

**FLORIDA BUILDING COMMISSION  
RENAISSANCE WORLD GOLF VILLAGE RESORT  
500 SOUTH LEGACY TRAIL – ST. AUGUSTINE, FLORIDA 32092**

**Plenary Session  
December 10, 2019  
8:30 AM**

**MINUTES**

**COMMISSIONERS PRESENT:**

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

**COMMISSIONERS NOT PRESENT:**

Robert Hamberger

**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](http://facilitatedsolutions.org)

**Time: 8:30 am**

Acting Chairman Schock welcomed Commissioners, staff, and members of the public to St. Augustine and the December 10, 2019 plenary session of the Florida Building Commission. 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 would include conducting a rule workshop on Rule 61G20-2.001 and Rule 61G20-2.002 and approving the TAC and Commission Public Comment Consideration Processes for the 2020 Rule Development Workshop on Rule 61G20-1.001.

Acting Chairman Schock 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 or actions that are not procedural or ministerial in content. Acting Chairman Schock 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. Acting Chairman Schock asked that all please remember to keep all electronic devices turned off or in a silent mode and thanked them for their cooperation.

Acting Chairman Schock advised all in attendance that if they are licensed by the Building Code Administrators and Inspectors Board attending the Commission meeting 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:**

Mr. Blair perform roll call; a quorum was met with 24 members present at roll call.

**Agenda Review and Approval:**

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

Commissioner Schilling entered a motion to approve the agenda as posted. The motion was seconded by Commissioner Schiffer. The motion passed unanimously with a vote of 24 to 0 in favor.

**Approval of Previous Meeting Minutes and Facilitator Report for October 15, 2019:**

Acting Chairman Schock requested a motion for approval of the October 15, 2019 Facilitator's Summary Report and meeting minutes.

Commissioner Schilling entered a motion to approve the October 15, 2019 Facilitator's Summary Report and Meeting Minutes as posted. The motion was seconded by Commissioner Schiffer. The motion passed unanimously with a vote of 24 to 0 in favor.

**Chairman's Discussion Issues and Recommendations:**

**Appointments:**

Acting Chairman Schock stated the changes to Rule 61G20-2.001 have been adopted, authorizing that upon a vacancy in the chairmanship of 30 days the duties of the Chair devolve to the Vice-Chair until a new chair is appointed, and appointments are subject to the approval of the Commission. As the Vice-Chair, he made the following appointments:

**TAC Appointments:**

**Accessibility TAC:**

Acting Chairman Schock stated he was appointing Laurel Martin to replace the retiring Bemie Eustice on the Accessibility TAC. He thanked Ms. Eustice for her years of dedicated service on the TAC, and thanked Ms. Martin for agreeing to serve.

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

**TAC Appointments (cont.):**

**Code Administration TAC:**

Acting Chairman Schock stated he was appointing Commissioner John Wiseman to the Code Administration TAC. He thanked Commissioner Wiseman for agreeing to serve.

**Education POC:**

Acting Chairman Schock stated he was appointing Commissioner David John to the Education POC. He thanked Commissioner John for agreeing to serve.

**Electrical TAC**

Acting Chairman Schock stated he was appointing Commissioner Charles Fischer as chair of the Electrical TAC. He thanked Commissioner Fischer for agreeing to serve.

**Fire TAC:**

Acting Chairman Schock stated he was appointing Commissioner John Gatlin to the Fire TAC. He thanked Commissioner Gatlin for agreeing to serve.

Acting Chairman Schock stated he was appointing Cheryl Edwards to the Fire TAC to replace Tony Apflebeck, who rolled off of the TAC. He thanked Ms. Edwards for agreeing to serve, and thanked Mr. Apflebeck for his years of dedicated service.

**Mechanical TAC:**

Acting Chairman Schock stated he was appointing Commissioner Oscar Calleja, a current Mechanical TAC member, as chair of the Mechanical TAC to replace Steve Bassett, who rolled off of the Commission. He thanked Commissioner Calleja for agreeing to serve as chair.

Acting Chairman Schock stated he was appointing Commissioner David John to the Mechanical TAC. He thanked Commissioner John for agreeing to serve.

Acting Chairman Schock stated he was appointing Rick Sims to the Mechanical TAC to replace Larry Banks, who rolled off of the TAC. He thanked Mr. Sims for agreeing to serve, and thanked Mr. Banks for his service.

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

**TAC Appointments (cont.):**

**Special Occupancy TAC:**

Acting Chairman Schock stated he was appointing Commissioner John Gatlin to the Special Occupancy TAC. He thanked Commissioner Gatlin for agreeing to serve.

