



**FLORIDA
BUILDING
COMMISSION**

"STRONGER CODES THROUGH SCIENCE AND CONSENSUS"



**FACILITATOR'S SUMMARY REPORT OF THE
MAY 12, 2017**

TELECONFERENCE MEETING

TALLAHASSEE, FLORIDA

PROCESS DESIGN, CONSENSUS-BUILDING AND FACILITATION BY



CONSENSUS CENTER

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FLORIDA BUILDING COMMISSION

MAY 12, 2017 TELECONFERENCE MEETING SUMMARY REPORT



OVERVIEW OF COMMISSION'S KEY ACTIONS AND DECISIONS

FRIDAY, MAY 12, 2016

OPENING AND MEETING ATTENDANCE

The meeting was opened at 2:00 PM, and the following Commission members participated:

Hamid Bahadori, James Batts, Bob Boyer, Donald Brown, Kelly Smith Burk, Oscar Calleja, David Compton, Nan Dean, Shane Gerwig, David Gilson, Richard Goff, Jeff Gross, Robert Hamberger, Brian Langille, Brad Schiffer, Frederick Schilling, Jim Schock, Drew Smith, Jeff Stone, and Diana Worrall. [19 of 27 seated Commissioners participated]

Absent Commissioners:

Dick Browdy (Chair), Steve Bassett, Jay Carlson, Kevin Flanagan, Charles Frank, Darrell Phillips, and Brian Swope.

DBPR Staff Present

Tom Campbell, Nick DuVal, Jim Hammers, Chris Howell, Mo Madani, and Justin Vogel.

Public Present

Dick Wilhelm.

Meeting Facilitation

Commission meetings are facilitated by Jeff Blair from the FCRC Consensus center at Florida State University. Information at: <http://consensus.fsu.edu/>



PROJECT WEBPAGE

Information on the Florida Building Commission project, including agenda packets, meeting reports, and related documents may be found at the Commission Webpage. Located at the following URL: <http://floridabuilding.org/c/default.aspx>

STATEMENT OF TELECONFERENCE PARTICIPATION PROCESS

Jeff Blair reviewed the teleconference participation process with participants reminding them that it is important to keep their phones on mute to minimize background noise, not to put their phones on hold, and to wait until invited to speak to avoid confusion and chaos. Jeff emphasized that all participants will have ample time to speak on all agenda items. Participants were reminded to state their names each time they speak.

AGENDA REVIEW AND APPROVAL

The Commission voted unanimously, 18 - 0 in favor, to approve the agenda for the May 12, 2017 teleconference meeting as amended*. Following are the key agenda items approved for consideration:

- To approve the agenda.
- To receive and consider a report of Legislative activities relevant to the Commission and the future conference call date.
- To review Letter of Certification of Equivalence to DOE - latest draft of the residential energy building code “6th Edition (2017) Florida Building Code, Energy Conservation” to the updated edition of the 2015 International Energy Conservation Code (IECC).
- 6th Edition (2017) Florida Building Code - Review and accept list of correlation items which consist of proposed editorial changes and proposed code fixes as per the 2017 legislative directive.
- To review and accept interim draft report for the research project titled “Survey and Investigation of Building Damaged by Category II Hurricane in FY 2016-17 – Hurricane Mathew 2016”.
- To hear public comment.
- To identify needed next steps.

Agenda Amendments:

*Moved Agenda Item #6 (Code errata and fixes) before Agenda Item #5 (Interim Report on Hurricane Matthew Building Damage).

The agenda and relevant linked attachments are available at the following URL:

http://www.floridabuilding.org/fbc/commission/fbc_0617/FBC_Agenda_05-12-17.htm

(Attachment I—Agenda)

MEETING SUMMARY AND OVERVIEW

At the May 12, 2017 Telephonic Commission meeting the Commission received an update regarding issues from the 2017 Legislative Session impacting the Florida Building Code System. Specific actions included voting unanimously: to certify to the DOE that the residential building provisions of the proposed 6th Edition Florida Building Code (2017), Energy Conservation (FEC), will meet or exceed the 2015 International Energy Conservation Code, for low-rise residential buildings; and, to approve the draft certification letter linked to the FBC Agenda with authorization for staff to make editorial revisions as needed; to accept the Interim Report titled: “Survey and Investigation of Buildings Damaged by Category III Hurricanes in FY 2016-17—Hurricane Mathew;” and, to adopt the legislative provisions specified in the supplement that become effective on July 1, 2017, to incorporate staff’s correlations specified in the supplement into the Draft 6th Edition Florida Building Code (2017), to authorize the Department of Business & Professional Regulation to publish a Notice of Proposed Rule for Rule 61G20-1.001, to proceed with the adoption of Rule 61G20-1.001, and to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of the Chairman of the Florida Building Commission.

