



# FLORIDA BUILDING COMMISSION

"STRONGER CODES THROUGH SCIENCE AND CONSENSUS"

Florida Department of  
Business  
Professional  
Regulation

## FACILITATOR'S SUMMARY REPORT AND RECOMMENDATIONS OF THE ENERGY RATING INDEX WORKGROUP AUGUST 17, 2016 MEETING FORT LAUDERDALE, FLORIDA

PROCESS DESIGN, CONSENSUS-BUILDING AND FACILITATION BY



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FLORIDA BUILDING COMMISSION  
ENERGY RATING INDEX WORKGROUP

AUGUST 17, 2016 FACILITATOR’S MEETING SUMMARY REPORT & RECOMMENDATIONS

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ENERGY RATING INDEX WORKGROUP  
AUGUST 17, 2016 FACILITATOR'S SUMMARY REPORT & RECOMMENDATIONS



**FLORIDA  
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## OVERVIEW OF WORKGROUP'S KEY ACTIONS AND DECISIONS

WEDNESDAY, AUGUST 17, 2016

### I. PROJECT OVERVIEW

The 2016 Legislature through passage of HB 535 (Section 34) required the Commission to amend the Florida Building Code, 5th Edition (2014) Energy Conservation, to adopt into the Code Section 406 Alternative Performance Path, Energy Rating Index, in conformance with the provisions described in statute. At the June 8, 2016 meeting the Commission conducted a rule development workshop and adopted language to implement this provision.

In addition, Section 34 assigned the Commission with determining by October 1, 2016, whether onsite renewable power generation may be used as a compliance option when using the Energy Rating Index (ERI) alternative path for demonstrating compliance with the energy provisions of the Florida Building Code, Energy Conservation. The Commission must also determine whether onsite renewable power generation may be used for a period longer than three years but not more than six consecutive years. In response to this Legislative assignment and based on the Energy TAC's recommendation, at the June 8, 2016 meeting the Commission voted to convene an Energy Rating Index Workgroup, and to charge the Workgroup with developing consensus recommendations to the Commission pursuant to Section 34 of HB 535 regarding onsite renewable power generation.

**Section 34 of HB 535** requires that the Florida Building Commission shall adopt into the Florida Building Code, 5th Edition (2014) Energy Conservation, the following:

"Section 406 relating to the Alternative Performance Path, Energy Rating Index of the 2015 International Energy Conservation Code (IECC) may be used except as follows for Table R406.4 as an option for demonstrating compliance with the Florida Building Code, Energy Conservation. TABLE R406.4 MAXIMUM ENERGY RATING INDEX shall reflect the following energy rating index: for Climate

Zone 1, an index of 58; for Climate Zone 2, an index of 58. The Florida Building Commission shall continue its current adoption process of the 2015 IECC and determine by October 1, 2016, whether onsite renewable power generation may be used for compliance. The commission must also determine whether onsite renewable power generation may be used for a period longer than three years but not more than six consecutive years."

## **II. WORKGROUP SCOPE, PURPOSE AND PROJECT WORKPLAN**

The scope of the *Energy Rating Index Workgroup* is to identify and evaluate relevant issues and options regarding the use of onsite renewable power generation as an option for demonstrating compliance with the energy provisions of the Florida Building Code, Energy Conservation when using the Energy Rating Index (ERI) as an alternative compliance path. In addition, the Workgroup shall also recommend the duration for which onsite renewable power generation should be provided with credit toward the ERI score required to comply with the energy provisions of the Code. The Workgroup shall deliver their consensus recommendations to the Florida Building Commission in advance of the October 1, 2016 deadline established for the Commission to report back to the Florida Legislature.

*(Attachment 3—Workgroup Workplan and Schedule)*

## **III. MEETING SUMMARY AND OVERVIEW**

At the August 17, 2016 meeting the Workgroup continued their review and discussion of the three key topical issues assigned to them by the Florida Building Commission pursuant to Section 34 of HB 535 as follows:

1. Whether onsite renewable power generation should be an option to achieve compliance when using the ERI path (counted toward the ERI score adopted into the Code).
2. The amount of time onsite renewable power generation can be used as an option for achieving compliance when using the ERI path.
3. The amount of onsite renewable power generation that can be credited toward the ERI score.

