



FLORIDA BUILDING COMMISSION

"STRONGER CODES THROUGH SCIENCE AND CONSENSUS"



FACILITATOR'S SUMMARY REPORT OF THE 7 JUNE 2022 FLORIDA BUILDING COMMISSION VIRTUAL MEETING

PROCESS DESIGN, CONSENSUS-BUILDING AND FACILITATION BY



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FLORIDA BUILDING COMMISSION
7 JUNE 2022 FACILITATOR’S MEETING SUMMARY REPORT

TABLE OF CONTENTS

<i>TABLE OF CONTENTS</i>	<i>1</i>
<i>TABLE OF ATTACHMENTS</i>	<i>2</i>
I. MEETING SUMMARY AND OVERVIEW	3
II. CHAIR’S WELCOME	4
III. COMMISSION ATTENDANCE	4
IV. MEETING OBJECTIVES	5
V. MINUTES APPROVAL	5
VI. CHAIR’S DISCUSSION ISSUES AND RECOMMENDATIONS	5
VII. SCIENCE UPDATE BRIEFING	6
VIII. EXECUTIVE DIRECTOR ANNOUNCEMENTS AND RECOMMENDATIONS	5
IX. RULE WORKSHOP FOR RULE 61G20-1.001	8
X. RESEARCH PROJECTS FOR FY 22-23 FUNDING APPROVAL	10
XI. ACCESSIBILITY WAIVER APPLICATIONS	12
XII. PRODUCT AND ENTITY APPROVALS	12
XIII. ACCREDITOR AND COURSE APPROVALS	13
XIV. LEGAL REPORT	13
XV. PETITIONS FOR DECLARATORY STATEMENTS	13
XVI. BINDING INTERPRETATION #239 BRIEFING	13
XVII. COMMITTEE REPORTS AND RECOMMENDATIONS	14
XVIII. COMMISSIONER COMMENTS	15
XVIII. GENERAL PUBLIC COMMENT	15
XX. NEXT MEETING OVERVIEW AND ASSIGNMENTS	15

ATTACHMENTS.....	16 - 36
1. MEETING EVALUATION RESULTS.....	16
2. COMMISSION MEETING AGENDA	18
3. KEY TO COMMON ACRONYMS	20
4. COMMISSION HISTORY AND OVERVIEW	21
5. MEETING SCHEDULE AND WORKPLAN FOR 8TH EDITION (2023), FBC.....	23
6. TAC REVIEW AND COMMISSION CODE AMENDMENT APPROVAL PROCESSES	26
7. FY 2022 – 2023 RESEARCH PROJECTS FUNDING.....	36



FLORIDA BUILDING COMMISSION
7 JUNE 2022 FACILITATOR'S MEETING SUMMARY REPORT



OVERVIEW OF COMMISSION'S KEY ACTIONS AND DECISIONS
TUESDAY, JUNE 7, 2022

I. PLENARY SESSION SUMMARY AND OVERVIEW

The Commission conducted their 7 June 2022 meeting as a virtual meeting via webinar and teleconference. At the 7 June 2022 virtual meeting the Commission considered and decided on Chair's issues and recommendations, Executive Director's announcements and discussions, accessibility waiver applications, product and entity approvals, applications for accreditor and course approvals, petitions for declaratory statements, and recommendations from the Commission's various committees. In addition, the Commission was briefed on Binding Interpretation #239. Specific actions included voting to: 1) Adopt the Commission's Fiscal Year 2021 – 2022 Annual Report (Report to 2023 Legislature), including Commission actions taken during the June 7, 2022 meeting; 2) Approve the updated Workplan and Schedule for development of the 8th Edition (2023), Florida Building Code; 3) Adopt the TACs' Preliminary Recommendations to the Commission - TAC Code Amendment Review and Recommendation Process for development of the 8th Edition (2023), Florida Building Code; 4) Adopt the TACs' Final Recommendations to the Commission - TAC Review Process for Public Comments on TACs' Preliminary Code Amendment Recommendations Process for development of the 8th Edition (2023), Florida Building Code; 5) Adopt the Commission Code Amendments Review and Approval Process for development of the 8th Edition (2023), Florida Building Code; 6) Adopt the approved code language pursuant to Section 553.73(8), F.S., to update the Florida Building Code, 7th Edition (2020), to include the requirements of HB 423 and SB 1140 as proposed by DBPR staff, to proceed with rulemaking for Rule 61G20-1.001 — Florida Building Code Adopted; 7) Adopt the approved code language pursuant to Section 553.73(8), F.S., to update the Florida Building Code, 7th Edition (2020), to include the U.S. Department of Energy's new HVAC efficiency requirements as proposed and revised by DBPR staff, and to proceed with rulemaking for Rule 61G20-1.001 — Florida Building Code Adopted; 8) Table action on implementing the Code provisions of SB 4-D pending the relevant TACs meeting and providing recommendations to the Commission regarding DBPR staff's proposed code language pursuant to Section 553.73(8), F.S., to update the Florida Building Code, 7th Edition (2020), to include the requirements of SB 4-D providing for an exception to the 25% rule for roofs and to include condominium inspection requirements; and 9) Approve funding the research projects for fiscal year 2022 - 2023 based on the HRAC's recommended priority order, and to charge DBPR staff with contracting, administering and overseeing the research, and negotiating scoping and funding levels as appropriate.

(Attachment 1 — Meeting Evaluation Results)

II. CHAIR'S WELCOME

Vice Chair Bourré welcomed the Commission, DBPR staff, and the public to the 7 June 2022 virtual plenary session of the Florida Building Commission.

The Vice Chair noted that in addition to considering regular procedural issues, updates, and reports, the primary purpose of the 7 June 2022 meeting was to conduct a rule workshop for Rule 61G20-1.001 to amend the 7th Edition (2020), FBC to conform to the requirements of HB 423, SB 1140, and SB 4-D, and to update minimum Energy Efficiency Standards per Federal regulations, to approve the Commission's Annual Report, and to decide on research projects for FY 2022-2023 funding.

The Chair explained, as always the Commission would provide an opportunity for public comment on each of the Commission's substantive discussion topics. Vice Chair Bourré explained that if one wants to comment on a specific substantive Commission agenda item, they should wait until the facilitator requests public comment and stacks a list of names at the appropriate times during the meeting. The Vice Chair noted that public input is welcome, but should be offered before there is a formal motion on the floor.

III. COMMISSION ATTENDANCE

The following Commissioners participated in the 7 June 2022 meeting conducted virtually via webinar and teleconference:

James Batts, Michael Bourré (Vice Chair), David Compton, Charles Fisher, Jeff Gross, Rodney Hershberger, David John, Paul Jones, Brad Schiffer, Brian Swope, and Tim Tolbert.

(12 of the 16 seated Commissioners attended — 75%).

Absent Commissioners:

David Gilson, Brian Langille, Grey Marker, and Jim Schock (Chair).

DBPR STAFF PARTICIPATING

Thomas Campbell, Sabrina Evans, Jim Hammers, Mo Madani, and Justin Vogel.

MEETING FACILITATION

Meetings are facilitated, and meeting reports prepared by Jeff Blair from Facilitated Solutions, LLC. Information at: <http://facilitatedsolutions.org>.



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>

IV. AGENDA REVIEW AND APPROVAL

The Commission voted unanimously, 11 - 0 in favor, to approve the agenda for the 7 June 2022 meeting as posted/presented. Following are the key agenda items approved for consideration:

- To Approve Regular Procedural Topics (Agenda and Minutes).
- To Consider/Decide on Chair’s Discussion Issues/Recommendations.
- To Consider/Decide on Executive Director Announcements and Discussions.
- To Receive Update Regarding the Florida Building Code, 8th Edition, (2023), Workplan.
- To Conduct A Rule Workshop for Rule 61G20-1.001.
- To Consider/Decide on Research Projects Recommended for Commission Funding During FY 2022-2023.
- To Consider/Decide on Accessibility Waiver Applications.
- To Consider/Decide on Product Approval Applications.
- To Consider/Decide on Advanced Code Course Applications and Accreditor Applications.
- To Receive a Legal Report Briefing.
- To Consider/Decide on a Petition for Declaratory Statement.
- To Receive Briefing on Binding Interpretation #239
- To Receive/Decide on Reports and Recommendations from Committees.
- To Hear Public Comment.
- To Identify Needed Next Steps, Assignments, and Agenda Items for Next Meeting. (Aug. 9, 2022 Virtual Meeting)

Amendments to the Posted Agenda:

There were no amendments to the posted agenda.

(Attachment 2 — 7 June 2022 Commission Agenda)

V. APPROVAL OF THE 14 APRIL 2022 FACILITATOR’S SUMMARY REPORT AND MEETING MINUTES

MOTION—The Commission voted unanimously, 11 - 0 in favor, to approve the 14 April 2022 Facilitator’s Summary Report and Meeting Minutes as posted/presented.

Amendments: There were no amendments offered to the meeting minutes.

VI. CHAIR’S DISCUSSION ISSUES AND RECOMMENDATIONS

Appointments

Vice Chair Bourré announced the following:

Commission Appointments

Governor DeSantis made two appointments to the Commission on May 20, 2022:

Brian Swope was reappointed to the Commission. Brian is Vice President of Tampa Roofing and is the Roofing or Sheet Metal Contractor representative to the Commission. The Vice Chair congratulated Brian on reappointment and expressed that the Commission was happy he will remain on the Commission.

