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Plenary Session

APRIL 15, 2025

8:30 A.M.

Minutes

COMMISSIONERS PRESENT:

Michael Bourré, Chairman
James Batts
Donald Brown
David Compton
John Garra
Rodney Hershberger
David John

Brian Langille
Asael Marrero
Brad Schiffer
Fred Schilling
Brian Swope
Tim Tolbert

COMMISSIONERS NOT PRESENT:

Jim Schock

STAFF PRESENT:

Alan Burke
Melissa Campos
Sabrina Evans
Jim Hammers

Marlita Peters
Mo Madani
Justin Vogel

MEETING FACILITATION:

The meeting was facilitated by Jeff Blair from Facilitated Solutions, LLC. Consultation, Process Design & Facilitation. Information at: facilitatedsolutions.org

Time: 8:30 a.m.

Chairman Bourré welcomed the Commissioners, staff, and members of the public to the April 15, 2025, web-based and teleconference virtual plenary session of the Florida Building Commission.

Chairman Bourré stated the primary focus of the April meeting is to consider our regular procedural matters, updates, briefings, product and course approvals, waivers, petitions, and reports, and to conduct needed rule development initiatives.

Chairman Bourré explained that as always, we will provide an opportunity for public comment on each of the Commission's substantive discussion topics. Public comments will be limited to 3 minutes per person. Public input is welcome but should be offered before the Commission begins discussion or there is a formal motion on the floor. If you want to comment on a specific substantive Commission agenda item [no public comment on reports or updates], please use the Raise Hand Icon when the facilitator invites members of the public to speak at the appropriate time(s) during the meeting.

Roll Call:

Mr. Blair performed a roll call for the Florida Building Commission. A quorum was determined with 13 members present at roll call.

Agenda Approval:

Commissioner Schilling entered a motion to approve the agenda for today's meeting as amended, to move the order of Dr. Prevatt's presentation earlier in the meeting. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 13 to 0.

Approval of Previous Meeting Minutes and Facilitator Report for February 11, 2025:

Commissioner Brown entered a motion to approve the minutes from February 11, 2025, as posted. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 13 to 0.

Interim Report Regarding Survey of Building Damage from Hurricane Helene and Hurricane Milton:

Staff:

Dr. David Prevatt, UF, provided the Commission with an update regarding UF's preliminary assessment of building damage from Hurricane Helene and Hurricane Milton.

Discussion:

Members of the Commission, Dr. David Prevatt, and staff went into discussion with questions and comments.

Public Comment:

Member of the public identified as “Kevin” asked a question.

Eric Stafford, IBHS, provided a comment.

Motion:

Commissioner Hershberger entered a motion to accept UF’s updated preliminary assessment of building damage from Hurricane Helene and Hurricane Milton. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 13 to 0.

Commissioner Brown left the meeting, making the quorum 12 members present.

Chairman’s Discussion Issues and Recommendations:

TAC Appointments:

Hurricane Research Advisory Committee

Chairman Bourré appointed Korah Parackal to replace Dr. Anne Cope on the HRAC. Chairman Bourré thanked Mr. Parackal for agreeing to serve and welcomed him to the Committee and thanked Dr. Anne Cope for her service to the citizens of Florida.

Fire Technical Advisory Committee

Chairman Bourré appointed Deborah Nutter to the Fire TAC to replace Bob Boyer who rolled off the TAC. Chairman Bourré thanked Ms. Nutter for agreeing to serve and welcomed her to the TAC and thanked Mr. Bob Boyer for his service to the citizens of Florida.

Special Occupancy Technical Advisory Committee

Chairman Bourré appointed Anthony Jusevitch to the Special Occupancy TAC to replace Bob Vincent who rolled off the TAC. Chairman Bourré thanked Mr. Jusevitch for agreeing to serve and welcomed him to the TAC and thanked Mr. Bob Vincent for his service to the citizens of Florida.

Swimming Pool Technical Advisory Committee

Chairman Bourré appointed Don Cesarone to the Swimming Pool TAC to replace Jim LePetrie who rolled off the TAC. Chairman Bourré thanked Mr. Cesarone for agreeing to serve and welcomed him to the TAC and thanked Mr. Jim LePetrie for his service to the citizens of Florida.

Future Commission Meetings:

Chairman Bourré reminded the Commission that the next meeting will be June 10, 2025, and will be conducted as a web and teleconference-based virtual meeting.

- August 12, 2025 – Onsite Location TBD
- October 14, 2025 – Web-Based and Teleconference Virtual Meeting
- December 9, 2025 – Onsite Location TBD

Milestones:

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

Proposed Bills: Bill 2025 Legislative Session

Mr. Madani provided an update on the pending bills impacting the Commission and/or the Code.

