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Plenary Session

June 10, 2025

8:30 a.m.

Minutes

COMMISSIONERS PRESENT:

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

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

COMMISSIONERS NOT PRESENT:

STAFF PRESENT:

Alan Burke
Melissa Campos
Sabrina Evans
Jim Hammers

Marlita Peters
Mo Madani
Justin Vogel

MEETING FACILITATION:

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

Time: 8:30 a.m.

Chairman Bourré welcomed the Commissioners, staff, and members of the public to the June 10, 2025, web-based and teleconference virtual plenary session of the Florida Building Commission.

Chairman Bourré stated that the primary focus of the June meeting is to consider our regular procedural matters, updates, briefings, product and education course approvals, accessibility waivers, petitions for declaratory statements, and committee reports, and to decide on research projects for fiscal year 2025-2026 funding.

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

Roll Call:

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

Agenda Approval:

Commissioner Schock entered a motion to approve the agenda for today's meeting as posted. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 13 to 0.

Approval of Previous Meeting Minutes and Facilitator Report for April 15, 2025:

Commissioner Schilling entered a motion to approve the minutes from April 15, 2025, as posted. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 13 to 0.

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

Commissioner Brown joined the meeting, making the quorum 14 members present.

Presenter:

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

[Public Comment]:

Joe Belcher asked Dr. Prevatt a question.

Dr. Prevatt provided an answer to Mr. Belcher's question.

Jaime Gascon, Miami-Dade County, provided a comment.

Dr. Prevatt provided a comment.

Motion:

Commissioner Schiffer moved to approve the Draft Final Report Regarding the Survey of Building Damage from Hurricane Helene and Hurricane Milton. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 14 to 0.

Discussion:

Commissioner Tolbert provided a comment.

Chairman's Discussion Issues and Recommendations:

TAC Appointments:

Hurricane Research Advisory Committee

Chairman Bourré appointed Michelle Hunt to replace Mark Mikkelsen on the HRAC. Chairman Bourré thanked Ms. Hunt for agreeing to serve and welcomed her to the Committee and thanked Mr. Mark Mikkelsen for his service to the citizens of Florida.

Fire Technical Advisory Committee

Chairman Bourré appointed Bryan Parks to the Fire TAC to replace Doug Carter who rolled off the TAC. Chairman Bourré thanked Mr. Parks for agreeing to serve and welcomed him to the TAC and thanked Mr. Doug Carter for his service to the citizens of Florida.

Legislative Update – Bills Impacting Commission – Enrolled 2025 Legislative Session Proposed Implementation with Draft Code Language

Alan Burke reviewed the House Bills enrolled in 2025 Legislative Session

- 1) HB 551 – Fire Prevention**
- 2) HB 683 – Construction Regulations**
- 3) HB 913 – Condominium and Cooperative Associations**
- 4) SB 180 – Regulation of Hoisting Equipment Used in Construction, Demolition, or
Excavation During a Hurricane**
- 5) HB 1137 – Utility Service Restrictions**

Future Commission Meetings:

Alan Burke reminded the Commission that the next meeting will be on August 12, 2025, and will be conducted virtually.

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

Annual Report:

Milestones:

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

Florida Building Code, 8th Edition, (2023) Update- Workplan Status:

Mr. Madani provided details on the updated Workplan and Schedule for the development of the 2023 Code Update Process – 8th Edition (2023), Florida Building Code.

Motion:

Commissioner Schock moved to approve the updated Workplan and Schedule for the Adopted 8th Edition (2023), Florida Building Code. Commissioner Brown seconded the motion. The motion passed unanimously with a vote of 14 to 0.

Florida Building Code, 8th Edition, (2023) Update- Workplan Status:

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

Motion:

Commissioner Schock moved to approve the updated Workplan and Schedule for development of the 9th Edition (2026), Florida Building Code. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 14 to 0.

Research Project Assignments Summary

Mr. Madani provided a summary of legislative research project assignments.

- 1) **HB 913 – Condominium and Cooperative Associations**
- 2) **SB 180 – Section 489.1132, F.S. Regulation of Hoisting Equipment Used in Construction, Demolition, or Excavation During a Hurricane.**

FY 2025-2026 Research Project Workplan and Proposed Research Projects for Funding:

Research Workplan for FY 2025-2026

Staff:

Mr. Madani provided a review of the proposed Research Workplan for Fiscal Year 2025-2026.