Tim Tolbert was appointed to the Commission. Tim is the Building Official and Director of Building Services for Escambia County and is filling the vacant Municipal, County, or District Code Official position. Tim previously served on the Commission. The Vice Chair welcomed Tim back to the Commission and offered Tim congratulations for his appointment.

Updated Commission Milestones

The Chair reminded participants that the Updated Commission Milestones document (updated as of 14 April 2022) is linked to the 7 June 2022 FBC Agenda on the BCIS.

VII. EXECUTIVE DIRECTOR ANNOUNCEMENTS AND DISCUSSIONS

Tom Campbell, FBC Executive Director, briefed the Commission on the following issues:

A) Commission's Annual Report to the Legislature

Vice Chair Bourré reminded the Commission that each June the Commission reviews and approves the Commission's Annual Report, and the plan as is done annually, with the Commission's support and approval, is for the Chair to review and approve the final draft of the Annual Report including actions taken during the 7 June 2022 meeting, ensure completeness and accuracy, and approve the Final Report for submittal to the Legislature and Governor. Tom Campbell, FBC Executive Director, provided the Commission with an overview of the FY 2021-2022 Annual Report and responded to questions.

Following the opportunity provided for questions and answers, public comment, and Commission discussion, the Commission took the following actions:

Commission Actions:

MOTION—The Commission voted unanimously, 11 – 0 in favor, to adopt the Commission's Fiscal Year 2021 – 2022 Annual Report (Report to 2023 Legislature), including Commission actions taken during the June 7, 2022 meeting, and to charge the Chair with reviewing and approving the Final Report prior to submittal to the Legislature and Governor.

B) Financial Disclosure Forms

Tom explained that Commissioners are required to annually file a Form 1 Statement of Financial Interests with the Commission On Ethics by July 1. Tom noted that commissioners should complete and send in the Form according to the instructions provided on the Form.

C) Future Commission Meeting Dates

Tom reported that the Commission's next meeting will be 9 August 2022 and conducted as a Webinar/Teleconference Virtual meeting. Following are the dates for the regular bimonthly Commission meetings scheduled for the remainder of 2022:

- October 11, 2022, Onsite, Holiday Inn, Gainesville, Florida (Coincides with TAC meetings for Code modifications),

- December 13 -14, 2022, Onsite, The Shores, Resort and Spa, Daytona Beach Shores (Code modifications approval).

VIII. 8TH EDITION (2023), FLORIDA BUILDING CODE WORKPLAN UPDATE

Mo Madani provided the Commission with an update on the Workplan and Schedule for development of the 2023 Code Update Process—8th Edition (2023), Florida Building Code, and answered member questions.

Following the opportunity provided for questions and answers, public comment, and Commission discussion, the Commission took the following actions:

Commission Actions:

MOTION—The Commission voted unanimously, 12 – 0 in favor, to approve the updated Workplan and Schedule for development of the 8th Edition (2023), Florida Building Code.

(Attachment 5 — 2023 Code Update Workplan and Schedule)

TAC and Commission Code Amendment Review and Approval Documents

The Vice Chair explained that at the March 2020 meeting the Commission reviewed all 5 process documents for the 2023 Code Update Process. At the June 8, 2021 meeting the Commission adopted the TAC 2021 Model Code Update Review Process and the Commission 2021 Model Code Update Review and Approval Process. The Vice Chair explained the purpose of this agenda item is for the Commission to adopt the TAC Code Review Preliminary Recommendations Process, TAC Comments Review Final Recommendation Process, and Commission Code Amendments Review and Approval Process.

A) TAC Preliminary Recommendations Process

Jeff Blair, FBC Facilitator, reviewed the TACs’ Preliminary Recommendations to the Commission - TAC Code Amendment Review and Recommendation Process for development of the 8th Edition (2023), Florida Building Code, and answered questions.

Following the opportunity provided for questions and answers, public comment, and Commission discussion, the Commission took the following actions:

Commission Actions:

MOTION—The Commission voted unanimously, 12 – 0 in favor, to adopt the TACs’ Preliminary Recommendations to the Commission—TAC Code Amendment Review and Recommendation Process for development of the 8th Edition (2023), Florida Building Code.

B) TAC Final Recommendations Process

Jeff Blair reviewed the TACs’ Final Recommendations to the Commission - TAC Review Process for Public Comments on TACs’ Preliminary Code Amendment Recommendations Process for development of the 8th Edition (2023), Florida Building Code and answered questions.

Following the opportunity provided for questions and answers, public comment, and Commission discussion, the Commission took the following actions:

Commission Actions:

MOTION—The Commission voted unanimously, 12 – 0 in favor, to adopt the TACs’ Final Recommendations to the Commission—TAC Review Process for Public Comments on TACs’ Preliminary Code Amendment Recommendations Process for development of the 8th Edition (2023), Florida Building Code.

C) FBC Code Approval Process

Jeff Blair reviewed the Commission Code Amendments Review and Approval Process for development of the 8th Edition (2023), Florida Building Code and answered questions.

Following the opportunity provided for questions and answers, public comment, and Commission discussion, the Commission took the following actions:

Commission Actions:

MOTION—The Commission voted unanimously, 12 – 0 in favor, to adopt the Commission Code Amendments Review and Approval Process for development of the 8th Edition (2023), Florida Building Code.

(Attachment 6 — TAC Code Review and Commission Code Amendment Approval Processes)

IX. RULE WORKSHOP ON RULE 61G20-1.001

The Vice Chair explained that for this agenda item the Commission would conduct a Rule Workshop on Rule 61G20-1.001 — Florida Building Code Adopted, for the purpose of implementing required revisions to the 7th Edition (2020), Florida Building Code pursuant to changes to Florida statutes and Federal minimum energy efficiency standards.

A) Consistency with HB 423 and SB 1140

The Vice Chair reported that the Code Administration TAC reviewed and recommended approval of staff’s proposed Code language to implement the requirements of HB 423 (revisions to Section 104.3.1.3 Reviewing application for building permit) and SB 1140 (Section 105.3.1.2. (4) Simplified permitting process for fire alarm system projects and Section 105.17 (1)(b) Low-voltage alarm system project).

Mo Madani reviewed the proposed Code language, and Jeff Blair facilitated the review process, public comment, and the Commission’s discussion and decision process.

Following the opportunity provided for questions and answers, public comment, and Commission discussion, the Commission took the following actions:

Commission Actions:

MOTION—The Commission voted unanimously, 12 – 0 in favor, to adopt the approved code language pursuant to Section 553.73(8), F.S., to update the Florida Building Code, 7th Edition (2020), to include the requirements of HB 423 and SB 1140 as proposed by DBPR staff, to proceed with rulemaking for Rule 61G20-1.001 — Florida Building Code Adopted, and to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of the Commission.

B) Update the Energy Minimum Efficiency Standards for Certain Products for Consistency with the Federal Minimum Energy Efficiency Standards as Established by U.S. Code of Federal Regulation, 10 CFR Part 430 Subpart C, Section 430.32.

The Vice Chair noted that at the April 12 2022 meeting the Commission voted to initiate the rulemaking process for Rule 61G20-1.001—Florida Building Code Adopted pursuant to Section 553.73(8), F.S., to update the 7th Edition (2020), FBC, to include the U.S. Department of Energy’s new HVAC efficiency requirements and to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of the Commission.

The Energy TAC reviewed and recommended approval of staff’s proposed Code language to implement the Federal minimum energy efficiency standards (through revisions to Table C403.2.3(1) Minimum Efficient Requirements: Electrically Operated Unitary Air Conditioners and Condensing Units, Table C403.2.3(2) Minimum Efficient Requirements: Electrically Operated Unitary and Applied Heat Pumps, and Form 402 Equipment Requirements and Installed Values).

The Vice Chair reported subsequent to the Energy TAC’s meeting Mo Madani learned that implementation and enforcement of the new minimum efficiency standards for heat pumps is based on Date of Manufacture and not Date of Install, and on this basis he revised Table C403.2.3(1) and Form R402 to conform to the clarification.

Mo Madani explained that he discovered that the implementation/enforcement of DOE’s new minimum energy efficiency standards for heat pumps is based on “Date of Manufacture” and not “Date of Install.” Based on this, he further revised Table C403.2.3(1) and Form R402 to remove the proposed standard updates for heat pumps and to limit the change in the standard update to “Date of install.” Mo requested that the Commission approve the revised Table C403.2.3(1) and Form 402. Since “Date of Install” does not apply to heat pumps, there were no changes needed to Table C403.2.3(2).

Jeff Blair facilitated the review process, public comment, and the Commission’s discussion and decision process.

Following the opportunity provided for questions and answers, public comment, and Commission discussion, the Commission took the following actions:

Commission Actions:

MOTION—The Commission voted unanimously, 12 – 0 in favor, to adopt the approved code language pursuant to Section 553.73(8), F.S., to update the Florida Building Code, 7th Edition (2020), to include the U.S. Department of Energy’s new HVAC efficiency requirements as proposed and revised by DBPR staff, and to proceed with rulemaking for Rule 61G20-1.001 — Florida Building Code Adopted, and to delegate authority to Thomas Campbell to sign rulemaking documents on behalf of the Commission.

C) Consistency with Special Session Bill SB 4-D - Proposed Code Language for Consistency with SB 4-D - Roofing Requirements - Section 553.844, F.S. Windstorm loss mitigation; requirements for roofs and opening protection

The Vice Chair reported that SB 4-D created an exception to the 25% rule for roofs that will need to be incorporated into the 2020 FBC. It allows existing roofs or roof sections that were built to the

requirements of the 2007 Florida Building Code and subsequent editions to be repaired, replaced, or recovered even if more than 25% of the roof is being repaired, replaced, or recovered.

