. Mr. Logan stated he does not want to carry everything over to Phase II due to time constraints. He stated he was unable to attend the TAC meetings in June as he had to go on a vacation he had already scheduled but he fully expected when he returned that the TACs would have taken up a lot of these items and pulled them forward for this meeting and this did not happen and he felt like he was in a cleanup pattern. Mr. Logan stated the 445 items he expected to be carried forth into the code did not happen. He said he realizes that the Commission has the ability not to take up any of the items that were pulled by the public for consideration, but they put it out there for consideration. Mr. Logan stated what was the purpose of the process when there will be no action.

George Wiggins, City of Winter Park, asked if the items can be uploaded or do they have to be typed.

Mr. Madani stated yes it has to be typed into the system.

Mr. Wiggins spoke on the difference in the process from Phase I and Phase II. He asked that this motion be revisited.

Consider TAC's Recommendations Regarding the Review of the 2018 I-Codes Changes for the 7th Edition (2020) Update to the Florida Building Code (cont.):

Thomas Sputo, SDI, stated that the legislative changes have caused these issues. He asked the Chairman to make sure that each TAC gets very specific guidelines on Phase II and those instructions made available for public view.

Mr. Campbell stated that everything the TACs used was available six months prior and also discussed on their conference calls.

Bryan Holland, NEMA stated he had complete analyses on 406 Fire proposals, 108 of the Electric and 196 of Energy. Electrical TACs heard each one that he pulled; Fire TAC heard 10 approved of the 106 there was no opportunity to have them. He completed another analysis from the decision at the August meeting. Mr. Holland stated this is another failed opportunity for him to present his analysis. He stated he would like all of these proposals heard and start clean in Phase II.

Joe Belcher, FHBA stated they support the motion. He expanded on the TACs and the process they followed, 7 TACs completed the process correctly and 2 did not according to the legislative mandate.

Mike Silvers, FL Roofing and Sheet Metal Contractors, spoke on the concerns regarding Chart I.

John Hall, Miami-Dade, he expanded on the code changes and NEC. He said he felt the TAC got their votes right.

Doug Wise stated he felt that these changes belong to the Commission but he will submit any and all that he needs to even though he preferred not to do them again.

Mr. Blair read the motion again.

The motion on the floor as entered by Commissioner Schock is to consider and decide on each of the TACs' consent agenda packages of 2018 I-Codes changes recommended for approval (Chart #1: "Tracking Charts with TAC Actions—Accommodate Florida Specific Need"), and not to consider any requests for individual consideration of 2018 I-Codes changes on Tracking Chart #2 (Matrices of I-Code Changes With No Action). Commissioner Compton seconded this motion.

The Commission passed the motion with a vote of 17 in favor and 4 against.

Chairman Carlson called for a break advising everyone to be back and seated at three.

Consider TAC's Recommendations Regarding the Review of the 2018 I-Codes Changes for the 7th Edition (2020) Update to the Florida Building Code (cont.):

Chairman Carlson called the meeting back to order at 3:03 p.m. He stated that the meeting will most likely be completed within 2 hours.

Commissioner Schock stated he had some ex parte communication with BOAF Board of Directors where the only discussion was on procedures and did not include any discussion on code modifications. He stated he also received several letters from the tile industry and coalition referenced by Mr. Wiggins. Commissioner Schock stated he also had communication with Eric Stafford regarding ASCE 7. He said as a regulator there was no financial gain.

Mr. Blair advised they will start with the consent agendas.

A motion was entered by Commission Compton to accept the consent agenda for Structural-General. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 21 to 0.

Joe Belcher stated the 11 mods pulled were his and he requested that they be withdrawn. He also stated those he pulled from the Electrical TAC and Plumbing TAC will also be withdrawn. Mr. Belcher stated FHBA is formally withdrawing all of its requests.

A motion was entered by Commission Compton to accept the consent agenda for Structural-IBC. Commissioner Goff seconded the motion. The motion passed unanimously with a vote of 21 to 0.

A motion was entered by Commission Compton to accept the consent agenda for Structural-IRC Building. Commissioner Goff seconded the motion.

Commissioner Gerwig questioned the workgroup notations.

Mr. Madani stated this is informational only. The motion passed unanimously with a vote of 21 to 0.

A motion was entered by Commissioner Compton to accept the consent agenda for Structural-IEBC. Commissioner Goff seconded the motion. The motion passed unanimously with a vote of 21 to 0.

Commissioner Swope requested to pull Structural Adm. 94-16

Consider TAC's Recommendations Regarding the Review of the 2018 I-Codes Changes for the 7th Edition (2020) Update to the Florida Building Code (cont.):

Public Comment:

Mike Silvers stated that this modification needed to be pulled for cost impact and provided further explanation of the reasoning for pulling the modification.

Amanda Hickman, Hickman Group stated that she agreed this modification needed to be pulled.

Tim McQuillen, Asphalt Manufactures Association, stated they are not opposed, but there needs to be more time.

Lorraine Ross, DOW, stated they support the motion.

Rick Olson, Tile Institute, stated they are in support of the modification being pulled.

Wade Shepherd, Boral, stated he supports for due diligence to review the impact.

Tyler Allwood, Eagle Roofing, sated they support FRSA and Tile Institute.

Robin Anderson, Boral, supports the request to pull.

Rick Olson, Tile Institute, supports this modification being pulled.

Cam Fentriss, FRSA, supports as there needs to be a fiscal impact.

Eric Stafford, IBHS stated they are against/opposed to this being pulled. He said this was discussed at the TAC level and was debated.

Andrew Lowenstein, Fl. Engineer Association, stated they are against/opposed and provided examples.

Gaspar Rodriguez, Miami-Dade County stated he is against/opposed. He said proponents are families. Mr. Rodriguez stated using more fasteners will offer better systems on homes and these modifications should be heard.