Motion:

Commissioner Schilling entered a motion to approve the Research Workplan for Fiscal Year 2025-2026. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 14 to 0.

FY 2025-2026 Research Project Workplan and Proposed Research Projects for Funding:

Chairman Bourré updated the Commissioners on the 2025-2026 Research Project Workplan and Proposed Research Projects for Funding.

- 1) **Roofing Underlayment Performance in Extreme Wind Events-Ioannis Zisis (FIU-\$120,00)**
- 2) **Assessment of Windborne Debris Risk in Florida -[Jennifer Bridge] (UF-\$254,000)**

Discussion:

Commissioner John asked a question.

Mr. Blair provided an answer to Commissioner John's question.

Motion:

Commissioner Compton entered a motion to approve funding two (2) research projects for fiscal year 2025 – 2026 based on the HRAC’s recommended priority order, and to charge staff with contracting, administering and overseeing the research, and negotiating scoping and funding levels as appropriate. Commissioner Schock seconded the motion.

Discussion:

Commissioner Schock asked a question.

Mr. Blair provided an answer to Commissioner Schock’s question.

Mr. Madani provided a comment.

Commissioner Brown asked a question.

Mr. Blair provided an answer to Commissioner Brown’s question.

Motion Continued:

The motion passed unanimously with a vote of 14 to 0.

Product Approval:

Mr. Blair explained as a result of the Product Approval POC not achieving a quorum for their May 29, 2025, meeting, the entity and product approval applications will be taken up directly by the Commission.

2023 Code:

Commissioner Hershberger stated there were 24 product approval entities on the consent agenda for approval for the 2023 code.

Motion:

Commissioner Hershberger entered a motion to approve the 24 product approval entities for the 2023 code. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 14 to 0.

Commissioner Hershberger stated there are 222 product approval applications on the consent agenda for approval.

Motion:

Commissioner Hershberger entered a motion to approve the 222 product approval applications on the consent agenda. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 14 to 0.

Products with Comments:

Mr. Blair stated there were 8 products with comments on the consent agenda for approval.

Products Recommended for Approval (3):

Motion:

Commissioner Hershberger entered a motion to recommend approval of the consent agenda of products with comments (3) FL47430, FL47434, and FL47440 based on the conditions recommended by DBPR staff. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 14 to 0.

Products Recommended for Conditional Approval (5)

Motion:

Commissioner Hershberger entered a motion to recommend conditionally approving products FL 17013 R-27, FL 30482 R-6, FL 46960, FL 47470 and FL 47478 based on the conditions recommended by DBPR staff. Commissioner Compton seconded the motion. The motion passed unanimously with a vote of 14 to 0.

Applications for Accreditor and Course Approval:

Commissioner Langille stated there were 3 advanced accredited courses recommended for approval, 1321.0, 1319.0, and 1326.0.

Motion:

Commissioner Langille entered a motion to approve 3 advanced accredited courses 1321.0, 1319.0, and 1326.0. Commissioner Schock seconded the motion.

Commissioner Tolbert stated he was abstaining from voting for course 1321.0, since he developed it.

Motion Continued:

The motion passed unanimously with a vote of 13 to 0 for course 1321.0, with Commissioner Tolbert abstaining from voting, since the course was his, and a vote of 14 to 0 for courses 1319.0 and 1326.0.

Application for waiver from Accessibility Requirements:

**1) Jesuit High School of Tampa-New Press Box Waiver 709- 4701 N. Himes Ave.,
Tampa 33614 -ISSUE: Vertical Accessibility to the Press Box**

Mr. Vogel presented the waiver and advised that the council recommend granting the waiver for vertical accessibility to the press box on the grounds of technical infeasibility.

Motion:

Commissioner Schock entered a motion to grant the waiver for vertical accessibility to the press box on the grounds of technical infeasibility. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 14 to 0.

**2) Superblue Miami, LLC – Waiver 721- 1101 NW 23 Street, Miami 33127-ISSUE:
Vertical Accessibility to the Second Mezzanine**

Mr. Vogel presented the waiver and advised that the council recommend the waiver for vertical accessibility to mezzanine on the grounds of technical infeasibility.