LEGISLATIVE UPDATE 2017 SESSION

Tom Campbell provided the Commission with an update on issues from the 2017 Legislative Session impacting the Florida Building Code System. Tom reported that the 2017 Legislative Session concluded on Monday, May 8, 2017 and as a result the status of all Commission relevant bills was resolved, pending any alternative action(s) from the Governor. Tom provided the Commission with an update regarding HB 241, HB 727, HB 741, and SB 1021 noting that all of the relevant bills were linked to the May 12, 2017 FBC Agenda on the BCIS.

Relevant key Building Code System amendments are summarized below:

HB 241: amends Section 553.793, F.S. to add low-voltage electric fences to the “low-voltage alarm system project” provisions of the Code.

HB 727: creates Section 553.5141, F.S. regarding certifications of conformity and remediation plans by authorizing qualified experts to advise and provide certain inspections for places of public accommodation relating to the Americans with Disabilities Act; authorizing certain owners of a place of public accommodation to file a certificate of conformity or remediation plan with the Department of Business and Professional Regulation; and, requiring DBPR to develop and maintain a website for the registry.

HB 741: amends Section 553.721, F.S. to reduce the surcharge assessed for building permits from 1.5% to 1%.

SB 1021’s provisions include but are not limited to the following: amending Section 553.73, F.S. regarding the method the Commission shall use to amend the Florida Building Code for the triennial update process; reducing a favorable TAC recommendation from three-fourths to two-thirds; providing that the Commission must use at least a two-thirds favorable voting threshold to approve Code modifications and updates; provides that water conservation practices or design criteria adopted by local technical amendment do not automatically sunset if not added to the Code with the adoption of updated Code versions; requires that the Commission may not adopt the 2016 version of the American Society of Heating, Refrigerating and Air-Conditioning Engineers Standard 9.4.1.1 (g); requires that the Commission may not adopt any provisions that requires a door located in the opening between a garage and a single-family residence to be equipped with a self-closing device;

eliminates duplicative commissioning reporting requirements for HVAC and electrical systems; and, requires the Commission to amend the Florida Building Code, Residential to allow for the substitution of door components pursuant to the provisions in SB 1021.

LETTER OF CERTIFICATION OF EQUIVALENCE TO DOE—6TH EDITION FLORIDA BUILDING CODE (2017), ENERGY CONSERVATION FOR RESIDENTIAL BUILDINGS TO THE 2015 IECC

Jeff Blair noted that with each update to the Florida Building Code, Energy Conservation, the Commission must certify to the Department of Energy (DOE) that the State's latest Code meets or exceeds the Federal energy requirements. Jeff indicated that the Commission was ready to certify to the DOE that the residential building provisions of the proposed 6th Edition (2017) Florida Building Code, Energy Conservation (FEC), will meet or exceed the 2015 International Energy Conservation Code, for low-rise residential buildings.

A technical analysis by the University of Central Florida's Florida Solar Energy Center (FSEC-CR-2061-17), which included qualitative assessment of the 6th Edition Florida Building Code's (2017) proposed code modifications impact on energy efficiency of residential buildings in the State of Florida and quantitative analysis of the code modifications' impact using simulations, shows that when assuming that 92% or more of the residential projects in Florida comply via the performance method, the 2017 FEC would meet or slightly exceed the stringency of the 2015 IECC in the State as a whole.

In addition, the Energy TAC met on May 10, 2017 to review FSEC's analysis and voted unanimously to recommend that the Commission certify to the Department of Energy that the residential building provisions of the proposed 6th Edition Florida Building Code (2017), Energy Conservation (FEC), will meet or exceed the 2015 International Energy Conservation Code, for low-rise residential buildings.