Acting Chairman Schock stated he was appointing Michelle Haynes (DBPR) to the Special Occupancy TAC to replace Michelle Comingore, who rolled off of the TAC. He thanked Ms. Haynes for agreeing to serve.

Acting Chairman Schock stated he was appointing Crystal Myers to the Special Occupancy TAC to replace Jim Ginas, who rolled off of the TAC. He thanked Ms. Myers for agreeing to serve, and thanked Mr. Ginas for his service.

**Structural TAC:**

Acting Chairman Schock stated he was appointing Si Farvardin (IBHS) to replace Warner Chang, who rolled-off to the Structural TAC. He thanked Mr. Farvardin for agreeing to serve, and thanked Mr. Chang for his service.

**Motion:**

Acting Chairman Schock stated if there was no further discussion he would move to approve the TAC appointments. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Hurricane Research Advisory Committee:**

Acting Chairman Schock stated that at the October meeting he announced he would reconvene and appoint the Hurricane Research Advisory Committee (HRAC) at the December meeting. He stated the HRAC will be charged with evaluating research for wind and water intrusion enhancements, including UF's and FEMA's hurricane related reports. Acting Chairman Schock stated the following are the appointments to the HRAC:

Sergio Ascunce, Building Official  
Joe Belcher, Hurricane Protection, Concrete, and Aluminum Product Manufacturers  
Anne Cope, Insurance  
Mark Mikkelson, Window and Door Product Manufacturers  
Craig Parrino, Concrete Product Manufacturers  
John Plisich, Federal Government  
Angela Schedel, Flood Protection  
Jeffery Schnellmann, Home Builders

**Hurricane Research Advisory Committee (cont.):**

Brad Schiffer, Architects

Jim Schock, Chair/Florida Building Commission

Vince Seijas, Local Government

Brian Swope, Roofing Contractors

David Compton, Structural Engineers

**Motion:**

Acting Chairman Schock stated if there was no further discussion he would move to approve the HRAC appointments. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Fenestration Water Resistance Workgroup:**

Acting Chairman Schock stated he was appointing Commissioner Schiffer to the Fenestration Water Resistance Workgroup. He thanked Commissioner Schiffer for agreeing to serve.

**Motion:**

Acting Chairman Schock stated if there was no further discussion he would move to approve the Workgroup appointment. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Commission Milestones Update:**

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:**

**Rule 61G20-3.007/2020 Code Update Cycle Product Approval Fee Waiver:**

Mr. Campbell explained the staff proposed recommended changes to the rule to allow the Commission to waive fees for a specified amount of time. He stated the plan for the near-term is to waive fees from July 1, 2020 – December 31, 2020 to allow manufacturers of current product approvals to update their product approvals to the requirements of the 7th Edition (2020) Florida Building Code, and advised that the Product Approval POC is recommending that the Commission initiate rulemaking for Rule 61G20-3.007 to authorize the Commission to waive product approval application fees for a specified time period pursuant to the proposed Rule language.

**Rule 61G20-3.007/2020 Code Update Cycle Product Approval Fee Waiver (cont.):**

Commissioner Compton entered a motion to initiate rulemaking for Rule 61G20-3.007 (Product Approval by the Commission) to authorize the Commission to waive product approval application fees for a specified time period, and to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of the Commission. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Senate Bill:**

**SB 474**

Mr. Campbell advised that this bill is proposed legislation that will reduce the Commission from 27 to 19 members. He advised this bill has been referred to committees.

**SB 710**

Mr. Campbell advised that this bill is proposed legislation for the Florida Building Code;. The bill would have the following affects: Requiring that the Florida Building Code require that the entire envelope of certain buildings being constructed or rebuilt be impact resistant and constructed with high wind-resistant construction materials; requiring that all parts or systems of a building or structure envelope meet impact test criteria or be protected with an external protection device that meets such criteria; providing exceptions, etc.

**Legislative Calls:**

Mr. Campbell advised the legislative calls will be held **January 10<sup>th</sup>, 2020, at 2 pm and March 6<sup>th</sup>, 2020, at 2 pm via teleconference.**

Commissioner Schilling entered a motion to conduct FBC Legislative conference calls for the 2020 Session on January 10, 2020, and March 6, 2020. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Future Meeting Location:**

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

- February 11, 2020, Sheraton Orlando, Maitland, including a rule workshop.
- April 7, 2020, The Shores Resort and Spa, Daytona Beach, including a rules workshop.
- June 2, 2020, Hyatt Regency, Sarasota.

