

**FLORIDA BUILDING COMMISSION  
WEBINAR AND TELECONFERENCE**  
[HTTPS://GLOBAL.GOTOMEETING.COM/JOIN/533378925](https://global.gotomeeting.com/join/533378925)  
**YOU WILL BE CONNECTED TO AUDIO USING YOUR COMPUTER'S  
MICROPHONE  
OR  
JOIN THE TELECONFERENCE  
VIA TOLL FREE NUMBER  
1-866-899-4679  
MEETING ID 533-378-925  
Plenary Session  
February 9, 2021  
8:30 AM**

**MINUTES**

**COMMISSIONERS PRESENT:**

James Schock, Chairman	Jeff Gross
James Batts	Rodney Hershberger
Michael Bourré	Paul Jones
Donald Brown	Brian Langille
David Compton	Grey Marker
Nan Dean	Brad Schiffer
Charles Fischer	Brian Swope
David Gilson	

**COMMISSIONERS NOT PRESENT:**

David John

**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://facilitatedsolutions.org)

**Time: 8:30 am**

Chairman Schock welcomed Commissioners, staff, and members of the public to the February 9, 2021, 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 corona virus.

Chairman Schock stated the primary focus of the February meeting, in addition to considering regular procedural issues, updates and reports, is to approve the Workplan and Schedule for development of the 8th Edition (2023), Florida Building Code, and to select the model codes to be used for conducting the Commission's model code update review for the 2023 Code Update Process.

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. Chairman Schock stated that public input is welcome, but should be offered before there is a formal motion on the floor.

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 15 members present at roll call.

**Agenda Review and Approval:**

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

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

Commissioner Bourré entered a motion to approve the agenda as posted. The motion was seconded by Commissioner Compton. The motion passed unanimously with a vote of 15 to 0 in favor.

**Approval of Previous Meeting Minutes and Facilitator Report for January 12, 2021:**

Chairman Schock requested a motion for approval of the January 12, 2021 Facilitator's Summary Report and meeting minutes.

Commissioner Brown entered a motion to approve the January 12, 2021 Facilitator's Summary Report and meeting minutes as posted. The motion was seconded by Commissioner Compton. The motion passed unanimously with a vote of 15 to 0 in favor.

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

**Appointments:**

Chairman Schock stated he was appointing Michael Bourré as the Commission's Vice-Chair. He thanked Commissioner Bourré for agreeing to serve as the Commission's Vice-Chair.

Chairman Schock stated that in addition, he made a number of appointments to our various TACs, POCs, and workgroups including appointing new chairs as needed. He advised that all of the new appointments are linked to the BCIS under the Chair's Issues agenda item. Chairman Schock stated that there is one change to the posted list as he was appointing Brian Luksik to replace Scott Ranck on the Energy TAC.

Chairman Schock stated he wanted to thank all of our committee members that have rolled off and welcome our new appointments. He further stated that on behalf of the Commission that they appreciated their service to the citizens of Florida.

**Closing Roll Call Update:**

Chairman Schock advised that DBPR staff has determined that there is no requirement to conduct a closing roll call for our virtual meetings, and as you know we have never conducted them for our in-person meetings. He said that it has been decided that there will only be an opening roll call and not a closing roll call for all Commission and committee meetings going forward.

**Commission Milestones:**

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 provided the Commission information on the upcoming Legislative session with a legislative matrix and detail on SB 488 and HB 401.

**Future Meeting Location:**

Mr. Campbell advised as a reminder the next Commission meeting will be held on April 13, 2021 will be held by webinar.

June 8, 2021 will be at the Hyatt Regency Sarasota, or by webinar TBD.

**8<sup>th</sup> Edition (2023) Florida Building Code Workplan**

Mo Madani provided a review of the proposed Workplan and Schedule for development of the 2023 Code Update Process—8th Edition (2023). He advised that the I-Codes and associated monographs have been posted to the webpage and are now available. Mr. Madani said that as a result staff has prepared a proposed Workplan and Schedule for development of the 2023 Code Update for the Commission's approval. He advised that in addition, the Commission will select the model codes to be used for conducting the Commission's model code update review for the 2023 Code Update Process.

Chairman Schock stated if there is no further discussion, he would ask for a motion to select the 2021 I-Codes and the 2020 NEC as the model codes for conducting the Commission's model code update review process for development of the 8th Edition (2023), Florida Building Code.

**8<sup>th</sup> Edition (2023) Florida Building Code Workplan (cont.):**

Commissioner Compton entered a motion to select the 2021 I-Codes and the 2020 NEC as the model codes for conducting the Commission's model code update review process for development of the 8th Edition (2023), Florida Building Code. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 15 to 0.

Chairman Schock stated if there is no further discussion, he would ask for a motion to approve the workplan.

Commissioner Compton entered a motion to approve the Workplan and Schedule for the 2023 Code Update Process—8th Edition (2023), Florida Building Code. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 15 to 0.

**Training on Commission's Consensus Building Process:**

Chairman Schock advised that Mr. Blair would be providing training on the Commission's consensus building process, participant roles, meeting management and participation guidelines.

Mr. Blair provided a detailed Power Point presentation of the Commission's Consensus process.

**Discussion of possible changes to Rule 61G20-6.002:**

Chairman Schock advised that Mr. Campbell; would be providing a summary of proposed changes to the Education Rule 61G20-6.002, Commission Approval and Accreditation of Advanced Building Code Training Courses.

Mr. Campbell provided a detailed summary of proposed changes to the rule, that included Commission approval, accreditation and advanced building code training courses.

Chairman Schock advised that Commissioner Dean would provide the Commission with the Education POC's recommendation regarding initiation of rulemaking for the Education Rule.