Following an opportunity for questions and answers, public comment and discussion, the Commission took the following action:

Commission Actions:

MOTION—The Commission voted unanimously, 19 – 0 in favor, to certify to the DOE that the residential building provisions of the proposed 6th Edition Florida Building Code (2017), Energy Conservation (FEC), will meet or exceed the 2015 International Energy Conservation Code, for low-rise residential buildings; and, to approve the draft certification letter as revised and linked to the FBC Agenda with authorization for staff to make editorial revisions as needed.

(Attachment II—DOE Certification Letter)

APPROVAL OF EDITORIAL CHANGES AND CODE FIXES PURSUANT TO 2017 LEGISLATIVE DIRECTIVE FOR THE 6TH EDITION FLORIDA BUILDING CODE (2017)

Jeff Blair indicated that in order to incorporate Errata and Code Fixes pursuant to Legislative direction from SB 1634, HB 241, and HB 1021 the Commission needed to amend the adopted version of the 6th Edition Florida Building Code (2017). Mo Madani reviewed the Errata and Supplement files with the Commission and answered members' questions.

Following an opportunity for questions and answers, public comment and discussion, the Commission took the following action:

Commission Actions:

MOTION—The Commission voted unanimously, 19 – 0 in favor, to adopt the Errata as presented/posted.

MOTION—The Commission voted unanimously, 19 – 0 in favor, to adopt the Supplement implementing Code provisions pursuant to SB 1634 as presented/posted.

MOTION—The Commission voted unanimously, 19 – 0 in favor, to adopt the Supplement implementing Code provisions pursuant to HB 241 as presented/posted.

MOTION—The Commission voted unanimously, 19 – 0 in favor, to adopt the Supplement implementing Code provisions pursuant to HB 1021 as presented/posted.

MOTION—The Commission voted unanimously, 19 – 0 in favor, to adopt the legislative provisions specified in the supplement that become effective on July 1, 2017, to incorporate staff’s correlations specified in the supplement into the Draft 6th Edition Florida Building Code (2017), to authorize the Department of Business & Professional Regulation to publish a Notice of Proposed Rule for Rule 61G20-1.001, to proceed with the adoption of Rule 61G20-1.001, and to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of the Chairman of the Florida Building Commission.

ACCEPTANCE OF INTERIM REPORT INVESTIGATING HURRICANE MATHEW’S DAMAGE TO BUILDINGS

Vice-Chairman Schock noted that the Department has an annual contract with UF to investigate storm damage in the event a Category III hurricane impacts Florida (Titled: “Survey and Investigation of Buildings Damaged by Category III Hurricanes”). The Vice-Chair noted that as reported at the October 2016 meeting, UF deployed their Building Codes Triage Team to investigate and collect buildings damage data from the impacts of Hurricane Matthew, and that the focus of the investigations was primarily for residential construction. At the October 2016 meeting the Commission expressed support for UF conducting follow-up research from the impacts of Hurricane Matthew, and DBPR staff contracted with UF to follow-up as requested. The result of the follow-up research is described in UF’s Interim Report titled: “Survey and Investigation of Buildings Damaged by Category III Hurricanes in FY 2016-17—Hurricane Mathew.”

The Vice-Chair invited Dr. David Prevatt from UF to provide the Commission with an overview of the Interim Report and answer Commissioner questions.

Following an opportunity for questions and answers, public comment and discussion, the Commission took the following action:

Commission Actions:

MOTION—The Commission voted unanimously, 19 – 0 in favor, to accept the Interim Report titled: “Survey and Investigation of Buildings Damaged by Category III Hurricanes in FY 2016-17—Hurricane Mathew.”

GENERAL PUBLIC COMMENT

Members of the public were offered an opportunity to provide comment during each of the Commission's substantive discussion agenda items. In addition, Vice-Chairman Schock invited members of the public to address the Commission on any issues under the Commission's purview.

There were no general public comments offered.

ADJOURN

The Vice-Chair thanked Commission members, staff and the public for their participation, and following a second roll call confirming a quorum (all 19 members were present), adjourned the meeting at 3:10 PM on Friday, May 12, 2017.

ATTACHMENT I
MEETING AGENDA

FLORIDA BUILDING COMMISSION
PLENARY SESSION CONFERENCE CALL/WEBINAR
TALLAHASSEE, FLORIDA
MAY 12, 2017, 2:00 P.M.