**Update regarding the 7<sup>th</sup> edition (2020) Florida Building Code Workplan update and approval of TAC and Commission Public Comment Consideration:**

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

Commissioner Schilling entered a motion to approve the updated Workplan/Schedule for the 2020 Code Update process – 7<sup>th</sup> Edition, Florida Building Code. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 24 to 0.

Mr. Blair provided the Commission with a brief overview of the proposed process for the TACs to review and provided recommendations to the Commission regarding comments received on the draft of the 7<sup>th</sup> Edition (2020) Florida Building Code.

Commissioner Stone advised he would be voting against this process as he feels it restricts the public's time for speaking on code modifications.

Commissioner Schiffer entered a motion to approve the TAC Review and Consideration Process for comments received on the draft 7<sup>th</sup> Edition, Florida Building Code (2020). Commissioner Calleja seconded the motion. The motion passed with a vote of 23 in favor and one opposed.

Mr. Blair additionally provided the Commission with an overview of the proposed process for the Commission's review of comments received on the draft 7<sup>th</sup> Edition (2020) Florida Building Code for consideration during the February 11, 2020 Rule Development Workshop on Rule 61G20-1.001.

Commissioner Schiffer entered a motion to approve the Commission's Review and Consideration Process for comments received on the draft 7<sup>th</sup> Edition, Florida Building Code (2020) for consideration during the February 11, 2020 Rule Development Workshop on Rule 61G20-1.001. Commissioner Calleja seconded the motion. The motion passed with a vote of 23 in favor and one opposed.

**Rule Workshop on Rule 61G20-2.001 and Rule 61G20-2.002:**

Acting Chairman Schock advised that at the October 2019 meeting the Commission voted to initiate rulemaking for Rule 61G20-2.001 (Commission Organization and Operations) in order to remove the rule provision that restricts the Commission to considering only motions to approve. He said that we will take comments on the proposed rule language to accomplish this and then vote to adopt the language and proceed with rulemaking.

Acting Chairman Schock also advised that at the October 2019 meeting the Commission conducted a rule development workshop on Rule 61G20-2.002 -Statewide Amendments to the Florida Building Code and began the process of implementing the provisions of HB 447 which amended Section 553.73 (7)(a), Florida Building Code to reflect that: Every 3 years, the



**Rule Workshop on Rule 61G20-2.001 and Rule 61G20-2.002 (cont.):**

Commission may approve updates to the Florida Building Code without a specific finding that the updates are required to accommodate the specific needs of this state. He further stated that at the October 2019 meeting the Commission received public comments, and discussed the public comments regarding proposed changes to the triennial update process and changes to the Commission's adopted code processes, and discussed any changes they would like to consider regarding the Rule and process documents. Acting Chairman Schock stated based on the Commission's direction staff drafted several rule approaches for its consideration. He said that once the Commission approves a rule approach staff will prepare draft rule language and corresponding amended process documents for the Commission's consideration during a third rule development workshop to be conducted at the February 11, 2020 meeting.

Mr. Blair explained the process for the public to provide comments on the recommendations provided by FHBA, Bryan Holland and the Florida Coalition. He advised that the Commission will have the opportunity to ask questions of those providing comments. Mr. Blair provided further details on the approach and the ranking exercise that would be used.

**Rule Workshop - Rule 61G20-2.001 (Rule Approach Options):**

**Public Comment:**

Joe Belcher, FHBA provided detail on the changes being recommended by FHBA.

Bryan Holland, NEMA stated he was speaking in support of the Florida Coalition recommendation and provided some further detail on the recommendation.

Mike Silvers, FRSA stated they prefer the recommendations from FHBA and would be in support of same.

Neil Burning, ICC stated they are in support of the Florida Coalition recommendation.

Rick Logan, AIA stated they are in support of the Florida Coalition.

Andrew Lowenstein, Florida Structural Engineers Association stated they would also support the Florida Coalition recommendation.

Joe Belcher, FHBA spoke to the Commission advising that 553.73(7)(a) was changed in statute last year stating you do not have to have a specific need. He further stated that 553.73(7)(c) still states there needs to be a specific need.

Rick Logan, AIA stated this glitch was noted but he feels it is clear what the intent of the Legislature is.

Mike Silvers, FRSA spoke on specific language limiting TAC productivity.

Doug Buck, FHBA spoke on the Florida specific amendment issue and he stated it is up to the Commission to decide if the specific code modification is needed in the state for the base code.