Mandatory Structural Inspections for Condominium and Cooperative Buildings - Section 553.899, F.S. Requirements for Milestone Inspections

The Vice Chair noted that SB 4-D also contains condominium inspection requirements that will need to be incorporated into the 2020 FBC.

DBPR Staff drafted proposed code language to incorporate these changes into the Florida Building Code. The Vice Chair explained that the Commission would review and decide on language during this portion of the Rule Workshop.

Tom Campbell noted that in addition to the code changes stemming from the legislature's regular session and the Special Session, SB 4-D contains two specific tasks for the Florida Building Commission. The first task is to review the inspection requirements in SB 4-D and provide the legislature with any recommendations the Commission may have to ensure the inspections are sufficient to determine the structural integrity of a building. Any recommendations are due in December 2022.

The second task is for the Commission, in consultation with the State Fire Marshal's Office, to provide recommendations for the adoption of comprehensive structural and life safety standards for maintaining and inspecting all types of buildings and structures in this state that are three stories or more in height. These recommendations are due in December 2023.

Tom explained that staff in consultation with the Chair is working on a workplan for these tasks and will likely form a new workgroup to develop these recommendations.

Mo Madani reviewed the proposed Code language, and Jeff Blair facilitated the review process, public comment, and the Commission's discussion and decision process.

Following the opportunity provided for questions and answers, public comment, and Commission discussion, the Commission took the following actions:

Commission Actions:

MOTION—The Commission voted, 10 – 1 in favor, to table action on implementing the Code provisions of SB 4-D pending the relevant TACs meeting and providing recommendations to the Commission regarding DBPR staff's proposed code language pursuant to Section 553.73(8), F.S., to update the Florida Building Code, 7th Edition (2020), to include the requirements of SB 4-D providing for an exception to the 25% rule for roofs and to include condominium inspection requirements.

X. APPROVAL OF RESEARCH PROJECTS FOR FISCAL YEAR 2022 - 2023 FUNDING

Vice Chair Bourré reported that the Commission has been funding hurricane resistance research based on legislatively approved spending authority since the formation of the Commission's Hurricane Research Advisory Committee (HRAC) in January of 2005. In August of 2013 the Commission voted to expand the funding of research projects to topics beyond the scope of hurricane resistance research and to fund research into other Code related topical areas, and then in April of 2019 and ever since

the Commission has decided to limit funding to hurricane resistant research as a result of the frequency and intensity of recent hurricanes.

The HRAC reviewed research project proposals during their April 14 and June 1, 2022 meetings, and during the June 1, 2022 meeting the HRAC prioritized the six proposed research projects for Commission consideration and voted unanimously to recommend that the Commission approve funding the research projects for fiscal year 2022 - 2023 based on the HRAC's recommended priority order, and to charge DBPR staff with contracting, administering and overseeing the research, and negotiating scoping and funding levels as appropriate.

The research projects that met the criteria for funding and which subsequently submitted a formal proposal including a scope of work and budget will be funded in the prioritized order based on the amount of funding available for the fiscal year. If additional funds become available during the fiscal year the next priority level project or projects will be funded with staff contracting, administering and overseeing the research, and negotiating scoping and funding levels as appropriate.

Jeff Blair reported that the HRAC prioritized the six research projects submitted for consideration and recommended that the following research projects relevant to hurricane resistant research be funded for fiscal year 2022 - 2023 based on available funds, and in the following order (Priority 1 – 6):

- **Priority #1:** Scored 9.2 out of 10.
Assessment of Inspection Reporting and Building Conditions in South Florida – Phase II (UF: Jennifer Bridge) [\$90,000]
- **Priority #2:** Scored 8.2 out of 10.
Establishing Inspection Periods and Preliminary Recommendations for Preventive Measures for Mid-Rise Buildings Near Coastal and Inland South Florida Environments (FIU: Atorod Azizinamni); [\$125,000]
- **Priority #3:** Scored 7.2 out of 10.
Assessing the Need to Modernize Water Penetration Resistance Test Procedures (UF: Forrest Masters) [\$90,000 - \$120,000]
- **Priority #4:** Scored 5.8 out of 10.
Assessment of Durability Requirements for Concrete Structures in Florida (UF: Chris Ferraro) [\$100,000]
- **Priority #5:** Scored 4.5 out of 10.
An Investigation of the Factors Leading to Ridge Vent Failure and Possible Mitigation Solutions (UNF: Cigdem Akan) [\$77,616]
- **Priority #6:** Scored 3.2 out of 10.
Wind-Induced Loads on Ground-Mounted and Ground Ballasted Systems (FIU: Ioannis Zisis); [\$118,000]

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

Commission Actions:

MOTION—The Commission voted unanimously, 11 – 0 in favor, to approve funding the research projects for fiscal year 2022 - 2023 based on the HRAC's recommended priority order, and to charge DBPR staff with contracting, administering and overseeing the research, and negotiating scoping and funding levels as appropriate.

(Attachment 7 — FY 2022 – 2023 Research Project Funding)

XI. ACCESSIBILITY WAIVER APPLICATIONS

Justin Vogel, Accessibility Advisory Council legal advisor, presented the Accessibility Advisory Council's recommendations for the waiver application, and the Commission reviewed and decided on the waiver application submitted for their consideration.

Commission Actions Regarding Accessibility Waiver Applications:

1. Bruton's Cigar Shop – Waiver 559 – 204 N. Collins St., Plant City 33139

MOTION—The Commission voted unanimously, 12 – 0 in favor, to conditionally* grant the waiver for vertical accessibility to the roof deck based on the grounds of the historical nature of the property.

*Approval is conditioned on the applicant getting the local building official to examine the stairway for Code compliance.

XII. CONSIDERATION OF APPLICATIONS FOR PRODUCT AND ENTITY APPROVAL

Commissioner Hershberger presented the Product Approval Oversight Committee's recommendations for entities and product approvals on the consent agenda for approval, and Jeff Blair presented the product approvals with comments and/or discussion.

Commission Actions on the Consent Agendas for Approval:

MOTION—The Commission voted unanimously, 12 - 0 in favor, to approve the consent agenda of product approval entities (14) as posted/presented.

MOTION—The Commission voted unanimously, 12 - 0 in favor, to approve the consent agenda of products (145) recommended for approval to the 2020 Code as presented/posted.

Commission Actions Regarding Product Approval Applications With Comments—2020 Code:

1.) Members of the public were offered an opportunity to comment on the consent agenda of products with comments recommended for approval (1), commissioners were offered an opportunity to pull products off of the consent agenda, and then a vote was taken on the consent agenda for approval and subsequently on any products pulled for individual consideration.

2.) Members of the public were offered an opportunity to comment on the products with comments recommended for conditional approval (1) based on the conditions recommended by the POC, commissioners were offered an opportunity to pull products off of the consent agenda, and then a vote was taken on the consent agenda for conditional approvals and subsequently on any products pulled for individual consideration.

MOTION—The Commission voted unanimously, 12 - 0 in favor, to approve the consent agenda of products with comments (1) recommended for approval to the 2020 Code.

MOTION—The Commission voted unanimously, 12 - 0 in favor, to approve the consent agenda of products with comments (1) recommended for conditional approval to the 2020 Code based on the conditions recommended by DBPR staff analysis and reflected in the posted documentation.

Commission Actions Regarding DBPR Applications:

There was no Commission action required regarding the June 2022 DBPR Applications. The complete results of Commission decisions regarding applications for product and entity approvals are available on the BCIS. (*See BCIS Website for Linked Committee Report*)

XIII. CONSIDER APPLICATIONS FOR ACCREDITOR AND COURSE APPROVAL

Commissioner Bourré presented the applications, and the Commission reviewed and decided on the accreditor and course applications submitted for their consideration as follows:

Commission Actions:

MOTION—The Commission voted unanimously, 12 – 0 in favor, to approve advanced accredited course number: 1098.0.

MOTION—The Commission voted unanimously, 12 – 0 in favor, to conditionally approve advanced accredited course number: 1104.0 and 925.1.

XIV. LEGAL REPORT

Justin Vogel, Commission Legal Counsel, updated the Commission on outstanding legal matters relevant to the Commission as follows:

A lawsuit has been filed challenging the constitutionality of provisions of SB 4-D. Justin noted that Commission Chair Schock, the DBPR Secretary, and the Executive Director of the Construction Industry Licensing Board (CILB) were all named in the lawsuit. Justin noted that DBPR’s legal staff is evaluating how to respond to the lawsuit, and Justin will keep the Commission updated on the lawsuit as events unfold.

XV. PETITIONS FOR DECLARATORY STATEMENTS

Justin Vogel, Commission Legal Counsel, presented each declaratory statement in turn. Following are the actions taken by the Commission regarding the petitions for declaratory statements.

1. DS 2022-014 by Brenton Franklin of Axis Management Inc.

Motion—The Commission voted unanimously, 12 - 0 in favor, to decline the Petition, on the basis that the Petitioner seeks a statement which would determine the conduct of persons other than itself, and because the question is one of general applicability and not tied to any specific set of circumstances involving the Petitioner’s own potential conduct

XVI. BINDING INTERPRETATION #239 BRIEFING

The Vice Chair reported that Binding Interpretation #239 was petitioned by John Cramer regarding the Palm Beach County BO’s interpretation pursuant to Section G2412.2 (401.2)/ NFPA 58 Section 6.4.2.3 of the 6th Edition (2017) Florida Building Code, Residential.

