

FLORIDA BUILDING COMMISSION
POOL EFFICIENCY SUBCOMMITTEE TO THE
FLORIDA ENERGY CODE WORKGROUP

June 8, 2009

Embassy Suites USF; 3705 Spectrum Blvd.; Tampa, Florida 33612; 813.977.7066

Meeting Objectives

- ✓ To Approve Regular Procedural Topics (Agenda)
- ✓ To Review Subcommittee Procedures, Guidelines, and Decision-Making Requirements
- ✓ To Hear an Overview of the Subcommittee's Scope, Charge, and Task Development Strategy
- ✓ To Discuss Subtasks and Identify Information Development Needs
- ✓ To Identify and Evaluate Issues and Options Regarding Pool Energy Efficiency
- ✓ To Consider Public Comment
- ✓ To Identify Needed Next Steps and Agenda Items for Next Meeting

All Agenda Times—including Public Comment and Adjournment—are Subject to Change

Meeting Agenda

1:00 Welcome and Opening

Agenda Review and Approval

Review of Commission's Subcommittee Meeting Guidelines, Consensus-Building and Decision-Making Process, and Sunshine Requirements

Review of Commission's Energy Related Workplan Tasks and Subcommittee Scope and Task Development Strategy

Identification of Key Subtasks/Issues for Evaluation and Information Development Needs
(pool pump standards; pool plumbing system design; performance and prescriptive compliance paths for pools; and, credits for alternative energy sources for pool heating, lighting and pumping)

Identification and Evaluation in Turn of Options Regarding Pool Energy Efficiency

General Public Comment

Review of Subcommittee Delivery and Meeting Schedule

Next Steps

Adjourn

Contact Information and Project Webpage

Jeff Blair: jblair@fsu.edu ; <http://consensus.fsu.edu/FBC/2010-Florida-Energy-Code.html>



Pool Efficiency Subcommittee to Florida Energy Code Workgroup

The Commission convened a Pool Efficiency Subcommittee to the Florida Energy Code Workgroup to provide recommendations to the Florida Energy Code Workgroup regarding the pool equipment efficiencies subtask for pool pumps and heaters efficiencies and hydronic systems standards. The Chair indicated that subcommittees will be facilitated using the Commission's workgroup process.

The Subcommittee Members are as Follows:

Steve Bassett, Tony Caruso, Kevin Fennel, Ken Gregory, Dale Greiner, Dan Johnson, Bill Kent, Dino Muggeo, Gordon Shepardson, Jeff Sonne, and Rob Vieira.

Florida Energy Code Workgroup Subtask Regarding Energy Efficient Pools:

5. OPTIONS FOR DESIGN CRITERIA FOR ENERGY EFFICIENT POOLS

The Energy Act of 2008 (HB 7135) directs adoption of pool pump efficiencies in the 2010 FBC. During discussions with the Florida Spa and Pool Association regarding energy efficiency requirements for pool pumps members suggested improved efficiency could be achieved through criteria for pool hydronic system design.

Issues

- *Pool pump standards.*
- *Pool plumbing system design.*
- *Performance and prescriptive compliance paths for pools.*
- *Credits for alternative energy sources for pool heating, lighting and pumping.*

OVERVIEW AND PROJECT SCOPE

Governor Crist directed the Commission to increase building energy efficiency requirements by 15% in his July 2007 Executive Order 127. In addition, the 2008 Legislature through passage of The Energy Act of 2008 created a suite of energy related assignments for the Building Commission. The Energy Code provisions were a major focus of the Commission during 2008, and the Commission increased the thermal efficiency requirements for the Florida Energy Code by 15% and integrated the enhanced requirements into the 2007 Florida Building Code. The Commission reviewed energy related code amendments adopted in the 2007 Florida Building Code Update to determine their cumulative level of increased efficiency, and adopted additional amendments required to achieve Governor Crist's directive of 15% increased efficiency. During 2008 the Energy Code was amended by administrative rule and then the revised Energy Code was adopted into the 2007 Florida Building Code during the 2008 "glitch" cycle concurrently with the March 1, 2009 effective date for the 2007 Florida Building Code. Working with stakeholders using consensus-building workgroups, the Commission was able to achieve the 15% increase in efficiency in buildings and implement code amendments that are efficient, consistent, understandable and enforceable for the full spectrum of Energy Code users. The Commission's Energy Code Workgroup will develop recommendations regarding energy conservation measures for increasing efficiency requirements in the 2010 FBC by 20% as required by law.

Study Energy Conservation Measures and Develop a Plan for 20% Increased Efficiency Requirement for 2010 FBC

Section 109, HB 7153 establishes a schedule for increases in building energy efficiency requirements. This task expands the study of energy conservation measures for residential buildings to investigation of efficiency options for commercial buildings and the development of a plan to implement the requirements of the new law. Section 553.9061 "Scheduled increases in thermal efficiency standards." was created to establish percent increases in efficiency to be implemented in the 2010, 2013, 2016 and 2019 Code.