Commissioner Dean, Chairman of the Education POC stated that the POC voted unanimously in favor of initiating rule making for Rule 612G20-6.002.

**Public Comments:**

Joe Belcher, FHBA and Arlene Stewart, AZS both stated they are in favor of rule changes.

Commissioner Dean entered a motion to initiate rulemaking for Rule 61G-20-6.002, and to conduct a rule development workshop at the April 13, 2021 meeting, and to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of the Chairman of the Florida Building Commission. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 15 to 0.

**Accessibility Waivers:**

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

**Bernard Cap Warehouse Renovations – Waiver 494 - 620 W 27th Street, Hialeah 33010**

Issue: Vertical accessibility to the second floor.

Mr. Vogel presented the waiver. He advised that the Council recommended granting the request for waiver for vertical accessibility to the second floor based on the grounds of economic hardship.

Commissioner Schiffer entered a motion to grant the request for a waiver for vertical accessibility to the second floor based on the grounds of economic hardship. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 15 to 0.

**Bodega Taqueria y Tequila – Waiver 503 - 3419 Main Highway, Miami 33133**

Issue: Vertical accessibility to the mezzanine level.

Mr. Vogel presented the waiver. He advised that the Council recommended granting the request for waiver for vertical accessibility to the mezzanine based on the grounds of economic hardship.

Larry Schneider was on the call representing waiver 503 for any questions or concerns from the Commission.

Commissioner Schiffer entered a motion to grant the request for a waiver for vertical accessibility to the mezzanine based on the grounds of economic hardship. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 15 to 0.

**Product Approval:**

Chairman Schock advised that Commissioner Hershberger would present the POC's recommendations for entity approvals and the consent agenda for products recommended for approval, and present the POC's recommendations for product approvals. He stated that Mr. Blair would present product approvals with discussion or comments.

**Entities:**

Commissioner Hershberger entered a motion to approve the 13 product approval entities as posted. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 15 to 0.

**Product Approval Applications without Comments Consent Agenda (2020):**

Commissioner Hershberger entered a motion to approve the 385 products on the consent agenda list as amended with FL 36968 being pulled for individual consideration. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 15 to 0.

**Product Approval Application with Comments (2020):**

**36968** - was pulled from the consent agenda for individual consideration. Commissioner Hershberger entered a motion for approval of 36968. Commissioner Compton seconded the motion. The motion passed with a vote of 15 to 0.

**36941** – Commissioner Hershberger entered a motion for conditional approval of 36941. Commissioner Compton seconded the motion. The motion passed with a vote of 15 to 0.

**Accreditor and Course Approval:**

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 1016.0, 1030.0, 1031.01032.01029.0, 1018.0, 1037.0, 1040.0, and 1041.0. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 15 to 0.

Commissioner Dean entered a motion to conditionally approve advanced accredited course, 1042.0. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 15 to 0.

Commissioner Dean provided detail from the POC on course 1036.0 and advised it was originally recommended that the Commission defer taking action, in order to allow the course provider to provide a functioning link for all members to review the presentation. She stated this has been completed, and would recommend approval at this time.

Commissioner Dean entered a motion to approve for Commission action advanced accredited course, 1036.0. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 15 to 0.

Commissioner Dean entered a motion to deny advanced accredited course, 1028.0. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 15 to 0.

**Pending administratively approved updated courses for recommendation:**

Commissioner Dean entered a motion to approve administratively approved updated courses 653.3 and 817.2. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 15 to 0.

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

Commissioner Dean entered a motion to approve self affirmed one change updated course 292.2. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 15 to 0.

**Legal Report:**

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

Mr. Vogel advised the changes to Rule 61G20-2.001 and the repeal of 61G20-3.010 have both been submitted for adoption.

**Committee Reports:**

**Education Program Oversight Committee:**

Commissioner Dean provided a brief summary of the Education POC's February 2, 2021 teleconference meeting.

Commissioner Dean entered a motion to accept the report from the February 2, 2021, teleconference meeting. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 15 to 0.

**Hurricane Research Advisory Committee:**

Jeff Blair provided a brief summary of the Hurricane Research Advisory Committee's January 28, 2021 teleconference meeting.

Commissioner Compton entered a motion to approve the report of the Hurricane Research Advisory Committee's January 28, 2021 teleconference meeting. Commissioner Dean seconded the motion. The motion passed unanimously with a vote of 15 to 0.



**Product Approval Program Oversight Committee:**

Commissioner Hershberger provided a brief summary of the Product Approval POC's February 2, 2021 teleconference meeting.

Commissioner Hershberger entered a motion to approve the report of the Product Approval POC's February 2, 201 teleconference meeting. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 15 to 0.

**Commission Comments: None**

**Public Comment: None**

**Adjournment:**

Chairman Schock stated the next meeting will be April 13, 2021 by teleconference/webinar. In addition, Chairman Schock advised there will be new Commissioner training after the adjournment of this meeting and anyone who would like to stay on the line in addition to the new Commissioners would be welcome to participate. Chairman Schock said there being no further business before the Commission at this time he would adjourn the Commission meeting. The meeting adjourned at 10:00 a.m.

**New Commissioner Training:**

Mr. Modani provided a detailed Power Point presentation of the product approval process and requirements.

**Participant Questions: None**

Mr. Madani provided a detailed Power Point presentation of the Accessibility Waiver process and requirements.

**Participant Questions: None**

**Public Comment:** Mr. Del Vecchio, Chairman of the Accessibility Advisory Council, stated that Mr. Madani and the staff do a good job with the Council. He also asked for a copy of the presentation to be sent to all Council members.

Mr. Madani stated he would send the requested document to the Accessibility Advisory Council members.

There were no further questions or comments, and Chairman Schock ended the training session at 10:45 a.m.