

**FLORIDA BUILDING COMMISSION  
HILTON OCALA  
3600 S.W. 36<sup>TH</sup> AVENUE  
OCALA, FLORIDA 34474  
Plenary Session  
April 4, 2017  
8:30 AM**

**MINUTES**

**COMMISSIONERS PRESENT:**

Dick Browdy, Chairman	Shane Gerwig
Hamid Bahadori	David Gilson
James Batts	Richard Goff
Steve Bassett	Jeff Gross
Bob Boyer	Brian Langille
Kelley Smith Burk	Darrell Phillips
Oscar Calleja	Bradley W. Schiffer
Jay Carlson	Frederick Schilling
David Compton	Drew Smith
Nan Dean	Jeff Stone
Kevin Flanagan	Brian Swope
Charles Frank	James Schock
Diana Worrall	

**COMMISSIONERS NOT PRESENT:**

Donald Brown	Robert Hamberger
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**OTHERS PRESENT:**

Thomas Campbell	Nick DuVal
Mo Madani	Justin Vogel
Chris Burgwald	Marlita Peters
Chip Sellers	Jim Hammers

**MEETING FACILITATION:**

The meeting was facilitated by Jeff Blair from the FCRC Consensus Center at Florida State University. Information at: <http://consensus.fsu.edu/>

**Welcome:**

**Time: 8:30 am**

Chairman Browdy welcomed Commissioners, staff, and members of the public to Ocala and the April 4, 2017 plenary session of the Florida Building Commission. He 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, the primary focus of the April meeting is to conduct an additional rule development workshop on the 6th Edition (2017) Florida Building Code.

Chairman Browdy 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 Browdy 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 Browdy asked that all please remember to keep all electronic devices turned off or in a silent mode and thanked them for their cooperation.

Chairman Browdy stated that there are also buff colored "*Public Comment Forms*" on the speakers' table that can be used to provide written comments. He said all written comments will be included in the Facilitator's Summary Report and asked that they please give their completed "*Public Comment Forms*" to Jeff Blair.

Chairman Browdy advised that some of the licensing boards located within the Department of Business and Professional Regulation have adopted rules regarding continuing education credits for attending Florida Building Commission meetings and/or Technical Advisory Committee meetings and stated if your board participates you may sign-in on the kiosk laptop provided in the meeting room.

**Roll Call:**

Chairman Browdy asked that Jeff Blair perform roll call, a quorum was met with 25 members present.

**Agenda Review and Approval:**

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

Jeff Blair welcomed participants to the April Plenary Session and introduced the agenda. He advised that there was a request to extract the Legislative Report from item 5 on the agenda and place it separately after the rule workshop.

A motion was entered by Commissioner Schilling to approve the agenda as amended. The motion was seconded by Commissioner Schiffer. The motion passed unanimously 25 to 0 in favor.

**Approval of the February 7, 2017 Facilitator's Summary Report and Meeting Minutes and March 24, 2017 teleconference minutes:**

Chairman Browdy requested a motion for approval of the February 7, 2017 Facilitator's Summary Report and Meeting Minutes and March 24, 2017 teleconference minutes.

Commissioner Schilling entered a motion to approve the February 7, 2017 Facilitator's Summary Report and Meeting Minutes and March 24, 2017 teleconference minutes as presented. The motion was seconded by Commissioner Schiffer. The motion passed unanimously with a vote of 25 to 0 in favor.

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

**Appointments:**

**TAC/POC Appointments**

**Electrical TAC:**

Chairman Browdy appointed Vince Della Croce to the Electrical TAC to replace Dwight Wilkes who is retiring and rolling off of the TAC. He thanked Dwight for his many years of excellent service, and welcomed Mr. Della Croce.

**Appointments (cont.):**

**Plumbing TAC:**

Chairman Browdy appointed Isaac Kovner to the Plumbing TAC to replace George Seiler who has rolled off of the TAC. He thanked George for his service, and welcomed Mr. Kovner. Chairman Browdy appointed Jorge Rojas to the Plumbing TAC to replace Jim Bickford who has rolled off of the TAC. He thanked Jim for his service, and welcomed Mr. Rojas. Chairman Browdy appointed Otto Vinas to the Plumbing TAC to replace Joseph Kajak who has rolled off of the TAC. He thanked Joseph for his service, and welcomed Mr. Vinas.

**Roofing TAC:**

Chairman Browdy appointed William Schultz to the Roofing TAC to replace Chuck Goldsmith who has rolled off of the TAC. He thanked Chuck for his service, and welcomed Mr. Schultz.

**Special Occupancy TAC:**

Chairman Browdy appointed Steve Martin to the Special Occupancy TAC to replace Phillip Sanders who has rolled off of the TAC. He thanked Phillip for his service, and welcomed Mr. Martin.