Matt Amster, Petitioner's attorney, stated he is present to answer any questions

Motion:

Commissioner Schock entered a motion to grant the waiver for vertical accessibility to mezzanine on the grounds of technical infeasibility. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 14 to 0.

**3) Cactus Club Café -Waiver 716- 850 Commerce Street, Miami Beach 33139-ISSUE:
Vertical Accessibility to the Mezzanine**

Mr. Vogel presented the waiver and advised that the council recommended denial of the waiver for vertical accessibility on the grounds of not being able to account for the inability to provide vertical accessibility to the mezzanine.

Discussion:

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

Commissioner Brown stepped away from the meeting, making the quorum 13 members present.

Representative:

Joe Vecchione, Architect, provided details on Waiver 716.

Maryam Massah Dolan, representative for the project, provided details on Waiver 716.

Staff:

Mr. Vogel provided a comment.

Mr. Madani provided a comment.

Motion 1:

Commissioner Schock entered a motion to deny the waiver for vertical accessibility on the grounds of not being able to account for vertical accessibility to the mezzanine. The motion died for lack of a second.

Discussion:

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

Motion 2:

Commissioner Schock entered a motion to deny the waiver for vertical accessibility on the grounds of not being able to account for vertical accessibility to the mezzanine. Commissioner Garra seconded the motion.

Substitute Motion:

Commissioner Marrero entered a substitute motion to defer the decision on waiver 716 and have the applicants submit additional information. Commissioner John seconded the motion.

Staff:

Mr. Blair took an individual vote from each Commissioner by name.

Legal Report:

Mr. Vogel provided a summary of the Annual Regulatory Plan.

Motion:

Commissioner Brown entered a motion to approve the 2025 – 2026 Annual Regulatory Plan as presented, to authorize staff to update the plan accordingly as bills become law, and to authorize publication of the Plan by DBPR. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 14 to 0.

Declaratory Statements:

DS 2025-010 by Johnathan Pierce of Pulte Group

Staff:

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

Mr. Madani provided staff analysis and answers.

Representative:

Shane Gerwig, Southeast Code Consultant LLC on behalf of Pulte Group, provided the background information on the declaratory statement and spoke in support of the Fire TAC motion.

Motion:

Commissioner Schiffer entered a motion to adopt the Fire TAC's recommendation that the Commission adopt staff's analysis, as amended by the Fire TAC, regarding the question presented in the Petition. Commissioner Marrero seconded the motion.

Discussion:

Commissioner Schock asked Mr. Gerwig a question.

Mr. Gerwig provided an answer to Commissioner Schock's question.

Commissioner Schock provided a comment.

Motion Continued:

The motion passed with a vote of 14 to 0.

Committee Report:

Education Program Oversight Committee:

Commissioner Langille provided a brief summary of the Education POC's June 2, 2025, meeting.

Motion:

Commissioner Langille entered a motion to accept the report of the June 2, 2025, meeting. Commissioner John seconded the motion. The motion passed unanimously with a vote of 14 to 0.

Hurricane Research Advisory Committee:

Mr. Blair provided a brief summary of the Hurricane Research Advisory Committee's April 16, 2025, and May 23, 2025, meetings.

Motion:

Commissioner Compton entered a motion to accept the report of the April 16, 2025, and May 23, 2025, meetings. Commissioner Schock seconded the motion. The motion passed unanimously with a vote of 14 to 0.

Fire Technical Advisory Committee:

Commissioner Schiffer provided a brief summary of the Fire TAC's May 30, 2025, meeting.

Motion:

Commissioner Schiffer entered a motion to accept the report of the May 30, 2025, meeting. Commissioner Schilling seconded the motion. The motion passed unanimously with a vote of 14 to 0.

Applicability of Sunshine Law:

Mr. Vogel provided the Commission with a refresher on Ethics, Conflict of Interest, and Sunshine Law requirements.

Commissioner's Comment:

Commissioner Schock provided a comment.

Public Comment:

None.

Adjourn Commission Plenary Session:

Chairman Bourré stated the August 10, 2025, meeting will focus on the Commission's regular procedural and substantive issues, and any needed rule development initiatives. The June meeting will be conducted as a Web-Based and Teleconference Virtual Meeting. The meeting was adjourned at 10:51 a.m.