With the adoption of the Glitch Amendments to the 2007 Edition of the Florida Building Code and the revisions to Rule 9B-13 Thermal Efficiency Standards, the Commission implemented a strategy for increasing the energy efficiency provisions of the Code by 15%. The Commission's Energy Code Workgroup and Energy TAC are working with stakeholder to evaluate options for achieving an additional 5% increase for the 2010 Edition of the Code, and for achieving the progressive increases in efficiency required for subsequent editions of the code.

Develop Design Criteria for Energy Efficient Pool Systems

The Energy act of 2008 (HB 7135) directs adoption of pool pump efficiencies in the 2010 Code. During discussions with the Florida Spa and Pool Association regarding energy efficiency requirements for pool pumps members suggested improved efficiency could be achieved through criteria for pool hydronic system design. This initiative would be conducted in coordination with the national industry and other state's initiatives currently underway.

POOL EFFICIENCY SUBCOMMITTEE PROCEDURAL GUIDELINES

PARTICIPANTS' ROLE

- ✓ The Subcommittee process is an opportunity to explore possibilities. Offering or exploring an idea does not necessarily imply support for it.
- ✓ Listen to understand. Seek a shared understanding even if you don't agree.
- ✓ Be focused and concise—balance participation & minimize repetition. Share the airtime.
- ✓ Look to the facilitator(s) to be recognized. Please raise your hand to speak.
- ✓ Speak one person at a time. Please don't interrupt each other.
- ✓ Focus on issues, not personalities. Avoid stereotyping or personal attacks.
- ✓ To the extent possible, offer options to address other's concerns, as well as your own.
- ✓ Participate fully in discussions, and complete meeting assignments as requested.
- ✓ Serve as an accessible liaison, and represent and communicate with member's constituent group(s).

FACILITATORS' ROLE (FCRC Consensus Center @ FSU)

- ✓ Design and facilitate a participatory Subcommittee process.
- ✓ Assist the Subcommittee to build consensus on a package of recommendations for delivery to the Florida Building Commission.
- ✓ Provide process design and procedural recommendations to staff and the Subcommittee.
- ✓ Assist participants to stay focused and on task.
- ✓ Assure that participants follow ground rules.
- ✓ Prepare and post agenda packets, worksheets and meeting summary reports.

GUIDELINES FOR BRAINSTORMING

- ✓ Speak when recognized by the Facilitator(s).
- ✓ Offer one idea per person without explanation.
- ✓ No comments, criticism, or discussion of other's ideas.
- ✓ Listen respectfully to other's ideas and opinions.
- ✓ Seek understanding and not agreement at this point in the discussion.

THE NAME STACKING PROCESS

- ✓ Determines the speaking order.
- ✓ Participant raises hand to speak. Facilitator(s) will call on participants in turn.
- ✓ Facilitator(s) may interrupt the stack (change the speaking order) in order to promote discussion on a specific issue or, to balance participation and allow those who have not spoken on an issue an opportunity to do so before others on the list who have already spoken on the issue.

ACCEPTABILITY RANKING SCALE

During the meetings, members will be asked to develop and rank options, and following discussions and refinements, may be asked to do additional rankings of the options if requested by members and staff. Please be prepared to offer specific refinements or changes to address your reservations. The following scale will be utilized for the ranking exercises:

Acceptability Ranking Scale	4 = <i>acceptable, I agree</i>	3 = <i>acceptable, I agree with minor reservations</i>	2 = <i>not acceptable, I don't agree unless major reservations addressed</i>	1 = <i>not acceptable</i>
------------------------------------	--	---	---	----------------------------------

SUBCOMMITTEE'S CONSENSUS PROCESS

CONSENSUS

The Florida Building Commission seeks to develop consensus decisions on its recommendations and policy decisions. The Commission provides a forum for stakeholders representing different 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 order to achieve the best possible decisions, the Commission relies on its workgroups, ad hoc committees, technical advisory committees, and program oversight committees to develop consensus recommendations on project specific issues.

Definitions

Consensus is a **process, an attitude and an outcome**. Consensus processes have the potential of producing better quality, more informed and better-supported outcomes.

As a **process**, consensus is a problem solving approach in which all members:

- Jointly share, clarify and distinguish their concerns;
- Educate each other on substantive issues;
- Jointly develop alternatives to address concerns; and then
- Seek to adopt recommendations everyone can embrace or at least live with.

In a consensus process, members should be able to honestly say:

- I believe that other members understand my point of view;
- I believe I understand other members' points of view; and
- Whether or not I prefer this decision, I support it because it was arrived at openly and fairly and because it is the best solution we can achieve at this time.

Consensus as an **attitude** means that each member commits to work toward agreements that meet their own and other member needs and interests so that all can support the outcome.

Consensus as an **outcome** means that agreement on decisions is reached by all members or by a significant majority of members after a process of active problem solving. In a consensus outcome, the level of enthusiasm for the agreement may not be the same among all members on any issue, but on balance all should be able to live with the overall package.

Levels of consensus on a committee outcome can include a mix of:

- Participants who strongly support the solution;
- Participants who can "live with" the solution; and
- Some participants who do not support the solution but agree not to veto it.