**Swimming Pool TAC:**

Chairman Browdy appointed Jim LePetrie to the Swimming Pool TAC to replace Gordon Shepherdson what has rolled off of the TAC. He thanked Gordon for his service and welcomed Mr. LePetrie.

Chairman Browdy spoke on the importance of attendance at the TAC meetings and the ability for TAC members to appoint an alternate if they cannot attend.

**Commission Milestones:**

Chairman Browdy reminded everyone that the updated Commission Milestones documents are linked to the Agenda.

**Executive Director Announcements and Discussions:**

Mr. Campbell introduced the new legal counsel for the Commission Justin Vogel. He provided Mr. Vogel's experience with the Department. Mr. Campbell asked that all welcome him to the Commission.

**Executive Director Announcements and Discussions (cont.):**

Mr. Campbell advised at JAPC's instruction DBPR is repealing Rule 61-38.001, Florida standard for mitigation of radon in existing buildings. He stated this is an obsolete rule and there is no longer statutory authority for the rule and that the relevant radon standards are now contained in the Florida Building Code as an appendix.

Mr. Campbell continued with the rules review of Section 120.695, F.S. notice of noncompliance; designation of minor violation of rules requires each agency to review all of its rules and designate those for which a violation would be a minor violation and for which a notice of noncompliance must be the first enforcement action taken against a person or business subject to regulation. He stated a violation of a rule is a minor violation if it does not result in economic or physical harm to a person or adversely affect the public health, safety, or welfare or create a significant threat of such harm. Mr. Campbell stated legal has determined that there are sections of two rule chapters that the Commission should review and make a determination regarding whether a violation would be a minor violation.

Mr. Campbell started with Rule 61G20-3, Product Approval. He said specifically: 61G20-3.006 (4)(a-i), Product Validation by Approved Validation Entity for State Approval; and, 61G20-3.013, Revocation or Modification of Product Approvals and Entity Certifications (1)(a-d), (2)(a-e), and (3).

Mr. Campbell stated the next is Rule 61G20-6, Building Code Training Program. Specifically: 61G20-6.002 (2)(a-d), Commission Approval and Accreditation of Advanced Building Code Training Courses.

Mr. Campbell advised that the staff has reviewed the relevant rule sections and does not believe any of the listed violations constitute a minor violation. He stated staff believes there are no minor violations based on the significance of the education and product approval programs and the seriousness of the violations listed in the relevant rule sections.

Chairman Browdy stated if the Commission concurs with the staff recommendation there is no need for any Commission action to be taken.

There was no objection given from the Commission.

**Consideration of Accessibility Waiver Applications:**

Chairman Browdy stated the Commission will now consider this month's requests for accessibility waivers. He advised that Justin Vogel will serve as legal counsel and present the Accessibility Advisory Council's recommendations. Chairman Browdy then asked Mr. Vogel to present the waivers.

**SBS Investment Group Office Building #228** – The Council recommended granting based on economic hardship.

Mr. Vogel presented the waiver.

Commissioner Schock entered a motion to accept the recommendation of the Council to grant based on economic hardship. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**945 E 11<sup>th</sup> Avenue #227** – The Council recommended granting based on economic hardship.

Mr. Vogel presented the waiver.

Commissioner Schock entered a motion to accept the recommendation of the Council to grant based on economic hardship. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**241 Miami LLC #175** – The Council recommended granting based on economic hardship and technical infeasibility.

Mr. Vogel presented the waiver.

Commissioner Schock entered a motion to accept the recommendation of the Council to grant based on economic hardship and technical infeasibility. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**Kellie Alpert #219** - The Council recommended granting based on the historical nature of the building for vertical accessibility only not including restrooms.

Mr. Vogel presented the waiver.

Commissioner Schock entered a motion to accept the recommendation of the Council to grant based on the historical nature of the building for vertical accessibility only not including restrooms. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**Consideration of Accessibility Waiver Applications (cont.):**

**Atlantic Princess Condominium Association, Inc. #225** - The Council recommended granting based on the historical nature of the building.

Mr. Vogel presented the waiver.

Commissioner Schilling entered a motion to accept the recommendation of the Council to grant based on the historical nature of the building. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 24 to 1 with Commissioner Schiffer abstaining due to a working relationship with the architect of record.

**Arede Construction Office Remodeling #181** – The Council recommended granting based on economic hardship.

Mr. Vogel presented the waiver.

Commissioner Schilling entered a motion to accept the recommendation of the Council to grant based on economic hardship. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**A&S Courier International, LLC #196** - The Council recommended denial as the applicant failed to comply with the request for additional information.

Mr. Vogel presented the waiver.

Commissioner Schilling entered a motion to accept the recommendation of the Council to deny as the applicant failed to comply with the request for additional information. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with one Commissioner out of the room during voting.

**1200 Ocean Drive Change of Use #210** - The Council recommended deferral to allow the applicant additional more time to meet with the city.