Neil Burning, ICC stated that the reason the Coalition recommendation is stated the way it is was due to the fact that so many of the I Codes were not presented to the TACs. He stated the proposed language is to avoid codes being overlooked.

Mr. Campbell provided further information to the Commission on where they need to look when making these changes to the I Codes.

Mr. Blair re-stated the ranking process for the Commissioners.

**Commission Comment:**

Acting Chairman Schock asked legal counsel if all three options would be legally defensible?

Mr. Vogel stated we would be able to craft rule language that would be defensible, there may need to be tweaks to some of the language that has been submitted.

**Ranking Results:**

FHBA = 3.2 average

Bryan Holland = 2.8 average

Florida Coalition = 2.8 average

**Commission Comment on reservations of the options:**

Commissioner Gerwig spoke on language that he felt should be changed: rewording 2(a) and leaving life safety in the wording, leave the old language as it was in 2(e) and reword the new 2(e) old 2(f) to fully state the meaning of standards. Commissioner Gerwig asked Mr. Vogel if there was any statutory language updating the code for standards.

Mr. Vogel referred the pertinent questions to Mr. Madani.

Mr. Madani stated there is not a Florida Statute that speaks to standards except through a glitch.

Mr. Vogel stated the FHBA approach for the review of the I Code is using criteria that speak to I Code specifics. He stated the Commission has the power to introduce the criteria they want to review for code modification.

Commissioner Gerwig stated with these changes he could support FHBA.

Commissioner Gatlin echoed Commissioner Gerwig on 2(e) leaving the language as it was.

**Rule Workshop - Rule 61G20-2.001 (cont.):**

Commissioner Boyer asked the vote to be recounted to ensure that the score comes out the same for Option 2.

Mr. Blair conducted the recount and the score was 2.8.

Commissioner Brown stated he did not agree with the Legislative change to the code and provided explanation of same. He stated his concern is giving the highest weight possible to the I Code being approved.

Commissioner Compton stated he would leave the Fire Prevention Code in the rule. He pointed out where there is an inconsistency in the proposal with respect to removal of fire prevention code and life safety.

Commissioner Wiseman asked Mr. Belcher for further clarification of the wording in their proposal.

Mr. Belcher provided detail of the proposal and stated that they do not have a problem adding back fire prevention and life safety.

Commissioner Compton entered a motion to direct staff to draft rule language consistent with the rule approach selected by the Commission and to proceed with the rulemaking process for Rule 61G20-2.002 —Statewide Amendments to the Florida Building Code, and to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of the Commission using FHBA approach adding back life safety in 2(a), leaving 2(e) as it was for the Florida Fire Prevention Code and changing the new 2(e) back to 2(f) and keep the language as presented. Commissioner Wiseman seconded the motion.

Commissioner Gerwig added comments on leaving the industry standards.

Mr. Madani stated this would only be used when looking at the I Codes.

The motion passed with a vote of 20 in favor and 4 opposed.

**Rule Workshop - Rule 61G20-2.002 (Code Development Process Options):**

**Public Comment:**

Joe Belcher, FHBA stated they would support Option #1 with amendments to be brought to the February meeting.

Mike Silvers, FRSA stated they would support Option #2 and then #1 and was opposed to #3.

Bryan Holland, NEMA stated he would support #3 and provided background of his decision.

**Rule Workshop - Rule 61G20-2.002 (cont.):**

**Public Comment (cont.):**

Neal Burning, ICC stated they would support Option #3 and provided reasoning.

Andrew Lowenstein, SEA stated they were in support of Option #3.

Rick Logan, AIA stated they are in support of Option #3, he said streamlining in this past code has left hundreds of I Codes that were never discussed.

**Ranking Results:**

Option #1 = 2.7 average

Option #2 = 1.75 average

Option #3 = 3.0 average

Mr. Campbell addressed the Commission, asking what they would like included in the model code supplement or taken out of the supplement. He provided examples and impacts. He advised that the Rule language must include what is in the supplement.

Commissioner Schiffer stated the files should show changes as strikethrough and underscores with the ICC changes.

Mr. Madani explained how the supplement process would work.

**Commissioner Comments:**

Commissioner Wiseman spoke on the process conflict on Option #3 and stated it could have unintended consequences.

Mr. Buck was acknowledged by the Chairman and explained the issues that FHBA had with Option #3 and what could become issues.

Commissioner Swope requested clarification of the process that was used for the 2020 code changes on I Codes.