The issue involves a petition for a binding interpretation regarding whether the Code requires a measurement from an underground or mounded ASME container to the building foundation or to the line of the overhang that could have a future infill.

Mo Madani reported that the Panel’s answer to Binding Interpretation #239 was as follows:

The Panel concluded that the appropriate measurement, in this specific situation, is to the building wall foundation. A proposal to infill or add on to the existing building would be evaluated at the time of a future permit application review.

XVII. COMMITTEE REPORTS AND RECOMMENDATIONS

Vice Chair Bourré requested TAC and POC chairs to confine their reports to a brief summary of any key recommendations, emphasizing any issues requiring an action from the Commission. The Vice Chair requested if the TAC/POC requires Commission action, to frame the needed action in the form of a proposed motion to ensure that the Commission understands exactly what the TACs' and/or POCs' are recommending, and the specific action requested of the Commission. Acceptance of a committee report does not approve any recommendations contained within the report, and all specific recommendations must be considered by separate motions. Committee reports are linked to the Commission's 7 June 2022 Agenda on the BCIS.

Code Administration TAC

Mo Madani presented the TAC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 12 – 0 in favor, to accept the TAC's report as presented/posted (May 27, 2022).

Education POC

Commissioner Bourré presented the POC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 12 – 0 in favor, to accept the POC's report as presented/posted (May 26, 2022).

Energy TAC

Mo Madani presented the TAC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 12 – 0 in favor, to accept the Energy TAC's report as presented/posted (June 1, 2022).

Hurricane Research Advisory Committee (HRAC)

Jeff Blair presented the HRAC's reports and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 12 – 0 in favor, to accept the HRAC's reports as presented/posted (April 14, 2022 and June 1, 2022).

Product Approval POC

Commissioner Hershberger presented the POC's report and recommendations.

Commission Action:

MOTION—The Commission voted unanimously, 12 – 0 in favor, to accept the POC's report and Facilitator's summary report as presented/posted (May 26, 2022).

XVIII. COMMISSION MEMBER COMMENTS AND ISSUES

Vice Chair Bourré invited Commission members to offer any general comments to the Commission, or identify any issues or agenda items for the next Commission meeting.

Commissioner Comments:

- No comments were offered.

XIX. 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 Chair Vice Chair Bourré invited members of the public to address the Commission on any issues under the Commission's purview.

Public Comments:

- No comments were offered.

XX. NEXT COMMISSION MEETING OVERVIEW AND ASSIGNMENTS

The 9 August 2022 meeting will focus on the Commission's regular procedural and substantive issues, and any rule development initiatives including Rule 61G20-1.001 — Florida Building Code Adopted. The August meeting will be conducted virtually.

(Attachment 5 — Commission Meeting Schedule)

OTHER COMMISSION ACTIONS

All Commission actions taken during the 7 June 2022 meeting are reflected within specific agenda items.

STAFF ASSIGNMENTS FROM THE 7 JUNE 2022 COMMISSION MEETING

- Provide a link to a list of manufactures with compliant products with associated contacts regarding the U.S. Department of Energy's new HVAC efficiency requirements.
- Convene the relevant TACs to provide recommendations to the Commission on staff's proposed Code language for implementation of the Code provisions of SB 4-D.

ADJOURNMENT

The Vice Chair thanked Commission members, staff and the public for their participation, and adjourned the meeting at 10:58 AM on Tuesday, June 7, 2022.

ATTACHMENT 1
FLORIDA BUILDING COMMISSION MEETING EVALUATION RESULTS

7 DECEMBER 2022 — VIRTUAL MEETING

Average rank using a 0 to 10 scale, where 0 means totally disagree and 10 means totally agree.

Number of Respondents: 9 of 12 (75% response rate) Commissioners participating in the virtual meeting completed meeting evaluations.

1. OVERALL MEETING ASSESSMENT.

- 10 The background information was very useful.
- 10 The agenda packet was very useful.
- 10 The objectives for the meeting were stated at the outset.
- 10 Overall, the objectives of the meeting were fully achieved.

2. COMMISSIONERS LEVEL OF AGREEMENT THAT THE MEETING OBJECTIVES WERE ACHIEVED.

- 10 Chair's Discussion Issues/Recommendations.
- 10 Executive Director's Announcements and Discussions.
- 10 8th Edition (2022), FBC Workplan/Schedule Approval.
- 10 Rule Workshop for Rule 61G20-1.001, Florida Building Code Adopted.
- 10 Research Projects Funding for FY 2022-2023.
- 10 Accessibility Waiver Applications.
- 10 Applications for Products and Product Approval Entities Approvals.
- 10 Applications for Accreditor and Course Approvals.
- 10 Legal Report.
- 10 Petitions for Declaratory Statements Decisions.
- 10 Binding Interpretations 239 Briefing.
- 10 TAC, POC, Committee, and Workgroup Reports and Recommendations.

3. HOW WELL THE FACILITATOR HELPED THE COMMISSIONERS ENGAGE IN THE MEETING.

- 10 The members followed the direction of the Facilitator.
- 10 The Facilitator made sure the concerns of all members were heard.
- 10 The Facilitator helped us arrange our time well.
- 10 Commission actions were documented accurately in Facilitator's Report (previous meeting).

4. COMMISSIONERS LEVEL OF SATISFACTION WITH THE MEETING.

- 10 Overall, I am very satisfied with the meeting.
- 10 I was very satisfied with the services provided by the Facilitator.
- 10 I am satisfied with the outcome of the meeting.

5. HOW WELL THE NEXT STEPS WERE COMMUNICATED.

- 10 I know what the next steps following this meeting will be.
- 10 I know who is responsible for the next steps.

6. WHAT COMMISSIONERS LIKED BEST ABOUT THE MEETING.

- Vice Chairman Bourré lead this meeting in a very professional manner, especially considering it was his first time as acting chair.
- The meeting was very well conducted.
- Jeff, great to have you back. You run a clean efficient meeting.
- On agenda, and length was just right.
- Jeff, glad to have you back.
- Nice to have you back (Jeff).
- Good to have you back (Jeff), good meeting.
- Welcome back (Jeff)!

7. COMMENTS REGARDING HOW THE MEETING COULD HAVE BEEN IMPROVED.

- In person.

SUGGESTIONS FOR IMPROVEMENTS FROM THE COMMENTS PROVIDED ABOVE

- None were offered.

**ATTACHMENT 2
7 JUNE 2022 MEETING AGENDA**

**FLORIDA BUILDING COMMISSION
PLENARY SESSION
7 JUNE 2022
VIRTUAL MEETING**

MEETING OBJECTIVES

- To Approve Regular Procedural Topics (Agenda and Minutes).
- To Consider/Decide on Chair's Discussion Issues/Recommendations.
- To Consider/Decide on Executive Director Announcements and Discussions.
- To Receive Update Regarding the Florida Building Code, 8th Edition, (2023), Workplan.
- To Conduct A Rule Workshop for Rule 61G20-1.001.
- To Consider/Decide on Research Projects Recommended for Commission Funding During FY 2022-2023.
- To Consider/Decide on Accessibility Waiver Applications.
- To Consider/Decide on Product Approval Applications.
- To Consider/Decide on Advanced Code Course Applications and Accreditor Applications.
- To Receive a Legal Report Briefing.
- To Consider/Decide on a Petition for Declaratory Statement.
- To Receive briefing on Binding Interpretation #239
- To Receive/Decide on Reports and Recommendations from Committees.
- To Hear Public Comment.
- To Identify Needed Next Steps, Assignments, and Agenda Items for Next Meeting.

MEETING AGENDA—JUNE 7, 2022

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

8:30a.m.	1.)	Welcome and Opening, Roll Call
	2.)	Review and Approval of Meeting Agenda
	3.)	Review and Approval of the April 14, 2022 Meeting Minutes
	4.)	Chair's Discussion Issues Commission Appointments Updated Commission Milestones
	5.)	Executive Director Announcements and Discussions A) Draft Annual Report for FY 2021-2022 B) Financial Disclosure Forms C) Legislative Assignments D) Future Meetings: August 9, 2022-Teleconference Call October 11, 2022-Onsite, Holiday Inn, Gainesville Dec. 13-14, 2022-Onsite, The Shores Resort & Spa in Daytona, Florida
	6.)	Florida Building Code, 8th Edition, (2023) Update – Workplan Status A) TAC Preliminary Code Review Process B) TAC Final Code Review Process C) Commission Code Approval Process
	7.)	Rule Workshop for Rule 61G20-1.001