Mr. Vogel presented the waiver.

Commissioner Schiffer entered a motion to accept the recommendation of the Council to defer to allow application more time to meet with the city. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 24 to 0 with one Commissioner out of the room during voting

**Product and Entity Approval:**

Chairman Browdy 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 35 product approval entities as posted. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 23 to 0 with 2 Commissioners out of the room at the time of the vote.

Commissioner Stone entered a motion to approve the 124 products on the amended consent agenda to the 2014 Code FL 19987-R1 was removed from the list. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 23 to 0 with 2 Commissioners out of the room at the time of the vote.

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

**2291-R9** - Commissioner Stone entered a motion for approval of 2291-R9. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**5582-R4** – Commissioner Stone entered a motion for approval of 5582-R4. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**9951-R-4** - Commissioner Stone entered a motion for approval of 9951-R4. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**12109-R2** - Commissioner Stone entered a motion for conditional approval of 12109-R2. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**14969-R3** - Commissioner Stone entered a motion for conditional approval of 14969-R3. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**15903-R3** - Commissioner Stone entered a motion for conditional approval of 15903-R3. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**16708-R6**- Commissioner Stone entered a motion for approval of 16708-R6. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 25 to 0.



**Product and Entity Approval (cont.):**

**17152-R2** - Commissioner Stone entered a motion for conditional approval of 17152-R2. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**17322-R2** - Commissioner Stone entered a motion for conditional approval of 17322-R2. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**19987-R1** - Commissioner Stone entered a motion for conditional approval of 19987-R1. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**20814-R1** - Commissioner Stone entered a motion for approval of 20814-R1. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**20869-R1** - Commissioner Stone entered a motion for conditional approval of 20869-R1. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**20890** - Commissioner Stone entered a motion for approval of 20890. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**21556** - Commissioner Stone entered a motion for conditional approval of 21556. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**21576-R1** - Commissioner Stone entered a motion for conditional approval of 21576-R1. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**21662** - Commissioner Stone entered a motion for approval of 21662. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**21831** - Commissioner Stone entered a motion for conditional approval of 21831. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**21849** - Commissioner Stone entered a motion for conditional approval of 21849. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**21851** - Commissioner Stone entered a motion for conditional approval of 21851. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**21853** - Commissioner Stone entered a motion for approval of 21853. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**Product and Entity Approval (cont.):**

**21864** - Commissioner Stone entered a motion for conditional approval of 21864. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**21866** - Commissioner Stone entered a motion for conditional approval of 21866. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**21906** – Commissioner Stone entered a motion for conditional approval of 21906. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**DBPR Applications:**

No action is needed from the Commission on the April 2017 DBPR applications.

**Applications For Accreditor And Course Approval:**

Chairman Browdy advised Commissioner Dean would present the Education Program Administrators recommendations regarding applications for accreditor and course approval.

Commissioner Dean entered a motion to approve advanced accredited course 823.0 and administratively approved self-affirmed course 593.0. Commissioner Flanagan seconded the motion. The motion passed unanimously with a vote of 25 to 0.

Commissioner Dean entered a motion to approve the accreditor application from Sean Guthrie. Commissioner Flanagan seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**Legal Report:**

Chairman Browdy stated there were no declaratory statements and asked Legal staff if there were any legal issues to be brought before the Commission.

Mr. DuVal and Mr. Vogel advised that there were no legal issues at this time.

**Rule Development Workshop: Rule 61G20-1.001, F.A.C. 6<sup>th</sup> Edition (2017) Update to the Florida Building Code:**

Chairman Browdy stated that today's rule development workshop regarding Rule 61G20-1.001, Florida Building Code, is for the purpose of conducting an additional rule development workshop regarding the Commission's adopted package of approved Code modifications for the 6th Edition Florida Building Code (2017). He said the Commission received public comments regarding the Draft Code, and the comments were evaluated and recommendations made by the respective TACs during meetings conducted in March and April of 2017. Chairman Browdy advised that the TACs' recommendations were subsequently posted to the BCIS, and will also be reviewed during the Commission's consideration of each proposed modification.

Chairman Browdy said that today's workshop provides an additional opportunity for public comment before the Commission continues with rulemaking on the Florida Building Code. Once the rule development workshop is opened and public comment concludes, the Commission will vote to incorporate any of the changes they approve regarding proposed amendments into the Draft Code and to continue with rule development.

Chairman Browdy advised that he will open and close the workshop and Jeff will facilitate the Commission's discussions and serve as the moderator for the public comment portion of the workshop. He stated unless Commissioners have questions the rule development workshop on Rule 61G20-1.001, Florida Building Code, is now open.

Mr. Blair provided the Commission and public with an overview of the process used during the Rule Development Workshop.