Mr. Madani went through the current supplement and explained the process that was used.

Commissioner Calleja stated he is in favor of the TACs being able to vote on all changes. He said he is not in favor Option #3 and provided detail of why he does not feel this will benefit the Commission in code changes.

Mr. Blair advised that the Commission could vote on using both Option #1 and Option #3 with changes.

**Rule Workshop - Rule 61G20-2.002 (cont.):**

**Commissioner Comments (cont.):**

Commissioner Brown suggested Option #3 could be used with amendments and maybe the decision should be deferred to allow staff time to add these suggestions to be brought back to the Commission.

Commissioner Brown entered a motion to charge staff with reviewing Option #3 as a base and providing an analysis of what type of codes changes the Commission might consider not including or including in the supplement for discussion at the next meeting and to insure that this process conforms to the law and would marry with the rule approach. Commissioner Gerwig seconded the motion.

Commissioner Swope spoke on being able to pull modifications and how they will be addressed.

Commissioner Wiseman spoke on pulling modifications and reviewing all I Codes, he stated it is very possible to have an Option #4 that will correspond with the FHBA rule suggestions that had been voted in.

Mr. Campbell advised that is very possible after full discussion with the Commission at future meetings.

Commissioner Calleja stated for clarification the burden of proof should not be to remove but to approve, those that are 99% sure on the consent agenda.

Mr. Campbell stated that is correct and we can look at that during the next meeting.

The motion passed with a vote of 22 in favor and 2 opposed.

Mr. Blair stated the staff will prepare these documents and the Commission needs to be sure they have reviewed them prior to the meetings.

Acting Chairman Schock stated there needed to be a motion on Rule 61G20-2.001 that allows the Commission to consider only motions to approve.

Commissioner Gerwig entered a motion to adopt the draft rule language to remove the provision that restricts the Commission to considering only motions to approve, and to proceed with rulemaking for Rule 61G20-2.001 (Commission Organization and Operations), and to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of the Commission. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 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.

**106 South Monroe LLC – Waiver 427 - 106 South Monroe St, Tallahassee 32303 - Issue:** Vertical accessibility to the second floor.

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

Commissioner Schilling entered a motion to grant the waiver for vertical accessibility to the second floor based on economic hardship. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 22 to 0 with two Commissioners out at the time of the vote.

**Bar 1903 – Waiver 425 - 209 E. Park Ave., Tallahassee 32301 - Issue:** Vertical accessibility to the entrance and mezzanine.

Mr. Vogel presented the waiver. He advised that the Council recommended granting based on historical significance.

Commissioner Schilling entered a motion to grant the waiver for vertical accessibility to the entrance and mezzanine based on historical significance. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 22 to 0 with two Commissioners out at the time of the vote.

**808 Wiggins Pass – Waiver 410 - 808 Wiggins Pass RD, Naples 34110 - Issue:** Vertical accessibility to the second floor.

Mr. Vogel presented the waiver. He advised that the Council recommended deny the request for a waiver based on the fact that the project in question is new construction.

Commissioner Schilling entered a motion to deny the request for a waiver based on the fact that the project in question is new construction. Commissioner Schiffer seconded the motion. The motion passed with a vote of 19 in favor and 1 opposed, with four Commissioners out at the time of the vote.

**Accessibility Waivers (cont.):**

**Red Fish Grill by Chef Adrienne – Waiver 420 - 9610 Old Cutler Road, Coral Gables 33134 - Issue:** Vertical accessibility to the rooftop observation deck

Mr. Vogel presented the waiver. He advised that the Council recommended granting based on historical significance.

Commissioner Schilling entered a motion to grant the waiver for vertical accessibility to the rooftop observation deck based on historical significance. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 22 to 0 with two Commissioners out at the time of the vote.

**Mathieu Rochette – Waiver 415 - 1313 15th Street, Miami Beach 33139 - Issue:** Vertical accessibility to the second floor units.

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

Commissioner Schilling entered a motion to grant the waiver for vertical accessibility to the second floor units based on economic hardship and technical infeasibility. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 22 to 0 with two Commissioners out at the time of the vote.

**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 26 product approval entities as posted. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 20 to 0 with four Commissioners out at the time of the vote.

**Product Approval Applications without Comments Consent Agenda:**

Commissioner Stone entered a motion to approve the 160 products on the consent agenda list. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 20 to 0 with four Commissioners out at the time of the vote.

**Product Approval Applications with Comments: None**

**DBPR Applications:**

Chairman Stone advised that there were 106 products on the DBPR roster and those with comments have been addressed. He stated there is no action needed from the Commission.