	<p>A) Consistency with HB 423 and SB 1140</p> <ol style="list-style-type: none"> Proposed Code Language for Consistency with HB 423 Proposed Code Language for Consistency with SB 1140 <p>B) Update the Energy Minimum Efficiency Standards for Certain Products for Consistency with the Federal Minimum Energy Efficiency Standards as Established by U.S. Code of Federal Regulation, 10 CFR Part 430 Subpart C, Section 430.32.</p> <ol style="list-style-type: none"> Revised Table C403.2.3(1) Min Eff Reqs. Operated Unitary AC and Condensing Units Revised Table C403.2.3(2) Min Eff Reqs. Elec Operated Unitary and Applied Heat Pumps 10 CFR Part 430 Subpart C, Section 430.32 Title 10, Part 430 Subpart. Section 430.33, Preemption of State Regulations <p>C) Consistency with SB 4-D</p> <ol style="list-style-type: none"> Proposed Code Language for Consistency with SB 4-D
8.)	<p>Evaluation and Prioritization of Research Projects Recommended for Commission FY 2022-2023 Funding (HRAC's Recommended Order and Supporting Documentation)</p> <ol style="list-style-type: none"> Wind-Induced Loads on Ground-Mounted and Ground Ballasted Systems - Ioannis Zisis - (FIU-\$118,000) Assessing the need to Modernize Water Penetration Resistance Test Procedures - Forrest Masters (UF- \$90,000-\$120,000) Assessment of Durability Requirements for Concrete Structures in Florida - Chris Ferraro (UF-\$100,000) Assessment of Inspection Reporting and Building Conditions in South Florida – Phase II- Jennifer Bridge - (UF \$90,000) An Investigation of the Factors leading to Ridge Vent Failure and Possible Mitigation Solutions- Cigdem Akan - (UNF - \$77,616) Establishing Inspection Periods and Preliminary Recommendations for Preventive Measures for Mid-Rise Buildings Near Coastal and Inland South Florida Environments (FIU: Atorod Azizinamni); [\$125,000]
9.)	<p>Applications for Waiver from Accessibility Requirements</p> <ol style="list-style-type: none"> Bruton's Cigar Shop-Waiver 559 - 204 N. Collins St., Plant City 33139- Issue: Vertical accessibility to the roof top deck.
10.)	Applications for Product (2020) and Entity Approval
11.)	Applications for Accreditor and Course Approval
12.)	Legal Report
13.)	<p>Declaratory Statements</p> <ol style="list-style-type: none"> DS 2022-014-Brenton Franklin of Axis Management Inc.
14.)	Briefing on Binding Interpretation #239
15.)	<p>Committee Reports</p> <ol style="list-style-type: none"> Accessibility Advisory Council(May 25, 2022) Code Administration Technical Advisory Committee (May 27, 2022) Education Program Oversight Committee (May 26, 2022) Energy Technical Advisory Committee (June 1, 2022) Hurricane Research Advisory Committee (April 14, 2022) (June 1, 2022) Product Approval Program Oversight Committee (May 26, 2022)
16.)	Commissioner Comment
17.)	Public Comment
18.)	Adjourn Commission Plenary Session

ATTACHMENT 3
KEY TO COMMON ACRONYMS

ACRONYM	DEFINITION
ADA	Americans With Disabilities Act
ADAAG	ADA Accessibility Guidelines for Buildings and Facilities
BCSA	Florida Building Code System Assessment
BOAF	Building Officials Association of Florida
DACS or FDACS	Florida Department of Agriculture and Consumer Services
DBPR	Department of Business and Professional Regulations
DCA	Department of Community Affairs (Abolished 2011)
DEP or FDEP	Florida Department of Environmental Protection
DOH or FDOH	Florida Department of Health
DOJ	U.S. Department of Justice
EPA	U.S. Environmental Protection Agency
FACBC	Florida Accessibility Code for Building Construction
FAR	Florida Administrative Register (previously FAW)
FBC	Florida Building Code
FBC	Florida Building Commission
FECC	Florida Energy and Conservation Code
IBC	International Building Code
ICC	International Code Council
POC	Program Oversight Committee (Education and Product Approval)
SAD	ADA Standards for Accessibility Design
TAC	Technical Advisory Committee

ATTACHMENT 4

FLORIDA BUILDING COMMISSION HISTORY AND OVERVIEW

HISTORY

Following Hurricane Andrew in 1992 and Hurricane Opal in 1995, Florida experienced record-breaking insurance losses resulting in a crisis affecting every homeowner in the state. The Governor appointed a Building Code Study Commission, and the Florida Conflict Resolution Consortium designed and facilitated a two-year study and deliberation process with the 28 members representing a range of interests in the public and private sectors, through which the Commission evaluated the building code system.

The study revealed that building code adoption and enforcement was inconsistent throughout the state and even local codes thought to be the strongest proved inadequate when tested by major hurricane events. The consequences were devastation to lives and economies and a statewide property insurance crisis. The Commission recommended reform of the state building construction system which placed emphasis on uniformity and accountability. The Study Commission recommended a Florida Building Code System comprised of *Five Foundations for a Better Built Environment* described as: I. The Code; II. The Commission; III. Local Administration of the Code; IV. Strengthening Compliance and Enforcement; and, V. Product Approval.

The Legislature enacted the consensus recommendations into law in 1998. In late 1998, the FCRC Consensus Center at Florida State University was asked by the Commission's chair to assist the newly created Florida Building Commission in its effort to build consensus for a uniform building code proposal. A comprehensive and transparent consensus building process was put in place that included designing and facilitating meetings of 12 balanced technical advisory groups of 11 members each appointed by the Commission, as well as the Commission's meetings. Facilitated Solutions, LLC continues to work with the Commission by providing facilitation and consensus-building services using the same process and facilitator.

OVERVIEW

COMMISSION REPRESENTATION. The Florida Building Commission has consisted of as many as 27 members, and since January 1, 2021 is a 19-member representative stakeholder group who successfully created, implemented, maintains, and updates the new statewide Florida Building Code. The Commission is comprised of 19 members appointed by the Governor to represent specific stakeholder groups. They are as follows: three municipal, county, or district code officials; an architect; a persons with disabilities representative; a structural engineer; an air conditioning or mechanical contractor, or mechanical engineer; an electrical contractor or electrical engineer; a manufactured buildings industry representative; a building products manufacturing industry representative; an insurance industry representative; a certified general or building contractor; a certified residential contractor; a plumbing contractor; a roofing or sheet metal contractor; a swimming pool contractor; a building products manufacturing industry representative; a natural gas system distribution representative; and the Governor's Chief Resilience Officer or designee.

CONSENSUS PROCESS. The Florida Building Commission (FBC) seeks to develop consensus decisions on its recommendations and policy decisions. General consensus is a participatory process whereby, on matters of substance, the members strive for agreements which all of the members can accept, support, live with or agree not to oppose. In instances where, after vigorously exploring possible ways to enhance the members' support for the final decision on substantive decisions, and the Commission finds that 100 percent acceptance or support is not achievable, final decisions require at least 75 percent favorable vote of all members present and voting. This super majority decision rule underscores the importance of actively developing consensus throughout the process on substantive issues with the participation of all members and which all can live with and support.

The Commission's consensus process is conducted as an open public process with multiple opportunities for the public to provide input to the Commission on substantive issues. At each Commission meeting, the public is welcome to speak during the public comment opportunity provided for each substantive issue under consideration, as well as general public comment periods provided at the end of each meeting. In addition, most substantive issues before the Commission go through a technical advisory committee review or workgroup process where consensus recommendations are developed by appointed representative stakeholder interests, providing extensive opportunities for public input. In addition many of the Commission's decisions require rule development to implement, affording additional entry points for public comment.

Since its formation in July of 1998, the Commission has demonstrated a commitment to working with affected interests to build consensus on complex issues. The adoption of the first edition of the Florida Building Code (2001 Edition), developed from September 1998 through January of 2001, involved 27 Commission meetings, dozens of facilitated public workshops and hundreds of TAC meetings. The Commission has consistently worked with all affected interests to build the best possible consensus-based decisions for the citizens of Florida. Through its committees and workgroups comprised of experts, the Commission has always developed its decisions based on the results of the best engineering and science available. Since 1999 the Commission has convened 68 special issue stakeholder workgroups to develop broad based consensus recommendations on issues of concern to stakeholders. Although the Code is by law a minimum building code, the Florida Building Code is the strongest consensus and science based building code in the country. The Insurance Institute for Business and Home Safety (IBHS) ranked the Florida Building Code as number one in their 2018 assessment of residential building code enforcement systems for life safety and property protection in hurricane prone regions.

In summary, the Florida Building Commission provides a forum for stakeholders representing key interests to participate in a consensus-building process where issues affecting the construction industry are discussed and evaluated on their technical merits and cost-benefits to the citizens of the State of Florida. In addition, as a result of the Commission's proven consensus-building process and success in developing consensus on tough issues, the Florida Legislature frequently assigns policy issues to the Commission for evaluation and implementation.

ATTACHMENT 5
COMMISSION’S UPDATED MEETING SCHEDULE AND
2023 CODE UPDATE WORKPLAN
UPDATED 12 OCTOBER 2021

COMMISSION MEETING DATES FOR FISCAL YEAR 2022 – 2023 (REMAINDER OF 2022)

August 9, 2022	Webinar/Teleconference Virtual Meeting
Oct.11, 2022	Onsite Meeting, Holiday Inn, Gainesville (Coincides with TAC meetings for Code modifications)
Dec. 13 – 14, 2022	Onsite Meeting, The Shores, Resort and Spa, Daytona Beach Shores (Code modifications approval)

COMMISSION’S 2023 CODE UPDATE DEVELOPMENT WORKPLAN

8TH EDITION (2023) FBC CODE UPDATE DEVELOPMENT TASKS

8TH EDITION (2023) UPDATE TO THE FLORIDA BUILDING CODE—	
TASKS	SCHEDULE
<i>Selection of the model codes:</i>	
2020 NEC published and available to the public;	08/25/2019
2021 International Codes published and available to the public;	January 2021
Commission selects 2021 I Codes “model codes” and 2020 NEC to conduct its review	2/9/2021 Completed
<i>Review of the model code changes:</i>	
In coordination with ICC, staff post complete listing of the code changes to the I Codes online	2/25/2021 Completed
Staff post on Commission website/Building Code Information System (BCIS) analysis of the 2021 I-Code change to provide for identification of the following: <ul style="list-style-type: none"> • Provisions which overlap with the provisions of the FBC • Provisions which correlate directly with the provisions of the FBC • Provisions which provide for energy efficiency standards that meet or exceed the national energy standards mandated by Title III of the Energy Conservation and Protection Act • Provisions which are necessary to maintain eligibility for federal funding and discounts from the National Flood Insurance Program, the Federal Emergency management Agency, or the United States Department of Housing and Urban Development 	5/17/2021 Completed
Residential Construction Cost Impact Workgroup (RCCIWG) reviews the 2021 changes to the International Residential Code (IRC) and provides comments to the Commission’s TACs on impactful code changes.	6/29/2021 Completed
RCCIWG meeting – Conference call/Webinar	
45 day public review and comment period ends (<i>By Rule -45 day min before TAC review</i>)	7/1/2021 Completed