**Energy TAC**

**Comment #1: Submitted by Jeff Sonne, FSEC:**

Mr. Madani provided the background and an analysis of comment. He stated the TAC recommended support of the comment unanimously.

There was no public comment.

Commissioner Schiffer entered a motion to approve the comment. Commissioner Calleja seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**Comment # 2: Submitted by Joe Belcher, Florida Home Builders Association:**

Mr. Madani provided the background and an analysis of comment two on R402.4.1.2 adding an exception.

**Rule Development Workshop: Rule 61G20-1.001, F.A.C. (6<sup>th</sup> Edition (2017) Update to the Florida Building Code (cont.):**

Mr. Belcher provided additional background on the exception and advised he would answer any questions.

Commissioner Schiffer entered a motion to approve TAC recommendation. Commissioner Calleja seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**Fire TAC and Special Occupancy TAC:**

**Comment #1: Submitted by Skip Gregory:**

Mr. Madani provided a brief overview of the comment and advised these comments are regarding formatting of exceptions for consistency with 553.885, F.S. Mr. Madani stated this comment was approved by both TACs.

There were no comments from the public

Commissioner Schiffer entered a motion to approve TAC recommendation. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**Fire TAC**

**Comment #2: Submitted by Mo Madani:**

Mr. Madani provided a brief overview of his comments and requested suggestions with this modification. He advised that this comment was approved by the TAC.

There were no comments from the public.

Commissioner Schiffer entered a motion to approve TAC recommendation. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**Rule Development Workshop: Rule 61G20-1.001, F.A.C. (6<sup>th</sup> Edition (2017) Update to the Florida Building Code (cont.):**

**Mechanical TAC:**

**Comment #1 Submitted by Scott Thomason, CBO, High Springs, FL:**

Mr. Madani provided background and brief analysis to the comment on Section 307.2.3 and M1411.3.1. He advised that the TAC voted against the comment for a NAR.

There were no comments from the public.

Commissioner Schiffer entered a motion for a negative roll call vote. Commissioner Calleja seconded the motion. The vote was 0 in favor and 25 against. NAR result on this comment.

**Comment # 2 Submitted by David John, Stan Weaver & Company:**

Mr. Madani provided background on comment and a brief analysis advising this request is to reinstate section 607.8 from the 2010 Code to be placed into the new Code. The TAC voted against the comment NAR.

David Johns spoke on this comment request and asked for a favorable vote.

Commissioner Calleja stated the vote at the TAC was 4 to 3 and he spoke on the conversation at the TAC level and he is in favor of the comment.

Commissioner Flanagan stated he did not see why this could not be added, it could help so the question is why the TAC voted it down.

Commissioner Bahadori stated fire doors and fire dampers are lumped together and he is not in favor comment.

Commissioner Schiffer questioned the issue of fire doors on mechanical plans.

Commissioner Calleja stated it would be the professional performing the installation that would be responsible.

Commissioner Gerwig asked Mr. Madani if this should not be located in Chapter One and not listed here.

Mr. Madani stated yes, and some of the members felt this was already covered in Chapter One.

Commissioner Calleja stated the TAC wanted it in a specific place.

**Rule Development Workshop: Rule 61G20-1.001, F.A.C. (6<sup>th</sup> Edition (2017) Update to the Florida Building Code (cont.):**

Commissioner Gerwig entered a motion stating the language covered from the comment currently proposed to go into 607.8 be placed into Chapter 107 and provide staff authority for correlation as required. Commissioner Flanagan seconded the motion.

Commissioner Bassett entered a motion for a modification to the motion to also place in mechanical code section and remove fire door part but also leave in 107. Commissioner Calleja seconded this modification.

There was further discussion and then a vote.

Chairman Browdy asked if Commissioner Gerwig if he would accept the friendly amendment to his motion.

Commissioner Gerwig declined the friendly amendment. He stated this does not need to be in multiple places.

The vote was taken for the amendment by Commissioner Bassett. The motion passed with a vote of 19 in favor and 6 against.

Commissioner Gerwig entered an amended motion to move to section 107 in its entirety and add 607.8 removing fire door references providing staff authority for correlation as required. Commissioner Flanagan seconded the motion. The motion passed with a vote of 24 in favor and 1 against.

**Roofing TAC and Structural TAC:**

**Comment # 1 Lisa Pate, FRSA**

Mr. Madani provided a brief technical overview. He said the TACs voted NAR.

**Public Comment:**

Mike Ebersold, FRSA spoke on behalf of this comment and asked for support. Mike Silvers stated he is also in support and provided reasoning for this support.

Eric Stafford, IBHS spoke against this comment and provided reasoning. Mike Fischer, Kellen stated he is not in support of this comment with this language. Jimmy Buckner, Roofing TAC Member stated this language is scrambled, the intent is there but he cannot support as is.