Bill Matrix:

- 1) HB 551/SB1078 Fire Prevention
- 2) HB 695/SB1474 Private Provider Building Inspection Services
- 3) SB 610/No related bill Mental Health Support Residences
- 4) SB 838/No related bill Florida Building Code
- 5) SB 902/HB 1511 Panelized Construction
- 6) HB 207/SB 1788 Door Alarms for Multifamily Residential Properties
- 7) SB 1082/ No related bill Building Inspection
- 8) SB 1128/ No related bill Building Permits for a Single-family Dwelling
- 9) SB 1134/ No related bill Alternative Plans Review and Inspections
- 10) HB 299/ SB 960 Elevator Accessibility Requirements
- 11) SB 690/ No related bill Condominium Structural Integrity Reserve Studies
- 12) SB 62/ HB 143 Resilient Buildings
- 13) SB 1452 Department of Business and Professional Regulation
- 14) DB 1742 Condominium and Cooperative Associations
- 15) HB 1535/HB1041/HB1336/SB/176/SB/180/SB 1566 Emergencies
- 16) SB 1626 Child Welfare
- 17) HB 683/SB 712 Construction Regulation

18) HB 1071 Alternative Plans Reviews and Inspection

Motion:

No Action.

Discussion:

Members of the Commission and staff went into discussion with questions and comments.

Florida Building Code, 9th Edition, (2026) Update- Workplan Status:

Mr. Madani provided details on the updated Workplan and Schedule for the development of the 2026 Code Update Process – 9th Edition (2026), Florida Building Code.

Motion:

Commissioner Garra entered a motion to approve the updated Workplan and Schedule for development of the 9th Edition (2026), Florida Building Code. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 12 to 0.

TAC Revised Code Review and Recommendations Processes and Commission Code Review and Approval Process Approval:

- 1) **TAC Revised Preliminary Recommendations to the Commission Code Amendments Review Process**
- 2) **TAC Revised Final Recommendations to the Commission Code Amendments Review Process**
- 3) **Commission Revised Code Amendments Review and Approval Process**

Mr. Blair reviewed the proposed revision to the TACs' Preliminary Recommendations to the Commission Code Amendments Review Process.

Motion:

Commissioner Compton entered a motion to adopt the revised TAC Preliminary Recommendations to the Commission Code Amendments Review Process, the revised TAC Final Recommendations to the Commission Code Amendments Review Process, and the revised Commission Code Amendments Review and Approval Process for development of the 9th Edition (2026), Florida Building Code. Commissioner Hershberger seconded the motion. The motion passed unanimously with a vote of 12 to 0.

Rule Workshop on Rule 61G20-1.001, F.A.C.: Glitch Amendments to the 8th Edition (2023) FBC:

Mr. Blair reviewed the procedural sequencing for the Commission's consideration of the proposed glitch amendment and/or errata to the 8th Edition (2023), FBC.

1) Chapter 1 Scope and Administration 105.3.4.1

Mr. Madani provided details of the proposed glitch amendment for Chapter 1 Scope and Administration.

Public Comment:

Jamie Gascon, Miami-Dade, asked the staff a question.

Mr. Madani provided an answer to Mr. Gascon's question.

Motion:

Commissioner Compton entered a motion to approve the proposed glitch amendment. Commissioner John seconded the motion. The motion passed unanimously with a vote of 12 to 0.

2) Chapter 33 Safeguards during construction Section 3303 Demolition

Mr. Madani provided details on the proposed glitch amendment Chapter 33 Safeguards during construction Section 3303 Demolition.

Motion:

Commissioner John entered a motion to approve the proposed glitch amendment. Commissioner Garra seconded the motion. The motion passed unanimously with a vote of 12 to 0.

Motion:

Commissioner John entered a motion to incorporate the Commission's approved glitch amendments into the 8th Edition (2023), Florida Building Code, to publish a Notice of Proposed Rule for Rule 61G20-1.001, and subsequently to proceed with rule adoption, and to delegate authority to Alan Burke to sign rulemaking documents on behalf of the Commission. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 12 to 0.

Product Approval:

2023 Code:

Commissioner Hershberger stated there were 18 product approval entities on the consent agenda for approval for the 2023 code.

Motion:

Commissioner Hershberger entered a motion to approve the 18 product approval entities for the 2023 code. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 12 to 0.

Commissioner Hershberger stated there are 175 product approval applications on the consent agenda for approval.

Motion:

Commissioner Hershberger entered a motion to approve the 175 product approval applications on the consent agenda. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 12 to 0.

Products with Comments:

Mr. Blair stated there were 3 products on the consent agenda for approval:

Motion:

Commissioner Hershberger entered a motion to recommend conditionally approving products FL33106 R-15, FL29699 R-6, and FL47315 based on the conditions recommended by DBPR staff. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 12 to 0.

Applications for Accreditor and Course Approval:

Commissioner Langille stated there was 1 advanced accredited course recommended for approval 1316.0.

Motion:

Commissioner Langille entered a motion to approve 1 advanced accredited course 1316.0. Commissioner John seconded the motion. The motion passed unanimously with a vote of 12 to 0.

Commissioner Langille stated there the Education POC is recommending denial for 1 administratively affirmed with one change updated course number: 1088.1.