Specific actions included voting 16 – 2 in favor (89% in favor) to recommend to the Florida Building Commission the following:

1. That the use of onsite renewable power generation should be allowed as an option to achieve compliance when using the ERI path (counted toward the ERI score adopted into the Code).
2. That there should not be a time stipulation for the recommended ERI Code modification providing for the use of onsite renewable power generation. The Workgroup agreed that since the Legislation appeared to stipulate a timeframe of between 3 – 6 years that the Commission should request the maximum time of 6 years, further request that the Legislature clarify their intent in this regard, and recommend to the Legislature that there should not be any statutory timeframes associated with this provision, and that the ERI provision should be treated according to the same procedures for review that govern all code provisions utilizing the Commission's Code update cycle.
3. That the Code provision be adopted into the Florida Building Code for both the Florida Building Code, 5th Edition (2014) Energy Conservation, and the Florida Building Code, 6th Edition (2017) Energy Conservation.
4. That the specific code language should be as follows:

**R406.2 Mandatory requirements.** Compliance with this section requires that the provisions identified in Sections R401 through R404 labeled as "mandatory" and Section R403.5.3 of the 2015 *International Energy Conservation Code* be met. For buildings that do not utilize on-site renewable power production for compliance with this section, the building thermal envelope shall be greater than or equal to levels of efficiency and Solar Heat Gain Coefficient in Table 402.1.1 or 402.1.3 of the 2009 *International Energy Conservation Code*. For buildings that utilize on-site renewable power production for compliance with this section, the building thermal envelope shall be greater than or equal to levels of efficiency and Solar Heat Gain Coefficient in Table R402.1.2 or Table R402.1.4 of the 2015 *International Energy Conservation Code*.

*Exception:*

*Supply and return ducts not completely inside the building thermal envelope shall be insulated to a minimum of R-6.*

**R406.4 ERI-based compliance.**

The ERI for the *rated design* shall be determined in accordance with ANSI/RESNET/ICC 301-2014, including Addendum A-2015, and Compliance based on an ERI analysis requires that the *rated design* be shown to have an ERI less than or equal to the appropriate value listed in Table R406.4 when compared to the *ERI reference design*.

**IV. WELCOME AND INTRODUCTIONS**

Jeff Blair, Commission Facilitator, welcomed Workgroup members, staff and the public to the second meeting of the *Energy Rating Index Workgroup*.

**WORKGROUP MEMBER ATTENDANCE**

The following Workgroup members attended the Wednesday, August 17, 2016 meeting:

Amador Barzaga, Steve Bassett, Joe Belcher, Kelly Smith Burk, Joe Cain, Brent Caldwell (alternate: Scott Ranck), Oscar Calleja, Jay Carlson, Amanda Hickman, Michael Power, Lorraine Aliso Ross, Jim Schock, Drew Smith, Eric Stafford, Steve Strawn (alternate: Dick Willhelm), Dennis Stroer, Lauren Westmorland, and Mark Zehnal.

*(18 of 19 Workgroup members attended)*

*(Attachment 1—Workgroup Membership)*

*Absent Members:*

Michael Kwart.

**DBPR STAFF PRESENT**

Norman Bellamy, Jim Hammers, April Hammonds, Mo Madani, Marlita Peters, and Jim Richmond.

## MEETING FACILITATION

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



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## 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>

## V. AGENDA REVIEW AND APPROVAL

The Workgroup voted unanimously, 17 - 0 in favor, to approve the agenda for the August 17, 2016 meeting as presented/posted. Following are the key agenda items approved for consideration:

- To Approve Regular Procedural Topics (Agenda and Meeting Summary Report)
- To Review Options Proposed Regarding Onsite Renewable Power Generation
- To Evaluate Level of Acceptability of Proposed Options Regarding Onsite Renewable Power Generation
- To Consider Public Comment
- To Identify Needed Next Steps: Information, Assignments, and Agenda Items for Next Meeting

### *Amendments to the Posted Agenda:*

There were no amendments to the posted/presented Agenda.

*(Attachment 2—August 17, 2016 Workgroup Agenda)*

## VI. KEY ISSUES FOR WORKGROUP EVALUATION

Jeff Blair reviewed the three key topical issues assigned to the Workgroup by the Florida Building Commission (page 4 of the posted Agenda Packet) pursuant to Section 34 of HB 535 as follows:

1. Whether onsite renewable power generation should be an option to achieve compliance when using the ERI path (counted toward the ERI score adopted into the Code).
2. The amount of time onsite renewable power generation can be used as an option for achieving compliance when using the ERI path.
3. The amount of onsite renewable power generation that can be credited toward the ERI score.