**Rule Development Workshop: Rule 61G20-1.001, F.A.C. (6<sup>th</sup> Edition (2017) Update to the Florida Building Code (cont.):**

**Commission Comment:**

Commissioner Swope spoke on discussion of the TAC meeting and language in comment.

Commissioner Schock stated he voted NAR with the intent understood.

Commissioner Schock entered a motion for purpose of a negative roll call. Commissioner Compton seconded the motion. The vote was 1 in favor and 24 against with outcome of NAR.

**Comment #2 Lisa Pate, FRSA**

Mr. Madani provided a brief technical overview. He said the TACs voted NAR.

Eric Stafford stated this is a problem and the extent that we would need to go to fix this. He asked the Commission to follow the TACs lead until the next code cycle. Mr. Stafford advised that they have a band aid to get this through until the next code cycle.

Mike Fischer, stated that would be in direct conflict with the re-roofing provisions that are found in the IBC in terms of repairing damaged sub-state requirements. He said they need to find fix that will work for the re-roofing provisions across all of the codes and not just IBC.

Commissioner Schock entered a motion for purpose of negative roll call. Commissioner Compton seconded the motion. The vote was 2 in favor and 23 against with outcome of NAR.

**Roofing TAC:**

**Comment #3 Eric Stafford, IBHS**

Mr. Madani provided a brief summary. He advised that the Roofing TAC was favorable on 4 of the 5 items voting NAR for item 1.

Eric Stafford advised the Commission to agree with the TAC on item #1

**Item #1**

Commissioner Schiffer entered a motion for the purpose of a negative roll call. Commissioner Schock seconded the motion. The vote unanimous with a vote of 0 in favor and 23 opposed with two Commissioners out of the room at the time of the vote. Commission action is NAR.

**Rule Development Workshop: Rule 61G20-1.001, F.A.C. (6<sup>th</sup> Edition (2017) Update to the Florida Building Code (cont.):**

**Items #2, 3, 4, and 5**

Commissioner Schiffer entered a motion to approve comments under items 2, 3, 4 and 5. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 23 to 0 with two Commissioners out of the room at the time of the vote.

**Comment #4 Eric Stafford, IBHS**

Mr. Madani provided a brief overview and advised that the TAC voted on item #1 to strike “as an alternate, a” and “permitted to be” and leave the R905.1.1 in the comment. He advised the TAC approved #2 and #3 comments.

Commissioner Schock entered a motion to approve the TAC recommendations of item #1 to strike “as an alternate, a” and “permitted to be” and leave the R905.1.1 in the comment approve #2 and #3 comments as submitted. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with one Commissioner out of the room at the time of the vote.

**Comment #5 Jorge Acebo, Miami-Dade County**

Mr. Madani provided a brief analysis of this comment.

Mr. Acebo explained errors that needed to be corrected and asked for the support of the TAC recommendation.

Mike Fischer asked for the Commission to support this comment.

Commissioner Swope entered a motion to approve the TAC recommendation of approval of this comment. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 24 to 0 with one Commissioner out of the room at the time of the vote.

**Additional Comments Roofing:**

Chairman Browdy asked if there were copies for the Commission and if so they would need to be distributed.



**Rule Development Workshop: Rule 61G20-1.001, F.A.C. (6<sup>th</sup> Edition (2017) Update to the Florida Building Code (cont.):**

**707.3.2**

Mr. Blair advised that there were additional comments being brought to the Commission for consideration. He stated that Mr. Stafford will provide a brief summary and then it will come back to the Commission for discussion and consideration.

Eric Stafford, IBHS provided a summary of the new comment request for 707.3.2.

There was considerable discussion among the public and Commission both in support and those that were against. Mr. Stafford provided rebuttals for the negative support.

Commissioner Swope stated that it would be a good idea to put together a workgroup to work on this issue to ensure that they come up with a good resolution that will be best for the industry.

Commissioner Swope entered a motion to approve 707.3.2 with modification removing “by registered design professionals”. Commission Boyer seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**403.8**

Mr. Stafford provided the summary for this section of comment.

Commissioner Gross entered a motion to approve 403.8 with modification removing “by registered design professionals”. Commission Schock seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**Special Occupancy TAC:**

Mr. Madani provided the summary of the comment.

Commissioner Gross entered a motion to approve the comment. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 23 to 0 with three Commissioners out of the room at the time of the vote.

**Comment #3 Eric Stafford, FRSA**

**Items 1, 2, and 3**

Mr. Madani provided a brief summary and

Mr. Stafford explained the comments and changes.

Commissioner Schock entered a motion to approve the comments on Items 1, 2 and 3. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 23 to 0 with three Commissioners out of the room at the time of the vote.

**Comments # 4**

Mr. Madani provided a brief summary of the comment.

Mr. Belcher, Masonry Association of Florida provided background and that there is one typo under 2107.6 the word compression was misspelled and will be corrected.