**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 accreditor applications for recommendation:**

None

**Pending advanced accredited courses for recommendation:**

Commissioner Dean entered a motion to approve advanced accredited courses 939.0, 940.0 and 941.0. Commissioner Stone seconded the motion. The motion passed unanimously with a vote of 20 to 0 with four Commissioners out at the time of the vote and Commissioner Schiffer abstaining.

Commissioner Dean entered a motion to conditionally approve 937.0. Commissioner Stone seconded the motion. The motion passed unanimously with a vote of 21 to 0 in favor with three Commissioners out at the time of the vote.

**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 course with one change number 317.1. Commissioner Stone seconded the motion. The motion passed unanimously with a vote of 22 to 0 in favor with two Commissioners out at the time of the vote.

**Legal Report:**

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

Mr. Vogel advised that he had a rulemaking update for the Commission. He stated the Governor's office issued directives to all state agencies that could have an impact on the Commission's rulemaking activities; he said that we will need to review our rules and report any that constitute barriers to private business competition or which are duplicative, outdated,



**Legal Report (cont.):**

obsolete, overly burdensome, or which impose excessive costs. Mr. Vogel further advised moving forward we may have to insert sunset provisions into all of our proposed or amended rules. He said this would require the Commission to periodically renew those rules as they expired and this could increase the amount of rulemaking activity that the Commission would have to engage in on a regular basis. Mr. Vogel said that he would keep the Commission apprised if any specific action is needed as we move forward.

**Petitions for Declaratory Statement:**

Acting Chairman Schock 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. Acting Chairman Schock stated that after legal counsel reviews the petition, he will ask for public comment on the petition.

**DS 2019-064 by William G. Thames, Jr. of Arbor Properties, Inc.**

The Petitioner was not present.

Mr. Vogel provided the background of the declaratory statement request with the following question, and petitioner and staff responses. He advised that the Mechanical TAC heard the petition on November 20, 2019 and voted to accept the staff analysis with amendments.

Mr. Madani provided the full answer for the Commission with the amendments.

**Question:**

Question: Does venting the electric clothes dryer in question into a breezeway, specifically depicted in exhibit "A", meet the requirement of section 504.1 with regard to exhausting electric clothes dryer exhaust outside of the building?

**Answer:**

The answer to Petitioner's question is yes. Exhausting the dryer vent into the open ended hallway of the project in question does meet the venting requirement of section 504.1 of the 6th Edition (2017) Florida Building Code, Mechanical. Compliance with 501.3 is not required.

Commissioner Calleja entered a motion to accept the staff analysis as amended by the Mechanical TAC. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**DS 2019-068 by Art Barthlow, of Codes – ABC, Inc.**

Mr. Vogel advised this declaratory statement was withdrawn by the petitioner.

Commissioner Calleja entered a motion to accept the petition withdrawal by the petitioner. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Committee Reports:**

**Education Program Oversight Committee:**

Commissioner Dean provided a brief summary of the Education POC's December 2, 2019 teleconference meeting.

Commissioner Dean entered a motion to accept the report from the December 2, 2019, teleconference meeting. Commissioner Smith seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Mechanical Technical Advisory Committee:**

Commissioner Calleja provided a brief summary of the Mechanical TAC's November 20, 2019 teleconference meeting.

Commissioner Calleja entered a motion to accept the report from the November 20, 2019 teleconference meeting. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Product Approval Program Oversight Committee**

Commissioner Stone provided a brief summary of the Product Approval POC's December 2 2019 teleconference meeting.

Commissioner Stone entered a motion to approve the report of the Product Approval POC's December 2, 2019 teleconference meeting. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Structural Technical Advisory Committee:**

Commissioner Schock provided a brief summary of the Structural TAC's November 7, 2019 and December 6, 2019 teleconference meetings.

Commissioner Schock entered a motion to accept the report from the November 7, 2019 and December 6, 2019 teleconference meetings. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0.

**Commissioner Comment:**

Commissioner Stone stated the reasoning for wearing a UF shirt for this meeting after losing a bet.

Commissioner Wiseman acknowledged Doug Buck's retirement from the FHBA and introduced the new appointment Dane Bennett. The Commissioners applauded Mr. Buck's service.

Mr. Buck thanked the Commission and praised them for their hard work on the best code produced in the states.

**Public Comment: None**

There being no further business before the Commission Acting Chairman Schock adjourned the meeting at 11:12 a.m.