## VII. DISCUSSION AND EVALUATION OF KEY ISSUES

Jeff Blair reminded members that at the July 20, 2016 meeting that had voted unanimously to conceptually support the use of onsite renewable power generation as an option to achieve compliance when using the ERI path, and that there should not be a time stipulation for any approved Code modification providing for the use of onsite renewable power generation. The Workgroup agreed that these recommendations were contingent on the Workgroup achieving consensus on the amount of onsite renewable power generation that can be credited toward the ERI score.

Jeff thanked members for providing their proposed options regarding the amount of onsite renewable power generation that can be credited toward the ERI score. Jeff noted that after reviewing the suite of proposed options, and based on the discussions at the first meeting it appeared to him that one of the options offered addressed many of the concerns of the various stakeholders' perspectives. Jeff suggested that rather than evaluate each of the fifteen proposed alternatives the Workgroups should start with Option I submitted by Amanda Hickman. The Workgroup agreed to start with Option I as recommended.

### Evaluation of Option I

**R406.2 Mandatory requirements.** Compliance with this section requires that the provisions identified in Sections R401 through R404 labeled as "mandatory" and Section R403.5.3 of the 2015 *International Energy Conservation Code* be met. For buildings that do not utilize on-site renewable power production for compliance with this section, the building thermal envelope shall be greater than or equal to levels of efficiency and Solar Heat Gain Coefficient in Table 402.1.1 or 402.1.3 of the 2009 *International Energy Conservation Code*. For buildings that utilize on-site renewable power production for compliance with this section, the building thermal envelope shall be greater than or equal to levels of efficiency and Solar Heat Gain Coefficient in Table R402.1.2 or Table R402.1.4 of the 2015 *International Energy Conservation Code*.

The Workgroup members were provided an opportunity to discuss pros and cons of the options, multiple opportunities were provided for public comment, Workgroup members subsequently engaged in additional discussion, and then conducted a consensus rating of the Option. The option received fifteen 4s and 3s in support and three 2s and 1s not in support for an 83% in favor ranking. This Option achieved consensus by virtue of achieving a 75% or greater level of support.

Subsequently the Workgroup was requested by a member to consensus rate the same Option using the 2009 IECC energy requirements as the backstop instead of the 2015 IECC requirements proposed in the consensus rated Option. Once rated the option only received two 4s or 3s and some members did not choose to vote on this Option indicating that although they actually preferred this Option, they recognized that it would not achieve a consensus level of support and in the spirit of compromise and consensus they would support the Option as proposed using the 2015 IECC requirements.

**Evaluation of the Use of a Consensus Standard for the ERI Rated Design,** specifically ANSI/RESNET/ICC 301-2014, *Standard for the Calculation and Labeling of the Energy Performance of Low-Rise Residential Buildings Using an Energy Rating Index*.

### R406.4 ERI-based compliance.

The ERI for the *rated design* shall be determined in accordance with ANSI/RESNET/ICC 301-2014, including Addendum A-2015, and Compliance based on an ERI analysis requires that the *rated design* be shown to have an ERI less than or equal to the appropriate value listed in Table R406.4 when compared to the *ERI reference design*.

***Workgroup Action:***

**MOTION**—The Workgroup voted, 15 – 3 in favor (83% in favor), to include the ANSI/RESNET/ICC 301-2014 provision in the Consensus Option.

**Evaluation of Whether the Consensus Recommendation Regarding the Use of the ERI Index Should Apply to the Florida Building Code, 5th Edition (2014) Energy Conservation, and/or the Florida Building Code, 6th Edition (2017) Energy Conservation.**

After discussion a motion was made to recommend to the Florida Building Commission that the Workgroup’s consensus recommendation should apply to the Florida Building Code, 5th Edition (2014) Energy Conservation, and the Florida Building Code, 6th Edition (2017) Energy Conservation.

***Workgroup Action:***

**MOTION**—The Workgroup voted, 14 – 4 in favor (78% in favor), that the Workgroup’s consensus recommendation should apply to the Florida Building Code, 5th Edition (2014) Energy Conservation, and the Florida Building Code, 6th Edition (2017) Energy Conservation.