Staff post on Commission website analysis of the 2021 I-Code changes with public comments (Tracking Charts and code change monographs)	8/2/2021 Completed
TACs review the 2021 changes to the I Codes and make recommendations to the Commission regarding those changes as follows: That the Commission rejects certain model code provisions by consent agenda. <ul style="list-style-type: none"> (Due to such issues as being unnecessary, negatively impacting the level of public health, safety, or general welfare provided by an existing Florida Building Code provision, diminishing the requirements of provisions related to wind resistance or water intrusion, unnecessarily imposing additional costs, or potentially requiring modification or further investigation before being adopted for use in this state) That the Commission approves certain model code provisions by consent agenda. <ul style="list-style-type: none"> (When considering whether to recommend inclusion on a consent agenda for approval, the TACs shall consider such criteria as whether the model code provisions are editorial or organizational in nature, correct an error, provide clarification, provide for alternative design methods, improve the effectiveness of the code, are uncontroversial to affected stakeholders, or are required by law.) That the Commission approve or reject certain model code provisions after considering them individually. <ul style="list-style-type: none"> (When recommending individual consideration of model code updates, the TACs shall consider such criteria as whether the update has the potential to impose significant costs, cause confusion or regulatory difficulty, may be unnecessary, is highly controversial to affected stakeholders, or requires further evaluation.) TACs meetings – on site - TBD	9/22-30/2021 and 10/1-7/2021 Completed
Staff post TACs' recommendations online for further public review	10/15/2021 Completed
Deadline for requesting amendments (2021 I-Codes changes) to be pulled of the consent agenda for individual consideration	11/19/2021 Completed
Commission considers TACs' recommendations regarding the latest changes to the model codes - on site meeting (TBD)	12/14-15/2021 Completed
Staff post Commission's recommendations online	1/3/2022 Completed
<i>Proposed modification to the foundation code and Commission's approved I-Codes changes</i>	
Period for public to propose modifications to the 7 th Edition (2020) FBC and the Commission's approved I-Codes changes	1/4/2022 – 2/15/2022 Completed
Proposed amendments reviewed by staff and posted to the Commission website	3/3/2022 Completed
1 st 45 day comment period ends <i>(By law -45 day min before TAC review)</i>	4/17/2022
Staff post on Commission website proposed code changes (Tracking Charts and Detail Reports)	5/2/2022

Staff assign TAC members specific proposed code change for review in advance of the TAC meetings in June	
TACs consider proposed modifications (1 st 45 day comment period) TACs meetings - 4-day on-site meetings	6/20-24/2022
TACs recommendations posted to the website Starting date for the 2 nd 45 day comment period	7/12/2022
Residential Construction Cost Impact Workgroup (RCCIWG) reviews the TACs' recommendations with regard to the proposed modifications to the Florida Residential Code (FRC) and provides comments to the TACs/Commission on impactful code changes. RCCIWG meeting – on-site meeting (TBD)	TBD
2 nd 45 day comment period ends (<i>by law – 45 day min before Commission review</i>)	8/26/2022
Staff post on Commission website proposed code changes with comments (Tracking Chats and Details Reports)	9/21/2022
TACs consider public comments on their actions on the proposed mods TACs meetings – 4-day meetings [2-day on-site (TBD) and 2 – day via conference/webinar] – As needed and as applicable	10/11-14/2022
Staff post on Commission website TACs consideration of public comments	11/10/2022
Commission considers TAC recommendations (2 nd 45 day comment period) Commission – 2-day meeting	12/13-14/2022
8 th Edition (2023) FBC (7 th Edition (2020) FBC, Florida Supplement and Commission's approved I Codes) posted online	1/19/2023
Provide Supplements to ICC for integration into the 7th Edition (2020) FBC	
TACs review comments to Rule Development Workshop of March 13, 2020 and make recommendations to the Commission TACs meetings - 3-day on-site meetings and 3-day conference call/webinar meetings	2/22-24/2023
Rule development Workshop Commission – 1-day meeting	March 13, 2023
Integrated Draft 8 th Edition (2023) FBC – Posted online	May 22, 2023
Hearing on 8 th Edition (2023) FBC to consider received comments	TBD
Final Rule Hearing on 8 th Edition (2023) FBC/Commission approves final version of Code 8 th Edition (2023) Florida Fire Prevention Code available in final format	TBD
Rule Submitted to Secretary of State and Supplement/Integrated posted online – subject to addressing all JAPC's concerns	TBD
Final FBC -PDF posted	TBD
Printed Code available - subject to negotiation with ICC	TBD
2023 FBC (8th edition) effective date (6 – months after publication)	12/31/2023
553.73(7)(e) A rule updating the Florida Building Code in accordance with this subsection shall take effect <u>no sooner than 6 months</u> after publication of the updated code. Any amendment to the Florida Building Code which is adopted upon a finding by the commission that the amendment is necessary to protect the public from immediate threat of harm takes effect immediately.	

ATTACHMENT 6

TAC REVIEW AND COMMISSION CODE AMENDMENT APPROVAL PROCESSES

TACS' PRELIMINARY RECOMMENDATIONS TO THE COMMISSION TAC CODE AMENDMENT REVIEW AND RECOMMENDATION PROCESS 2023 CODE UPDATE PROCESS—8TH EDITION (2023), FLORIDA BUILDING CODE

SECTION 1. GENERAL PROVISIONS

- Facilitator will serve as moderator, call for motions, and assist with adopted process and groundrules.
- One person speaks at a time.
- Limit your comment and be concise. Do not read lengthy prepared statements; summarize and submit complete text of comment for the record.
- Comments are limited to a maximum of three-minutes (3) per person.
- Offer new points and/or state agreement with previous speakers. Please do not repeat what has been stated.
- Chair/Facilitator may terminate a comment if it is repeating previous comments, and not simply stating agreement or offering new points.
- The TAC wants to hear all view-points to ensure all perspectives are considered, and not repeats of the same views.
- Proponents and Opponents not wishing to provide comments are encouraged to raise their hands in support or opposition to Code amendments to provide the TAC with a sense of stakeholder preferences.

SECTION 2. TAC CODE AMENDMENT REVIEW AND CONSIDERATION PROCESS

- Facilitator will introduce each proposed Code amendment by FBC Code Chapter and Section in turn, and by TAC.
- Proponents of proposed Code amendment will speak first.
- Opponents of proposed Code amendment will follow proponents.
- Proponents/opponents will be allowed one (1) collective two-minute counterpoint opportunity to address any new point(s) raised by previous speakers(s), but only if they address new points specific to the comment(s) raised by the speaker(s) and if they provide new points. No repeating of previous comments/points.
- TAC will vote in favor of the motion that the standing findings apply to all motions to approve proposed Code amendments (*Section 4 on page 3*) prior to considering proposed Code amendments. The TAC will stand on the required findings for all motions to approve.

- Clarifying questions by TAC members only.
- Staff, proponent, or specified commenter will respond to TAC Member's questions.
- Once a motion and second is on the floor, discussion is limited to TAC members except as allowed by the Chair/Facilitator.
- **Withdrawal of a Code Amendment:** A Code amendment proposal may be withdrawn by the proponent at any time prior to the TAC's vote on the proposal.
- All Code amendments must be voted on individually, either to approve or to deny, and will require a motion and a second.
- **Rationale for Denial.** TAC members are encouraged, but not required, to provide feedback regarding their reason for not recommending the approval of a Code amendment proposal.
- Motions require a two-thirds (67%) favorable vote for approval; those amendments which receive less than a two-thirds favorable vote will be considered unapproved and will be deemed recommended for denial.
- In order for a Technical Advisory Committee to make a favorable recommendation to the Commission, the proposal must receive a two-thirds vote of the members present at the Technical Advisory Committee meeting and at least half of the regular members must be present in order to conduct a meeting. [Section 553.73 (3) (b), F.S.]

SECTION 3. TAC MEMBER MODIFICATIONS

- **TAC Modifications.** TAC members should avoid spending time modifying a Code amendment proposal, and instead TAC members should focus on providing a proponent with constructive comments for possible revision of their Code amendment during the 2nd 45 - day review/comment period. This approach will ensure that consideration of Code amendments are completed within the time frame allocated for the meeting.
- Any TAC modifications to a proposed Code amendment require: additional public comment, and TAC analysis of findings, rationale, and fiscal impact.
- **Modifications:** Modifications to proposed Code amendments may be suggested by any person participating in the TAC meeting. The person proposing the modification is deemed to be the proponent of the Code amendment. All modifications must be written, unless determined by the Chair to be either editorial or minor in nature. The proponent of the modification shall provide an electronic version in an editable format, and 20 hard copies to staff for distribution to the TAC prior to TAC consideration.
- A proposed modification to a Code amendment shall not be considered by the TAC if it:
 - Is not legible;
 - Changes the scope of the original proposal; or,
 - Is not readily understood so that a proper assessment of its impact on the original proposal of the Code can be determined.