MEETING OBJECTIVES

- To Approve the agenda
- To Receive and Consider a Report of Legislative Activities Relevant to the Commission
- To Review Letter of Certification of Equivalence to DOE - latest draft of the residential energy building code “6th Edition (2017) Florida Building Code, Energy Conservation” to the updated edition of the 2015 International Energy Conservation Code (IECC).
- To review and accept interim draft report for the research project titled “Survey and Investigation of Building Damaged by Category II Hurricane in FY 2016-17 – Hurricane Mathew 2016”.
- 6th Edition (2017) Florida Building Code - Review and accept list of correlation items which consist of proposed editorial changes and proposed code fixes as per the 2017 legislative directive.
- To Hear Public Comment
- To Identify Needed Next Steps

MEETING AGENDA—MAY 12, 2017

All Agenda Times—including Adjournment—are Approximate and Subject to Change

2:00 p.m.	1.)	Welcome and Opening, Roll Call
	2.)	Review and Approval of Meeting Agenda
	3.)	Legislative Update Bills: Matrix: Bill Matrix
	4.)	Review Letter of Certification of Equivalence to DOE - latest draft of the residential energy building code “6th Edition (2017) Florida Building Code, Energy Conservation” to the updated edition of the 2015 International Energy Conservation Code (IECC).
	5.)	Review and accept interim draft report for the research project titled “Survey and Investigation of Building Damaged by Category II Hurricane in FY 2016-17 – Hurricane Mathew 2016”
	6.)	6th Edition (2017) Florida Building Code - Review and accept list of correlation items which consist of proposed editorial changes and proposed code fixes as per the 2017 legislative directive.
	7.)	Public Comment
	8.)	Identify Needed Next Steps
	9.)	<i>Adjourn</i>

ATTACHMENT II
DOE CERTIFICATION LETTER

May 12, 2017

ATTN: Building Energy Codes Program
Office of Energy Efficiency and Renewable Energy, EE-2J
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585-0121

To Whom It May Concern:

Title III of the Energy Conservation and Production Act, as amended (42 U.S.C. 6831-6837), requires states to certify to the U.S. Department of Energy (DOE) that they have reviewed the energy provisions of their building code, held public hearings and made a determination as to whether their code meets or exceeds the national code within two years of federal notice. In the June 11, 2015, edition of the Federal Register (Federal Register Number 2015-14297), the U.S. Department of Energy noticed that the 2015 edition of the International Energy Conservation Code (IECC) would achieve greater energy efficiency in buildings than the 2012 edition of that Code.

The Florida Building Commission, which has statutory authority to administer the *Florida Building Code* (s. 553.72(3), *Florida Statutes*), met on May 12, 2017, and voted to certify that the residential building provisions of the proposed 6th Edition (2017) *Florida Building Code, Energy Conservation (FEC)*, will meet or exceed the 2015 *International Energy Conservation Code*, for low-rise residential buildings.

Florida has been working since August 2013, toward producing the 6th Edition (2017) *Florida Building Code, Energy Conservation*, which will utilize the 2015 *International Energy Conservation Code as its base document*. A triennial code change cycle has produced a variety of approved energy code changes, which have undergone significant public review. That effort has resulted in a document that clearly reflects the 2015 IECC as its model. A code change meeting was held on August 16, 2016, in Ft. Lauderdale, Florida, to accept public input regarding the modifications “supplement” to the model code (2015 International Codes) approved by the Florida Building Commission’s Technical Advisory Committees. The combination of the “supplement” modifications approved on August 16, 2016 and foundation code “2015 I-Code” will become the next edition of the *Florida Building Code*. This edition will take effect on December 31, 2017 to allow time for publication, training and dissemination (see attached draft supplement to the 2015 IECC) and the draft 6th Edition (2017) Florida Building Code, Energy Conservation.

Finally, analysis by the Florida Solar Energy Center (FSEC–CR-2061-17), which included qualitative assessment of the proposed code modifications’ impact on energy efficiency of residential buildings in the State of Florida and quantitative analysis of the code modifications impact using simulation, shows that when assuming that 92% or more of the residential projects in Florida comply via the performance method, the 2017 FEC would meet or slightly exceed the stringency of the 2015 IECC in the State as a whole (see attached FSEC-CR-2019-16).

Should you have questions regarding the Commission’s findings, please contact Mo Madani, Technical Director with the Florida Department of Business and Professional Regulation (850) 717-1825, mo.madani@myfloridalicense.com.