**VIII. ENERGY RATING INDEX WORKGROUP’S CONSENSUS RECOMMENDATIONS**

At the conclusion of discussion, public comment and the Workgroup’s consensus rating and/or voting on the components of the Workgroup’s consensus recommendation to the Florida Building Commission, the Workgroup took the following action:

***Workgroup Action:***

**MOTION**—The Workgroup voted, 16 – 2 in favor (89% in favor),

1. That the use of onsite renewable power generation should be allowed as an option to achieve compliance when using the ERI path (counted toward the ERI score adopted into the Code).
2. That there should not be a time stipulation for the recommended ERI Code modification providing for the use of onsite renewable power generation. The Workgroup agreed that since the Legislation appeared to stipulate a timeframe of between 3 – 6 years that the Commission should request the maximum time of 6 years, further request that the Legislature clarify their intent in this regard, and recommend to the Legislature that there should not be any statutory timeframes associated with this provision, and that the ERI provision should be treated according to the same procedures for review that govern all code provisions utilizing the Commission’s Code update cycle.
3. That the Code provision be adopted into the Florida Building Code for both the Florida Building Code, 5th Edition (2014) Energy Conservation, and the Florida Building Code, 6th Edition (2017) Energy Conservation.
4. That the specific code language should be as follows:

**R406.2 Mandatory requirements.** Compliance with this section requires that the provisions identified in Sections R401 through R404 labeled as "mandatory" and Section R403.5.3 of the 2015 *International Energy Conservation Code* be met. For buildings that do not utilize on-site renewable power production for compliance with this section, the building thermal envelope shall be greater than or equal to levels of efficiency and Solar Heat Gain Coefficient in Table 402.1.1 or 402.1.3 of the 2009 *International Energy Conservation Code*. For buildings that utilize on-site renewable power production for compliance with this section, the building thermal envelope shall be greater than or equal to levels of efficiency and Solar Heat Gain Coefficient in Table R402.1.2 or Table R402.1.4 of the 2015 *International Energy Conservation Code*.



*Exception:*

*Supply and return ducts not completely inside the building thermal envelope shall be insulated to a minimum of R-6.*

**R406.4 ERI-based compliance.**

The ERI for the *rated design* shall be determined in accordance with ANSI/RESNET/ICC 301-2014, including Addendum A-2015, and Compliance based on an ERI analysis requires that the *rated design* be shown to have an ERI less than or equal to the appropriate value listed in Table R406.4 when compared to the *ERI reference design*.

**IX. GENERAL PUBLIC COMMENT**

Members of the public were offered an opportunity to provide comment during each of the Workgroup's substantive discussion agenda items. Following is a summary of general public comment.

*Public Comments:*

There were no additional public comments offered.

**X. WORKGROUP MEMBER COMMENT AND ISSUES**

Workgroup members were invited to offer any general comments to the Workgroup, or identify any issues or agenda items for the next Workgroup meeting.

*Workgroup Member Comments:*

There were no additional Workgroup member comments.

**XI. NEXT STEPS**

The Workgroup's consensus recommendations will be submitted to the Commission for consideration pursuant to the Project Workplan (See Attachment 3).

**ADJOURNMENT**

The Facilitator thanked Workgroup members and the public for their attendance and participation, and noted that there being no further business before the Workgroup the meeting was adjourned. The meeting concluded at 12:02 P.M. on Wednesday, August 17, 2016.

**ATTACHMENT 1**  
**WORKGROUP MEMBERSHIP**

<b>WORKGROUP MEMBERSHIP</b>	
<b>MEMBER</b>	<b>AFFILIATION</b>
1. Amador Barzaga	Mechanical Code Compliance and Training Office (Miami-Dade County)
2. Steve Bassett	Mechanical Engineers ( <i>Commissioner</i> )
3. Joe Belcher	Homebuilders (Florida Homebuilders Association)
4. Kelly Smith Burk	State Energy Office (FDACS Office of Energy) ( <i>Commissioner</i> )
5. Joe Cain	Solar Energy Industry (Solar Energy Industry Associates)
6. Brent Caldwell	Utilities (TECO) and (Energy TAC Member)
7. Oscar Calleja	Mechanical Contractors ( <i>Commissioner</i> )
8. Jay Carlson	General Contractors ( <i>Commissioner</i> )
9. Amanda Hickman	Large Scale Homebuilders (Leading Builders of America)
10. Michael Kwart	Building Product Manufacturers (Insulation Contractors Ass. of America)
11. Michael Power	Building Product Manufacturers (American Chemistry Council)
12. Lorraine Alliso Ross	Building Product Manufacturers (Dow)
13. Jim Schock	Building Officials ( <i>Commissioner</i> )
14. Drew Smith	Green Building Industry ( <i>Commissioner</i> )
15. Eric Stafford	Homebuilders (South Florida Builders Association)
16. Steve Strawn	Building Product Manufacturers (Windows)
17. Dennis Stroer	Energy Raters
18. Lauren Westmorland	Energy Advocates (Southeast Energy Efficiency Alliance)
19. Mark Zehnal	Roofing Contractors (Florida Roofing and Sheet Metal Association)
<b>DBPR STAFF</b>	
April Hammonds	FBC Legal Counsel
Mo Madani	Technical Manager
Jim Richmond	Executive Director
<b>FACILITATOR</b>	
Jeff Blair	FCRC Consensus Center at Florida State University