SECTION 4. STANDING FINDINGS APPLIED TO ALL MOTIONS TO APPROVE PROPOSED CODE AMENDMENTS

Facilitator will read the following motion, ask for a motion and second to approve, and the TAC will then vote in favor.

The Technical Advisory Committee moves that for all motions made to approve a proposed Code amendment, the Technical Advisory Committee votes to recommend that the Commission approve the amendment based on the following Findings [Pursuant to the Requirements of Section 553.73 (9)(a) and (9)(b), F.S.]:

- A. The amendment is needed in order to accommodate the specific needs of this state; and
- B. The amendment has a reasonable and substantial connection to the health, safety, and welfare of the general public; and
- C. The amendment strengthens or improves the Florida Building Code, or in the case of innovation or new technology, will provide equivalent or better products or methods or systems of construction; and
- D. The amendment does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities; and
- E. The amendment does not degrade the effectiveness of the Florida Building Code; and
- F. The amendment has the following fiscal impact relative to the costs and benefits of the proposed amendment:
 - 1. The fiscal impact relative to enforcement imposed upon local government is as indicated by the proponent.
 - 2. The fiscal impact of compliance imposed upon building and property owners is as indicated by the proponent.
 - 3. The fiscal impact relative to compliance imposed upon industry is as indicated by the proponent.
 - 4. The amendment must demonstrate by evidence or data that the state's geographical jurisdiction exhibits a need to strengthen the code beyond the needs or regional variations addressed by the code and why the proposed amendment applies to this state.
- G. The amendment's benefits noted with regard to fiscal impact and efficacy outweigh the costs imposed.
- H. The amendment does not diminish requirements related to wind resistance or prevention of water intrusion contained in the Code or its referenced standards and criteria.

**TACS' FINAL RECOMMENDATIONS TO THE COMMISSION
TAC REVIEW PROCESS FOR PUBLIC COMMENTS ON TACS'
PRELIMINARY CODE AMENDMENT RECOMMENDATIONS
2023 CODE UPDATE PROCESS—8TH EDITION (2023), FLORIDA BUILDING CODE**

SECTION 1. GENERAL PROVISIONS

- Facilitator will serve as moderator, call for motions, and assist with adopted process and groundrules.
- One person speaks at a time.
- Limit your comment and be concise. Do not read lengthy prepared statements; summarize and submit complete text of comment for the record.
- Facilitator will limit comments to a maximum of three-minutes (3) per person.
- Offer new points and/or state agreement with previous speakers; please do not repeat what has been stated.
- Facilitator may terminate a comment if it is repeating previous comments, and not simply stating agreement or offering new points.
- The TAC wants to hear all view-points to ensure all perspectives are considered, and not repeats of the same views.
- Proponents and Opponents not wishing to provide comments are encouraged to raise their hands in support or opposition to amendments to provide the TAC with a sense of stakeholder preferences.

SECTION 2. TAC REVIEW OF PUBLIC COMMENTS ON TAC RECOMMENDATIONS REVIEW AND CONSIDERATION PROCESS

- Facilitator will introduce each comment on TAC's recommendations.
- Proponents of proposed comment will speak first.
- Opponents of proposed comment will follow proponents.
- Proponents/opponents will be allowed one (1) collective two-minute counterpoint opportunity to address any new point(s) raised by previous speakers(s), but only if they address new points specific to the comment(s) raised by the speaker(s) and if they provide new points. No repeating of previous comments/points.
- **Withdrawal of Comment:** A comment on a TAC recommendation regarding a proposed Code amendment may be withdrawn by the proponent at any time prior to the TAC consideration of that comment.
- After public input on a comment on a TAC recommendation, the TAC will take action on the comment by voting either to approve the comment and amend their previous recommendation, or to deny the comment and retain their previous recommendation.
- In considering the comment the TAC should consider whether the public comment sufficiently addresses the TAC's concern(s) regarding the proposed Code amendment, or does not address the TAC's concern(s).
- A proposed comment shall not be considered by the TAC if it:
 - Is not legible;
 - Changes the scope of the original proposed Code amendment and/or TAC's recommendation regarding the Code amendment; or,

- Is not readily understood so that a proper assessment of its impact on the original proposed Code amendment and/or TAC's recommendation can be determined.
- TACs should not attempt to revise or amend the comments in any way.
- The TAC's final actions on the comments will be submitted to the Commission as the TAC's final recommendations on proposed Code amendments to the Florida Building Code.
- The recommendations will be provided to the Commission on consent agendas.
- Motions require a two-thirds (67%) favorable vote for approval; those amendments which receive less than a two-thirds favorable vote will be considered unapproved and will be deemed recommended for denial.
- In order for a Technical Advisory Committee to make a favorable recommendation to the Commission, the proposal must receive a two-thirds vote of the members present at the Technical Advisory Committee meeting and at least half of the regular members must be present in order to conduct a meeting. [Section 553.73 (3) (b), F.S.]

SECTION 3. CONSENT AGENDAS OF TACs' FINAL RECOMMENDATIONS TO THE COMMISSION

CONSENT AGENDAS RECOMMENDED FOR DENIAL. The TACs' recommendations for denial of specific proposed Code amendments are on "Consent Agendas Recommended for Denial," one per TAC, consisting of multiple matrices containing Code amendments reflective of the topical Code areas within the TAC's purview. These recommendations are posted to the BCIS and labeled: Chart #1: "Tracking Charts with TAC Actions—Consent Agendas to Deny." The matrices of Code amendments recommended for denial relevant to each TAC will be considered by the Commission as a single consent agenda per TAC.

CONSENT AGENDAS RECOMMENDED FOR APPROVAL. The TACs' recommendations for approval of specific proposed Code amendments are on "Consent Agendas Recommended for Approval," one per TAC, consisting of multiple matrices containing Code amendments reflective of the topical Code areas within the TAC's purview. These recommendations are posted to the BCIS and labeled: Chart #2: "Tracking Charts with TAC Actions—Consent Agendas for Approval." The matrices of Code amendments recommended for approval relevant to each TAC will be considered by the Commission as a single consent agenda per TAC.

RECOMMENDATIONS FOR INDIVIDUAL CONSIDERATION. The TACs' recommendations for proposed Code amendments recommended for individual consideration, either to approve or to deny, will be considered individually by the Commission. These recommendations are posted to the BCIS and labeled: Chart #3: "Tracking Charts with TAC Actions—Individual Consideration." The matrices of Code amendments recommended for individual consideration relevant to each TAC will be considered by the Commission individually per TAC.

COMMISSION CODE AMENDMENTS APPROVAL PROCESS
2023 CODE UPDATE PROCESS—8TH EDITION (2023), FLORIDA BUILDING CODE

SECTION 1. OVERVIEW

Proposed Code amendments to the Florida Building Code will be reviewed by the Commission’s TACs in meetings per the 2023 Workplan/Schedule. The TACs’ preliminary recommendations regarding proposed Code amendments will subsequently be posted to the Commission’s website for a minimum of 45 days and the public will be provided an opportunity to comment on the TACs’ recommendations during this time-frame (second 45-day review period). The TACs will meet for a second time per the 2023 Workplan/Schedule to review the public comments, and to decide whether the submitted comments address their concerns regarding their recommendations on proposed Code amendments. The TACs will vote on their final recommendations during this meeting. In addition, the Residential Construction Cost Impact Workgroup will review the TACs’ recommendations and provide comments regarding costs/impacts of the TACs’ recommended Code amendments for approval relevant to the Residential Building Code (Code amendments identified as impactful). These comments will be incorporated into the TACs’ consent agendas of final recommendations.

The Commission will consider the TACs’ recommendations regarding proposed Code amendments per the 2023 Workplan/Schedule. The Commission will consider the TACs’ recommendations on two (2) consent agendas per topical code area. Any Commissioner may pull any Code amendments for individual consideration.

After the Commission takes action on all of the proposed Code amendments they will move to proceed with rule adoption for Rule 61G20-1.001(1), Florida Building Code Adopted, for the purpose of adopting approved Code amendments to the Florida Building Code.

SECTION 2. ORGANIZATION

The TAC’s recommendations regarding proposed Code amendments for the 2023 Code Update are arranged on two (2) consent agendas as follows:

TAC’s Recommendations are on Two Consent Agenda Per TAC (By Code Areas):

1. CONSENT AGENDAS RECOMMENDED FOR DENIAL. The TACs’ recommendations for denial of specific proposed Code amendments are on “Consent Agendas Recommended for Denial,” one per TAC, consisting of multiple matrices containing Code amendments reflective of the topical Code areas within the TAC’s purview. These recommendations are posted to the BCIS and labeled: Chart #1: “Tracking Charts with TAC Actions—Consent Agendas to Deny.” The matrices of Code amendments recommended for denial relevant to each TAC will be considered by the Commission as a single consent agenda per TAC. The Commission votes to approve the TAC’s recommendations on the Code amendments, as posted. The motion should be framed: Motion to approve the consent agenda for denial and to deny all of the proposed Code amendments on the consent agenda. Commissioners should pull-off any Code amendment(s) that would prevent them from voting to approve the consent agenda of matrices recommended for denial by the TAC and as posted to the BCIS.