Commissioner Schock entered a motion to approve the comment. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**Additional Comment by Eric Stafford:**

**Items #1 and #2**

Mr. Madani provided a brief summary of the comment.

Mr. Stafford explained the changes within the comments and new formatting.

Commissioner Schock entered a motion to approve the comment with new formatting. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 23 to 0 with three Commissioners out of the room at the time of the vote.

**Rule Development Workshop: Rule 61G20-1.001, F.A.C. (6<sup>th</sup> Edition (2017) Update to the Florida Building Code (cont.):**

**Swimming Pool TAC:**

**Comment #1 Submitted by Grant Dostie, Trent Cotney, P.A.:**

Mr. Madani provided background on the comment and alternate language as proposed.

There were no comments.

Commissioner Batts entered a motion for the purpose of a negative roll call. Commissioner Boyer seconded the motion. The motion failed with a vote of 0 to 25 Commission action is NAR.

**Comment # 2: Submitted by Jennifer Hatfield, Florida Swimming Pool Association:  
Item #1 #7058, Item #2 7014, Item #3 454.1 and Item #4 454.1.2.3.3**

Mr. Madani provided background on the comment.

Ms. Hatfield asked for the Commission support of TAC recommendation.

Commissioner Batts entered a motion to approve Item #1 #7058, Item #2 7014, Item #3 454.1 and Item #4 454.1.2.3.3 as recommended by the TAC. Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**Comment #3: Submitted by Jim LePetrie, WET Engineering:**

Mr. Madani provided background on the comments.

**454.1.2.4 Paragraph one**

Jennifer Hatfield asked for support.

Commissioner Batts entered a motion to approve 454.1.2.4 paragraph number one. Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**Rule Development Workshop: Rule 61G20-1.001, F.A.C. (6<sup>th</sup> Edition (2017) Update to the Florida Building Code (cont.):**

**454.1.2.8.2, 7074, 7070**

Mr. Madani provided additional information on this section.

Jennifer Hatfield asked for support removing yellow highlighted area which she will be speaking to under another comment.

Commissioner Batts entered a motion to approve changes to 454.1.2.8.3, 7074 and 454.1.10.1 as noted in attachment. Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 24 to 0 with one Commissioner out of the room at the time of the vote.

**Comment #4: Submitted by Bob Vincent:**

Mr. Madani stated this was covered under Comment 2 and 3.

No action needed by the Commission.

**Additional Comment 6584 by Jennifer Hatfield (Handout out at meeting):**

Jennifer Hatfield, FSPA provided a detailed summary of the changes being requested on 454.1.2.5.3, 454.1.2.6 and 454.1.2.8.2 as per handout provided at the meeting.

Commissioner Batts entered a motion to approved language. Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 24 to 0 with one Commissioner out of the room at the time of the vote.

**Rule Workshop Closure and Final Motion:**

Chairman Browdy stated that now that we have heard from the public, he will be closing this issue to further public comment unless he or another Commissioner through the Chair, requests specific clarification from a member of the public—and opening the discussion to the Commission.

Chairman Browdy stated with no further comment the rule development workshop on Rule 61G20-1.001, Florida Building Code, is closed.

Chairman Browdy advised that if there is no further discussion he would ask for a motion to incorporate the Commission's approved actions on comments submitted regarding the Draft

**Rule Workshop Closure and Final Motion (cont.):**

6th Edition Florida Building Code (2017); and to authorize staff to make editorial and correlation changes as needed, and to implement the integration of carried forward Florida Specific amendments for the 2017 Code Update; and, to authorize the Department of Business and Professional Regulations to publish and notice a proposed Rule 61G-20-1.001 which is the Building Code and to proceed with the adoption of Rule 61G-20.001 and to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of himself, the Chairman of the Florida Building Commission.

Commissioner Gross entered a motion to incorporate the Commission's approved actions on comments submitted regarding the Draft 6th Edition Florida Building Code (2017); and to authorize staff to make editorial and correlation changes as needed, and to implement the integration of carried forward Florida Specific amendments for the 2017 Code Update; and, to authorize the Department of Business and Professional Regulations to publish and notice a proposed Rule 61G-20-1.001 which is the Building Code and to proceed with the adoption of Rule 61G-20.001 and to delegate authority to Thomas Campbell to sign rule making documents on behalf of the Chairman of the Florida Building Commission. Commissioner Gerwig seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**Legislative Update:**

Mr. Campbell stated that DBPR does not take a side either for or against a piece of legislation. He stated we act as implementers of that legislation, but that does not mean we are inaction on legislation. Mr. Campbell said that any time there is legislation in area of the department the bill is analyzed by the substance matter by the experts and its get routed through the department to see if there is any financial impacts or other issues and is put into a legislative analysis and is sent to the legislature and sent to Legislative Committees for discussion.