Motion:

Commissioner Langille entered a motion to deny for 1 administratively affirmed with one change updated course number: 1088.1. Commissioner John seconded the motion. The motion passed unanimously with a vote of 11 to 0. Commissioner Tolbert refrained from voting, since the course was his.

Application for waiver from Accessibility Requirements:

- 1) **2746 Park St, LLC-Waiver 692-** 2746 Park Street, Jacksonville 32205- **ISSUE:** Vertical Accessibility to the second floor.

Mr. Vogel presented the waiver and advised that the council recommended granting the waiver for vertical accessibility to the second floor on the grounds of economic hardship.

Motion:

Commissioner Schilling entered a motion to grant the waiver for vertical accessibility on the grounds of economic hardship. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 12 to 0.

- 2) **IKO Clay Hill -Waiver 697-** 6598 County Road 218, Maxville 32234 -**ISSUE:** Vertical Accessibility to the second floor.

Mr. Vogel presented the waiver and advised that the council recommend denial on the grounds that the project in question is new construction.

Motion:

Commissioner Schiffer entered a motion to deny the waiver on the grounds that the project in question is a new construction. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 12 to 0.

- 3) **Tenant Separation 1st/2nd Floor for 1112 SE 9th LN, Waiver 714** -1112 SE 8th Ln, Cape Coral 33990-**ISSUE:** Vertical Accessibility to the second floor.

Mr. Vogel presented the waiver and advised that the council recommended granting the waiver for vertical accessibility to the second floor on the grounds of economic hardship.

Motion:

Commissioner Schiffer entered a motion to grant the waiver for vertical accessibility on the grounds of economic hardship. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 12 to 0.

4) Alterations and Legalization at 1820-Waiver 708- 1820 SW 3 Ave., Miami 33129-
Issue: Vertical Accessibility to the second floor.

Mr. Vogel presented the waiver and advised that the council recommended granting the waiver for vertical accessibility to the second floor on the grounds of economic hardship.

Motion:

Commissioner Schilling entered a motion to grant the waiver for vertical accessibility to the second floor on the grounds of economic hardship. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 12 to 0.

5) Grow Healthy Dispensary -Waiver 706- 19510 US-1, Tequesta 33477- **ISSUE:**
Vertical Accessibility to the second floor.

Mr. Vogel presented the waiver and advised that the council recommended granting the waiver for vertical accessibility to the second floor on the grounds of economic hardship.

Representative:

Larry Schneider, Accessibility Consultant, stated he is present to answer any questions.

Motion:

Commissioner Schilling entered a motion to grant the waiver for vertical accessibility to the second floor on the grounds of economic hardship. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 12 to 0.

Legal Report:

Mr. Vogel stated there were no legal matters to report.

Declaratory Statements:

DS 2025-003 by Kyle Davis of Coburn and Associates

Staff:

Mr. Vogel provided a brief description of the petition for declaratory statement.

Mr. Madani provided staff analysis and answers.

Motion:

Commissioner Schilling moved to adopt the Plumbing TAC's recommendation that the Commission adopt staff's analysis as revised by the Plumbing TAC regarding the question presented in the Petition. Commissioner Garra seconded the motion. The motion passed unanimously with a vote of 12 to 0.

Committee Report:

Education Program Oversight Committee:

Commissioner Langille provided a brief summary of the Education POC's March 28, 2025, meeting.

Motion:

Commissioner Langille entered a motion to accept the report of the March 28, 2025, meeting. Commissioner John seconded the motion. The motion passed unanimously with a vote of 12 to 0.

Energy Technical Advisory Committee:

Mr. Madani provided a brief summary of the Energy TAC's February 20, 2025, meeting.

Motion:

Commissioner John entered a motion to accept the report of the February 20, 2025, meeting. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 12 to 0.

Hurricane Research Advisory Committee:

Mr. Blair provided a brief summary of the Hurricane Research Advisory Committee's March 11, 2025, meeting.

Motion:

Commissioner Compton entered a motion to accept the report of the March 11, 2025, meeting. Commissioner Garra seconded the motion. The motion passed unanimously with a vote of 12 to 0.

Plumbing Technical Advisory Committee:

Commissioner Schilling provided a brief summary of the Plumbing TAC's March 28, 2025, meeting.

Motion:

Commissioner Schilling entered a motion to accept the report of the March 28, 2025, meeting. Commissioner Garra seconded the motion. The motion passed unanimously with a vote of 12 to 0.

Product Approval Program Oversight Committee:

Commissioner Hershberger provided a brief summary of the Product Approval POC's March 31, 2025, meeting.

Motion:

Commissioner Hershberger entered a motion to accept the report from the March 31, 2025, meeting. Commissioner Compton seconded the motion. The motion was passed unanimously with a vote of 12 to 0.

Commissioner's Comment:

None.

Public Comment:

None.

Adjourn Commission Plenary Session:

Chairman Bourré stated the June 10, 2025, meeting will focus on the Commission's regular procedural and substantive issues, and any needed rule development initiatives. The June meeting will be conducted as a Web-Based and Teleconference Virtual Meeting. The meeting was adjourned at 10:42 a.m.