2. CONSENT AGENDAS RECOMMENDED FOR APPROVAL. The TACs' recommendations for approval of specific proposed Code amendments are on "Consent Agendas Recommended for Approval," one per TAC, consisting of multiple matrices containing Code amendments reflective of the topical Code areas within the TAC's purview. These recommendations are posted to the BCIS and labeled: Chart #2: "Tracking Charts with TAC Actions—Consent Agendas for Approval." The matrices of Code amendments recommended for approval relevant to each TAC will be considered by the Commission as a single consent agenda per TAC. The Commission votes to approve the TAC's recommendations on the Code amendments, as posted. Commissioners should pull-off any Code amendment(s) that would prevent them from voting to approve the consent agenda of matrices recommended for approval by the TAC and as posted to the BCIS.

3. RECOMMENDATIONS FOR INDIVIDUAL CONSIDERATION. The TACs' recommendations for proposed Code amendments recommended for individual consideration, either to approve or to deny, will be considered individually by the Commission. These recommendations are posted to the BCIS and labeled: Chart #3: "Tracking Charts with TAC Actions—Individual Consideration." The matrices of Code amendments recommended for individual consideration relevant to each TAC will be considered by the Commission individually per TAC. Code amendments that the TACs' recommended for individual consideration, and Code amendments pulled by the Commission for individual consideration for the purpose of approval or denial require a motion to approve or a motion to deny and a second.

The Commission will vote in favor of the motion that the standing findings apply to all motions to approve proposed Code amendments (*Section 4 on page 3*) prior to considering proposed Code amendments. The Commission will stand on the required findings for all motions to approve.

SECTION 3. REQUESTING CODE AMENDMENTS BE PULLED FROM CONSENT AGENDAS FOR INDIVIDUAL CONSIDERATION

REQUESTING A CODE AMENDMENT TO BE PULLED FOR INDIVIDUAL CONSIDERATION. Commissioners or members of the public requesting that Code amendments be pulled for individual consideration ("Consent Agenda Recommended for Denial" or "Consent Agenda Recommended for Approval") should submit their request in writing no later than 21 days prior to the Commission meeting where the Code amendments will be considered. Requests should be sent to Mo Madani at DBPR. The Commission will decide which if any Code amendments to pull for individual consideration at their rule workshop on Rule 61G20-1.001.

Any Commissioner may pull any Code amendment off of a "Consent Agenda Recommended for Denial" or a "Consent Agenda Recommended for Approval" for individual consideration based on public comment (submitted in writing or verbally).

**SECTION 4. STANDING FINDINGS APPLIED TO ALL MOTIONS TO APPROVE TACs' CONSENT
AGENDAS AND FOR ALL INDIVIDUALLY CONSIDERED CODE AMENDMENTS**

Facilitator will read the following motion, ask for a motion and second to approve, and the Commission will then vote in favor.

Motion 1: The Commission moves that for all motions made to approve a proposed consent agenda for approval and any individually considered Code amendments, the Florida Building Commission votes to approve them based on the following Findings [Pursuant to the Requirements of Section 553.73 (9)(a) and (9)(b), F.S.]:

- G. The amendment is needed in order to accommodate the specific needs of this state; and
- H. The amendment has a reasonable and substantial connection to the health, safety, and welfare of the general public; and
- I. The amendment strengthens or improves the Florida Building Code, or in the case of innovation or new technology, will provide equivalent or better products or methods or systems of construction; and
- J. The amendment does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities; and
- K. The amendment does not degrade the effectiveness of the Florida Building Code; and
- L. The amendment has the following fiscal impact relative to the costs and benefits of the proposed amendment:
 - 5. The fiscal impact relative to enforcement imposed upon local government is as indicated by the proponent.
 - 6. The fiscal impact of compliance imposed upon building and property owners is as indicated by the proponent.
 - 7. The fiscal impact relative to compliance imposed upon industry is as indicated by the proponent.
 - 8. The amendment must demonstrate by evidence or data that the state's geographical jurisdiction exhibits a need to strengthen the code beyond the needs or regional variations addressed by the code and why the proposed amendment applies to this state.
- G. The amendment's benefits noted with regard to fiscal impact and efficacy outweigh the costs imposed.
- H. The amendment does not diminish requirements related to wind resistance or prevention of water intrusion contained in the Code or its referenced standards and criteria.

Motion 2: Motion to approve consent agenda of Staff's recommendations regarding correlations and editorial fixes for the 8th Edition (2023), Florida Building Code.

SECTION 5. GENERAL PROVISIONS

- Facilitator will serve as the moderator, call for motions, and assist with adopted process and groundrules.
- One person speaks at a time.
- Limit your comment and be concise. Do not read lengthy prepared statements; summarize and submit complete text of comment for the record.
- Comments will be limited to a maximum of three-minutes (3) per person.
- Offer new points and/or state agreement with previous speakers; please do not repeat what has been stated.
- Chair/Facilitator may terminate a comment if it is repeating previous comments, and not simply stating agreement or offering new points.
- The FBC wants to hear all view-points to ensure all perspectives are considered, and not repeats of the same views.
- Proponents and Opponents not wishing to provide comments are encouraged to raise their hands in support or opposition to amendments to provide the Commission with a sense of stakeholder preferences.

SECTION 6. PUBLIC COMMENT PROCESS OVERVIEW

- Facilitator will introduce the TACs' recommendations regarding proposed Code amendments by "Consent Agendas Recommended for Denial," and by "Consent Agendas Recommended for Approval," by TAC in turn (each consent agenda reflects multiple matrices with amendments organized by FBC Chapter and Section within the TAC's purview).
- The public will be invited to request that any of the TACs' recommendations on consent agendas for Commission action be considered individually, as introduced by the Facilitator in turn by TAC.
- Public comments will be limited to a maximum of three-minutes (3) per person. However, a Commission member may request clarification of public comments through the Chair or Facilitator.

SECTION 7. FLORIDA BUILDING COMMISSION 2023 CODE AMENDMENTS REVIEW AND APPROVAL PROCESS

- Facilitator will introduce each "Consent Agenda Recommended for Denial" consisting of matrices of proposed Code amendments recommended for denial by each TAC in turn.
- Facilitator will subsequently introduce each "Consent Agenda Recommended for Approval" consisting of matrices of proposed Code amendments recommended for approval by each TAC in turn.
- Public will speak to any Code amendments they wish the Commission to consider individually from the "Consent Agenda Recommended for Denial," or "Consent Agenda Recommended for Approval," by TAC in turn, as introduced by the Facilitator.
- Commissioner(s) will decide which, if any, Code amendments to pull for individual consideration.
- Any Commissioner may pull any Code amendment for individual consideration.

- Clarifying questions by FBC members only.
- FBC will vote in favor of each “Consent Agenda Recommended for Denial,” by TAC in turn, as posted or as amended by the Commission’s removal of specific Code amendments recommended for denial.
- FBC will vote in favor of each “Consent Agenda Recommended for Approval,” by TAC in turn, as posted or as amended by the Commission’s removal of specific Code amendments recommended for approval.
- Once a motion is on the floor, discussion is limited to FBC members except as allowed by the Chair.
- A Commissioner must move approval or denial of a proposed Code amendment and receive a second prior to discussion.
- All Code amendments pulled for individual consideration must be voted on individually either to approve or deny.
- Any Code amendment considered individually that does not receive a second will be considered unapproved and deemed denied due to failure to receive a second.
- Motions require a 75% favorable vote for approval; those with less than a 75% favorable vote will be considered unapproved and deemed denied.

ATTACHMENT 7
FY 2022 – 2023 RESEARCH PROJECTS FUNDING

RESEARCH PROJECT FUNDING FOR FY 2022 - 2023
APPROVED BY THE FLORIDA BUILDING COMMISSION — JUNE 7, 2022

RANK	PROJECT TITLE (PI UNIVERSITY)	RAW SCORE OUT OF 10	FUNDING AMOUNT
1	Assessment of Inspection Reporting and Building Conditions in South Florida – Phase II; (UF: Jennifer Bridge)	9.2	\$90,000
2	Establishing Inspection Periods for Preventive Measures for Mid-Rise Buildings Near Coastal and Inland South Florida Environments; (FIU: Atorod Azizinamni)	8.2	\$125,000
3	Assessing the Need to Modernize Water Penetration Resistance Test Procedures; (UF: Forrest Masters/Ryan Catarelli)	7.2	\$120,000
FUNDING SUBTOTAL FOR # 1-3 RANKED PROJECTS			\$335,000
4	Assessment of Durability Requirements for Concrete Structures in Florida; (UF: Chris Ferraro)	5.8	\$100,000
5	An Investigation of the Factors Leading to Ridge Vent Failure and Possible Mitigation Solutions; (UNF: Cigdem Akan)	4.5	\$77,616
6	Wind-Induced Loads on Ground-Mounted and Ground Ballasted Systems; (FIU: Ioannis Zisis)	3.2	\$118,000
TOTAL FUNDING REQUESTED FOR THE SIX PRIORITIZED PROJECTS			\$630,616

THE FOLLOWING PROJECTS ARE NEEDED FOR DEVELOPMENT OF THE 2023 FBC AND ARE BEING FUNDED BY THE COMMISSION

A) Review of the integrated draft of the 2023 Florida Building Code to identify publication errors, formatting issues, incorrect cross references between sections, missing text, and any other issues related to the integration of the approved amendments into the base code (Consulting Service)	\$65,000
B) Update and development of wind speed line maps for the 8 th Edition (2023) Florida Building Code; (UF: Katherine Norris)	\$49,977
C) Survey and investigation of buildings damaged by Category – III, IV & V Hurricanes; (UF: David Prevatt)	\$75,000
TOTAL	\$189,977