Mr. Campbell reported that CS/SB 7000 has had no changes since the last conference call, it still calls for the 6<sup>th</sup> Edition of the code to serves as the foundation code and requires the Commission to review the foundation code every three years to determine if a revision is necessary when the Commission is doing the review of current International Code.

Mr. Campbell stated that a new bill CS/HB 901 he said there is a committee substitute introduced in the first committee increasing the code cycle from three years to five years, requires to the Commission to provide an impact statement when updating the code and it reduces the size of the Florida Building Commission from 27 to 11 members. He said it has made one stop and that is the current state of the bill. Mr. Campbell reminded the Commission that the legislative process is a fluid situation and this will likely change as it makes it way through the process.

**Legislative Update (cont.):**

Chairman Browdy stated this proposed bill would take effect July 1<sup>st</sup>.

Commissioner Bassett spoke on the reduction of the members on the Commission and the need to keep the seats as the professions that they represent need to be seated and involved in the Code process. He further stated he does not see the specific language of this bill.

Mr. Campbell asked if he is asking to see the specific seats that would be eliminated as we can call up the bill and provide that information.

Commissioner Bassett stated he was speaking of CS/SB 7000 not CS/HB 901.

Mr. Campbell advised that at this time this language is not a part of CS/SB 7000, he has only seen in it in CS/HB 901. He advised that at this time there is no further amendment to CS/SB 7000, the Commission member language is currently only in CS/HB 901.

Chairman Browdy advised that he had asked Doug Buck with the Florida Home Builders Association to speak on the specifics of the legislation.

Doug Buck, FHBA provided information on the current issues and language being discussed in the session this year. He stated they advocated for SB 7000 and provided the reasoning for this support of change. Mr. Buck continued with speaking on CS/HB 901 and stated they did not promote removal of members of the Commission.

Mr. Buck offered to meet with any Commissioner to answer any questions that he can on a one on one basis.

Mr. Blair advised that if Commissioners would like to speak with Mr. Buck, they would need to do so one at a time to be in compliance with the Sunshine Law.

Commissioner Bassett thanked Mr. Buck and the FHBA for support of what he has supported for the last 18 years the South Florida Building Code.

Mr. Buck responded to Mr. Bassett's comments. Mr. Buck stated the Florida Code is the best because we have a single code and we have licensed inspectors and plans examiners along with licensed contractors and that is what makes the code effective.

Commissioner Gross stated his problem is how this change is being done, by the legislators with very little study. He stated he was on the Commission prior to the 2004 Code which is when the present base code was chosen and they looked at four base codes with extensive studies on each. Commissioner Gross said now we are looking at these changes through legislators, this should be

**Legislative Update (cont.):**

done in the Commission with the stake holders involved. He encourages all members to get with their stakeholders on this issue.

Mr. Buck responded to Commissioner Gross's comments.

Commissioner Schock spoke on the building official standpoint on these changes and effects on their scores.

Commissioner Calleja stated he always wondered why they could not advocate as a group since they are appointed to write this code. He said this bill will determine the code for the Commission and have control. Commissioner Calleja said this is being driven by special interest groups.

Commissioner Carlson stated he agrees with Commissioner Calleja. He also stated he does not agree with cutting members that would be a big mistake.

Commissioner Swope stated he agrees with Commissioners Calleja and Carlson and would say we need to keep Florida specifics.

Commissioner Smith said that he has to agree with the prior Commissioners and requested FHBA to address the reduction of size. He feels this would be a disservice to Florida without consensus based on group and we should all voice opinions.

Chairman Browdy summarized the discussion and addressed the Commission on their participation in the process.

Mr. Campbell continued with the legislative update and provided current actions on CS/HB 727 and CS/CS/SB 860.

**Report/Updates on Code Process for 6<sup>th</sup> Edition (2017) Florida Building Code (work plan):**

Mr. Madani provided an updated report of the work plan and process for the 6<sup>th</sup> Edition.

Commissioner Boyer entered a motion to approve the work plan. Commissioner Smith seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**Review and Approval of Summary of Issues for Inclusion in FY 2016-2017 Annual Report:**

Chairman Browdy asked Mr. Blair to give the annual report.

Mr. Blair provided the outline of this report.

Commissioner Schiffer entered a motion to adopt the summary of issues for inclusion in the Commission's Fiscal Year 2016 - 2017 Annual Report. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**Committee Reports:**

**Code Administration Technical Advisory Committee**

Commissioner Carlson provided a brief summary of the Code Administration TAC meeting on February 28, 2017 teleconference meeting.

Commissioner Carlson entered a motion to accept the Code Administration TAC report from the February 28, 2017 teleconference meeting. Commissioner Goff seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**Education Program Oversight Committee;**

Commissioner Dean provided a brief summary of the Education POC March 27, 2017 teleconference meeting.