**ATTACHMENT 2**  
**AUGUST 17, 2016 MEETING AGENDA**

**FLORIDA BUILDING COMMISSION**  
**ENERGY RATING INDEX WORKGROUP**  
**AUGUST 17, 2016—MEETING II**  
**EMBASSY SUITES**  
**1100 S.E. 17<sup>TH</sup> STREET—FORT LAUDERDALE, FLORIDA**

**MEETING OBJECTIVES**

- To Approve Regular Procedural Topics (Agenda and Meeting Summary Report)
- To Review Options Proposed Regarding Onsite Renewable Power Generation
- To Evaluate Level of Acceptability of Proposed Options Regarding Onsite Renewable Power Generation
- To Consider General Public Comment
- To Identify Needed Next Steps: Information, Assignments, and Agenda Items for Next Meeting

***MEETING AGENDA—WEDNESDAY, AUGUST 17, 2016***

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

*\*Note Meeting Will Start at 10:00 AM or Immediately Upon Conclusion of FBC Plenary Session Whichever is Later*

<b>10:00 AM*</b>	<b>A.)</b>	<b>WELCOME AND INTRODUCTIONS</b>
	<b>B.)</b>	<b>AGENDA REVIEW AND APPROVAL (August 17, 2016)</b>
	<b>C.)</b>	<b>APPROVAL OF FACILITATOR’S SUMMARY REPORT (July 20, 2016)</b>
	<b>D.)</b>	<b>REVIEW OF PROPOSED OPTIONS SUBMITTED FOR EVALUATION REGARDING THE AMOUNT OF ONSITE RENEWABLE POWER GENERATION THAT CAN BE CREDITED TOWARD THE ERI SCORE</b>
	<b>E.)</b>	<b>DISCUSSION AND EVALUATION OF PROPOSED OPTIONS IN TURN</b>
		<b><i>LUNCH IF NEEDED—DEPENDING ON START TIME OF WORKGROUP MEETING</i></b>
	<b>E.)</b>	<b>DISCUSSION AND EVALUATION OF PROPOSED OPTIONS IN TURN—CONTINUED</b>
	<b>F.)</b>	<b>GENERAL PUBLIC COMMENT</b>
	<b>G.)</b>	<b>NEXT STEPS: AGENDA ITEMS, NEEDED INFORMATION, ASSIGNMENTS, DATE AND LOCATION</b>
	<b>H.)</b>	<b><i>ADJOURN</i></b>

**ATTACHMENT 3**  
**ENERGY RATING INDEX WORKGROUP WORKPLAN**

**OBJECTIVE:** Discuss and provide recommendations to the Commission regarding the following:

1. Whether onsite renewable power generation should be an option to achieve compliance when using the ERI path (counted toward the ERI score adopted into the Code).
2. The amount of time onsite renewable power generation can be used as an option for achieving compliance when using the ERI path.
3. The amount of onsite renewable power generation that can be credited toward the ERI score.

**SCHEDULE:**

Appoint Workgroup members (Completed)	7-1/ 2016
Request Energy TAC to defer discussion On mods 6727 & 6933 (ERI related -2017 code)	7/19/2016
Workgroup 1 <sup>st</sup> meeting (Gainesville) Program review - Presentations Identify Key topical issues for evaluation Identification, discussion and evaluation of options	7/20/2016
Workgroup 2 <sup>nd</sup> meeting (Ft. Lauderdale) Rank/prioritize key topical issues Workgroup finalized recommendations.	8/17/2016
Energy TAC meeting (Conference call/Webinar) Review and accept ERI Workgroup recommendations	9/12/2016
Commission meeting (Conference call/Webinar) Take action on ERI Workgroup recommendations	9/21/2016
Post recommendations as approved by the Commission on website	9/23/2016
Energy TAC meeting (Conference call/Webinar) Review comments on mods 6727 & 6933	10/3/2016
Commission – October meeting Finalize action on mods 6727 & 6933	10/11/2016
Commence rulemaking under separate rule from the code rule to revise section 406 of the current Energy Code for consistency with the ERI Workgroup as approved by the Commission.	