SUBCOMMITTEE'S DECISION-MAKING PROCESS

The Subcommittee will seek to develop a package of consensus-based recommendations for submittal to the Florida Energy Code Workgroup. 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 a recommendation, and the Subcommittee finds that 100% acceptance or support is not achievable, final decisions will require at least 75% 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. In instances where the Subcommittee finds that even 75% acceptance or support is not achievable, publication of recommendations will include documentation of the differences and the options that were considered for which there is more than 50% support from the Subcommittee.

The Subcommittee will develop its recommendations using consensus-building techniques with the assistance of the facilitator. Techniques such as brainstorming, ranking and prioritizing approaches will be utilized. Where differences exist that prevent the Subcommittee from reaching a final consensus decision (i.e. with support of at least 75% of the members) on a recommendation, the Subcommittee will outline the differences in its documentation.

The Subcommittee's consensus process will be conducted as an open process consistent with applicable law. Subcommittee members, staff, and facilitator will be the only participants seated at the table. Only Subcommittee members may participate in discussions and vote on proposals and recommendations. The facilitator, or a Subcommittee member through the facilitator, may request specific clarification from a member of the public in order to assist the Subcommittee in understanding an issue. Observers/members of the public are welcome to speak during the public comment period provided at each meeting, and all comments submitted on the public comment forms provided in the agenda packets will be included in the facilitator's summary reports.

Facilitator will work with staff and Subcommittee members to design agendas and worksheets that will be both efficient and effective. The staff will help the Subcommittee with information and meeting logistics.

To enhance the possibility of constructive discussions as members educate themselves on the issues and engage in consensus-building, members agree to refrain from public statements that may prejudice the outcome of the Subcommittee's consensus process. In discussing the Subcommittee process with the media, members agree to be careful to present only their own views and not the views or statements of other participants. In addition, in order to provide balance to the Subcommittee process, members agree to represent and consult with their stakeholder interest groups.

SUNSHINE LAW GUIDELINES

(Section 286.011, Florida Statutes)

Applicability of Sunshine Law

1. Meetings of public groups (Subcommittees) or commissions must be open to the public;
 2. Reasonable notice of such meetings must be given (by publication in FAW at least 7 days in advance of a meeting); and
 3. Minutes of the meetings must be taken.
- Equally applicable to elected and appointed members and applies to any gathering of two or more members of the same group (Subcommittee) to discuss some matter which will foreseeably come before that group (Subcommittee) for action. Applies to advisory groups.
 - Written correspondence (reports) circulated among group members for comments.
 - Telephone conversations and computer communications including e-mails and attachments.
 - Delegation of authority to a single individual.
 - Use of nonmembers as liaisons between group (Subcommittee) members.

Issues not Subject to Sunshine Law Requirements

- Use of a written report by one member to inform other members of a subject which will be discussed at a public meeting, if prior to the meeting, there is no interaction related to the report among the members.
- Members (Subcommittee) or designee may be authorized to gather information as a fact-finder only.
- Members may meet together socially, provided they refrain from discussing matters on which foreseeable action before the (Subcommittee) are discussed.

Subcommittee members are subject to the requirements of Florida's Government in the Sunshine Law, commonly referred to as the Sunshine Law (Section 286.011 F.S.).

There are four basic requirements of section 286.011, Florida Statutes:

- (1) Meetings of public boards or commissions (Subcommittees) must be open to the public;
- (2) Reasonable notice of such meetings must be given;
- (3) Any voting of members must be done in public (including discussions between two or more members regarding a matter on which the Subcommittee might foreseeably take action); and
- (4) Minutes of the meetings must be taken.

WORKSHEETS

ISSUES IDENTIFICATION EXERCISE—MEETING NOTES

Think about the pool efficiency standards.

What issues need to be addressed in order to enhance pool energy efficiency?

OPTIONS IDENTIFICATION EXERCISE

Please use the space below to write down possible options to address the key issues identified earlier regarding pool energy efficiency enhancements.

During the meeting, members will be asked to develop and rank options, and following discussions and refinements, may be asked to do a second ranking of the options as refined. The following scale will be utilized for the ranking exercises:

Acceptability Ranking Scale	4 = <i>acceptable</i>, I agree	3 = <i>acceptable</i>, I agree with <i>minor</i> <i>reservations</i>	2 = <i>not acceptable</i>, I don't agree unless <i>major</i> <i>reservations</i> addressed	1 = <i>not</i> <i>acceptable</i>
------------------------------------	---	---	---	---

Note: Be prepared to offer specific refinements or changes to address your reservations.

PUBLIC COMMENT FORM

The Florida Building Commission, the Florida Energy Code Workgroup, and the Pool Efficiency Subcommittee encourage written comments—All written comments will be included in the meeting summary report.

Name: _____

Organization: _____

Meeting Date: _____

Please make your comment(s) as specific as possible, and offer suggestions to address your concerns.

Please limit comment(s) to topics within the scope of the Subcommittee, and refrain from any personal attacks or derogatory language.

The facilitator may, at his discretion, limit public comment to a maximum of three-minutes (3) per person, depending on the number of individuals wishing to speak.

COMMENT: _____

Please give completed form(s) to the Facilitator for inclusion in the meeting summary report.