George Wiggins asked who the proponent is. What will happen in the next phase, there needs to be a cost estimates completed.

Consider TAC's Recommendations Regarding the Review of the 2018 I-Codes Changes for the 7th Edition (2020) Update to the Florida Building Code (cont.):

Commission Comment:

Commissioner Swope stated Adm. 94-16 needs to be heard and strongly urges this be pulled.

Commissioner Schock stated he is opposed to this being pulled.

Commissioner Swope entered a motion to pull Adm. 94-16. Commissioner Flanagan seconded the motion. The motion failed with a vote of 13 in favor and 8 against.

Commissioner Schock entered a motion to accept the consent agenda for Structural-Admin. Commissioner Compton seconded the motion. The motion passed with a vote of 16 in favor and 5 against.

A motion was entered by Commissioner Boyer to accept the consent agenda for Fire-General. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 21 to 0

A motion was entered by Commissioner Boyer to accept the consent agenda for Fire-Safety. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 21 to 0.

A motion was entered by Commission Boyer to accept the consent agenda for Fire-IBC. Commissioner Goff seconded the motion. The motion passed unanimously with a vote of 21 to 0.

A motion was entered by Commissioner Boyer to accept the consent agenda for Fire-Admin. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 21 to 0.

A motion was entered by Commission Calleja to accept the consent agenda for Energy-General. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 21 to 0.

A motion was entered by Commissioner Calleja to accept the consent agenda for Energy-IECC Commercial. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 21 to 0.

Consider TAC's Recommendations Regarding the Review of the 2018 I-Codes Changes for the 7th Edition (2020) Update to the Florida Building Code (cont.):

A motion was entered by Commissioner Calleja to accept the consent agenda for Energy-IECC Residential. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 21 to 0.

A motion was entered by Commissioner Calleja to accept the consent agenda for Energy Admin. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 21 to 0.

A motion was entered by Commissioner Boyer to accept the amended consent agenda for Plumbing IRC. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 21 to 0.

Mr. Madani requested that P98-15 be pulled from Plumbing IRC as it is overlapping.
No action on P98-15.

A motion was entered by Commissioner Schilling to accept the consent agenda for Plumbing-IPC. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 21 to 0.

A motion was entered by Commissioner Boyer to accept the consent agenda for Plumbing-Fuel Gas. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 21 to 0.

A motion was entered by Commissioner Boyer to accept the consent agenda for Plumbing-IFC, IFGC, NFPA 54. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 21 to 0.

A motion was entered by Commissioner Boyer to accept the consent agenda for Plumbing-Admin. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 21 to 0.

A motion was entered by Commissioner Boyer to accept the consent agenda for Mechanical IRC. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 21 to 0.

A motion was entered by Commissioner Calleja to accept the consent agenda for Mechanical IFC, IMC, FP. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 21 to 0.

Consider TAC's Recommendations Regarding the Review of the 2018 I-Codes Changes for the 7th Edition (2020) Update to the Florida Building Code (cont.):

A motion was entered by Commissioner Boyer to accept the consent agenda for Mechanical Admin. Commissioner Calleja seconded the motion. The motion passed unanimously with a vote of 21 to 0.

A motion was entered by Commissioner Flanagan to accept the consent agenda for Electrical General. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 21 to 0.

A motion was entered by Commissioner Flanagan to accept the consent agenda for Electrical IFC, IBC, E. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 21 to 0.

A motion was entered by Commissioner Flanagan to accept the consent agenda for Electrical Residential. Commissioner Goff seconded the motion. The motion passed unanimously with a vote of 21 to 0.

A motion was entered by Commission Flanagan to accept the consent agenda for Electrical Swimming Pool. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 21 to 0.

A motion was entered by Commissioner Flanagan to accept the consent agenda for Electrical Building. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 21 to 0.

A motion was entered by Commissioner Flanagan to accept the consent agenda for Electrical Admin. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 21 to 0.

A motion was entered by Commissioner Batts to accept the consent agenda for Swimming Pool Electrical. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 21 to 0.

A motion was entered by Commissioner Batts to accept the consent agenda for Swimming Pool Admin. Commissioner Flanagan seconded the motion. The motion passed unanimously with a vote of 21 to 0.

A motion was entered by Commissioner Whitehead to accept the consent agenda for Special Occupancy General. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 21 to 0.

Consider TAC's Recommendations Regarding the Review of the 2018 I-Codes Changes for the 7th Edition (2020) Update to the Florida Building Code (cont.):

A motion was entered by Commissioner Whitehead to accept the consent agenda for Special Occupancy Building. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 21 to 0.

A motion was entered by Commissioner Whitehead to accept the consent agenda for Special Occupancy Admin. Commissioner Goff seconded the motion. The motion passed unanimously with a vote of 21 to 0.

Approval of 2018 I-Code Changes for inclusion:

Commissioner Bahadori entered a motion to adopt the package of approved 2018 I-Code changes for inclusion into the 7th Edition, Florida Building Code (2020). Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 21 to 0.

Commissioner Comment:

Commissioner Schock thanked the public for their attendance at the meeting. He then asked to be excused from the December meeting due to a scheduled event with BOAF.

Commissioner Schiffer stated that the 2018 I-Codes changes review process was complicated and thanked staff for their excellent organization of the materials and the useful dashboard.

Commissioner Bassett asked for guidance on early check out and the charges.

Mr. Campbell stated that DBPR would pay for an early checkout since the meeting ended a day early.

Commissioner Flanagan wished participants and staff a safe trip home and thanked the staff for their hard work.

Chairman Carlson advised the next meeting will be in Tampa on December 11, 2018.

There being no further business Chairman Carlson adjourned the meeting at 4:18 p.m.