Commissioner Dean entered a motion to accept the report from the March 27, 2017 teleconference meeting. Commissioner Flanagan seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**Electrical Technical Advisory Committee**

Commissioner Flanagan provided a brief summary of the Electrical TAC February 28, 2017 teleconference meeting.

Commissioner Flanagan entered a motion to accept the report from the February 28, 2017 teleconference meeting. Commissioner Dean seconded the motion. The motion passed unanimously with a vote of 25 to 0.



**Committee Reports (cont.):**

**Energy Technical Advisory Committee**

Commissioner Smith provided a brief summary of the Energy TAC March 3, 2017 and March 22, 2017 teleconference meetings.

Commissioner Smith entered a motion to accept the report from the March 3, 2017 and March 22, 2017 teleconference meetings. Commissioner Burk seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**Fire Technical Advisory Committee**

Commissioner Bahadori provided a brief summary of the Fire TAC February 27, 2017 and March 22, 2017 teleconference meetings.

Commissioner Bahadori entered a motion to accept the report from the February 27, 2017 teleconference meeting. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 25 to 0.

Commissioner Bahadori entered a motion to accept the report from the March 22, 2017 teleconference meeting. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**Mechanical Technical Advisory Committee**

Commissioner Bassett provided a brief summary of the Mechanical TAC March 3, 2017 and March 22, 2017 teleconference meetings.

Commissioner Bassett entered a motion to accept the report from the March 3, 2017 and March 22, 2017 teleconference meetings. Commissioner Calleja seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**Plumbing Technical Advisory Committee**

Commissioner Schilling advised there was not a quorum of the Plumbing TAC February 27, 2017 teleconference meeting therefore no report as no action was taken.

Commissioner Schilling entered a motion to accept the report from the February 27, 2017 teleconference meeting. Commissioner Bahadori seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**Committee Reports (cont.):**

**Product Approval Program Oversight Committee**

Commissioner Stone provided a brief summary of the Product Approval POC meetings held March 27, 2017 via teleconference.

Commissioner Stone entered a motion to approve the report of the Product Approval POC meeting held March 27, 2017 via teleconference. Commissioner Compton seconded the motion. The motion passed unanimously with of vote of 25 to 0.

**Roofing Technical Advisory Committee concurrently with Structural Technical Advisory Committee:**

Commissioner Swope provided a brief summary of the Roofing TAC meetings held March 3, 2017 via teleconference call and the April 3, 2017 onsite meeting held concurrently with the Structural TAC.

Commissioner Swope entered a motion to approve the report Roofing TAC meetings held March 3, 2017 via teleconference call and the April 3, 2017 onsite meeting held concurrently with the Structural TAC. Commissioner Boyer seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**Special Occupancy Technical Advisory Committee**

Commissioner Phillips provided a brief summary of the Special Occupancy TAC February 28, 2017 and March 21, 2017 meetings held via teleconference.

Commissioner Phillips entered a motion to accept the Special Occupancy reports for the meetings February 28, 2017 and March 21, 2017 meetings held via teleconference. The motion was seconded by Commissioner Frank. The motion passed unanimously with a vote of 25 to 0.

**Structural Technical Advisory Committee;**

Commissioner Schock provided a brief summary of the Structural TAC March 3, 2017 teleconference meeting and April 3, 2107 onsite meeting held concurrently with the Roofing TAC.

Commissioner Schock entered a motion to approve the report from the March 3, 2017 teleconference meeting and April 3, 2107 onsite meeting held concurrently with the Roofing TAC. Commissioner Gross seconded the motion. The motion passed unanimously with a vote of 25 to 0.

**Committee Reports (cont.):**

**Swimming Pool Technical Advisory Committee:**

Commissioner Batts provided a brief summary of the Swimming Pool TAC February 28, 2017 and March 21, 2017 meetings held via teleconference.

Commissioner Batts entered a motion to accept the Swimming Pool reports for the meetings February 28, 2017 and March 21, 2017 meetings held via teleconference. The motion was seconded by Commissioner Boyer. The motion passed unanimously with a vote of 25 to 0.

Chairman Browdy stated the June Meeting location was changed to Daytona Beach Shores, August will be in Deerfield Beach, October will be in Tallahassee and December will be in Stuart.

Commissioner Schock brought forward a comment made by Tony Apfelbeck during the Fire TAC meeting regarding financial evaluation of the I-Code changes.

Commissioner Bassett discussed the issues with missing members of the TACs that are not attending the meeting and asked the staff to look into this.

Mr. Campbell stated that the staff will be more proactive in this request.

Commissioner Gross tasked the Mr. Vogel to gain our Accessibility Code certified by the Federal Government.

Commissioner Boyer thanked Mr. Campbell for moving the June meeting and reminded everyone to work with committees on the Code Council.

**Public Comment:** There was no public comment

**The meeting was adjourned at 12:02 p.m.**