

Florida Building Commission

Attachment to the April 10 - 11, 2001 Minutes

Facilitator's Report of the April 10 - 11, 2001 Commission Meeting

Orlando, Florida

Meeting Design & Facilitation By:



Report By Jeff A. Blair

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Florida Building Commission
Attachment to the April 10 - 11, 2001 Minutes

I. OVERVIEW OF COMMISSION'S KEY DECISIONS

TUESDAY, APRIL 10, 2001

Rules of Procedure Ad Hoc Committee

The committee reviewed relevant provisions of the FBC-FHBA Settlement Agreement and identified specific issues and options for addressing those issues. The Committee proposed and approved motions to address each of the issues identified for refinement in order to comply with the provisions of the settlement agreement and establish the basis for the annual and triennial code amendment process. Results of Committee actions are included as:

(Attachment 2)

Product Approval Ad Hoc Committee

The committee reviewed the list of issues identified at the March workshop and offered options to address each of the 21 issues identified for refinement and inclusion in the product approval system rule. Results of Committee actions are included as:

(Attachment 3)

WEDNESDAY, APRIL 11, 2001

Education Training System Ad Hoc Committee

The Committee addressed the following issues:

- TAC Reports on Core Transition Courses
- Review of BCTP Administrator's Roles and Responsibilities
- Discussion of ITN for the BCTP Administrator
- Review of Program Funding
- Update of Legislative Initiatives Relative to Education
- Identification of Topics and Options for Development of Advanced Modules

Actions by the Ad Hoc Committee:

Motion—Committee approves the substance and format of the transition core training courses (core elements), and authorizes DCA staff to review and approve the final versions of the courses and to disseminate the courses as soon as available. Vote 7 - 0, approved.

Motion—DCA staff will have courses available by May 15, 2001 and release others as developed. Vote 7 - 0 approve.

Motion—The Committee voted to recommend selection of Option 3 for selecting the BCTP administrator (Selection committee made up of designees from DCA and one Commissioner).

Vote 7 - 2, approved.

Motion—Committee Recommends Commissioner Browdy as the Commission’s representative on the ITN Selection Committee. Vote 9 – 0, approve.

Motion—Committee recommends support for Legislative bill CS 336/190 for education funding of \$500,000 from the CAT fund through construction industry trade and professional associations.
Vote 9 – 0, approved.

Motion—Recommend that Commission proceed with amending rule 9B-70 to facilitate approval for transition courses being considered equivalent to the original Building Code Core course and be that each of the modules be approved for Continuing Education Credits.
(Attachment 4)

COMMISSION PLENARY SESSION

Agenda Review and Approval

The Commission voted unanimously, 17 – 0 in favor, to approve the agenda as presented.

Review and Approval of March 5 - 6, 2001 Meeting Minutes

The Commission voted unanimously, 19 – 0 in favor, to approve the minutes as amended from the March 5 - 6, 2001 Commission meeting.

Public Comment

The Commission heard comment from 10 members of the public, who spoke on pool safety, accessibility, product approval, education and wind design standards issues.

Chair’s Discussion Issues and Recommendations

Code Dissemination:

Chairman Rodriguez indicated that the code was at the printer and should be received by Building Departments in early May. The code will be available by mid-May for purchase through the Department of Community Affairs’ website (by credit card only), and through Broward County, Miami-Dade County, and BOAF.

Privatization:

Chairman Rodriguez indicated that he would appoint an Ad Hoc Committee utilizing ANSI representation standards to develop and deliver recommendations to the 2002 Legislature.

Code Compliant Shingles:

The Commission requested that information be gathered from shingle manufactures and suppliers to determine accurate information as to the cost and availability of code complaint shingles. Lorraine Allissio-Ross, a manufacturer’s representative, has agreed to convene a meeting with shingle manufactures, home builders, and other interested parties to discuss the availability of code compliant shingles.

Review and Approval of Commission's Updated Workplan and Meeting Schedule

The Commission reviewed the workplan and task delivery schedule and voted unanimously, by a vote of 19 – 0 in favor, to adopt the modified workplan as presented. This includes the revised privatization schedule.

Status Update on Legislative Issues

Rick Dixon and Jim Richmond reported that the Building Code bill was moving through committee and contained several amendments. In addition, product approval and manufactured building bills were also progressing with minor amendments. Finally, there is a bill to deliver the Building Code Industry Advisory Council (BCIAC) to the Commission as a standing advisory committee dealing with research.

Commission Actions

The Commission voted 20 – 0 in favor, to forward to the Legislature a letter indicating the Commission's disagreement with the proposed amendment to F.S., 553.73(3), limiting the Commission's authority to amend base codes.

At the request of Commissioner Browdy the Commission voted 13 – 7 in favor to reconsider the previous motion indicating the Commission's disagreement with the proposed amendment to F.S., 553.73(3).

On reconsideration of the original motion the Commission voted 19 – 1 in favor to forward to the Legislature a letter indicating the Commission's disagreement with the proposed amendment to F.S., 553.73(3).

Education Ad Hoc Report and Recommendations

Commissioner Browdy presented the committee's report and recommendations for Commission action. The Commission unanimously accepted the Committee's report by a vote of 21 – 0 in favor.

Commission Actions

Motion— Committee approves the substance and format of the transition core training courses (core elements), and authorizes DCA staff to review and approve the final versions of the courses and to disseminate the courses as soon as available.

Adopted unanimously 20 – 0 in support.

Motion—DCA staff will have courses available by May 15, 2001 and release others as developed. *Adopted unanimously 20 – 0 in support.*

Motion—The Commission voted to recommend selection of Option 3 for selecting the BCTP administrator (Selection committee made up of designees from DCA and one Commissioner). *Adopted unanimously 22 – 0 in support.*

Motion—Commission recommends that Chairman Rodriguez appoint Commissioner Browdy as the Commission's representative on the ITN Selection Committee.

Adopted unanimously 22 – 0 in support.

Motion—Commission recommends support for Legislative bill CS 336/190 for education funding of \$500,000 from the CAT fund through construction industry trade and professional associations. (Final Commission action on the motion was the adoption of a motion to table the issue)

Chronology of Actions:

1. Proposed Amendment - strike CS SB 336/190.
2. Motion to table amendment approved by a vote of 21 – 0 in favor.
3. Motion to reconsider amendment (take from the table) approved by a vote of 21 – 0 in favor.
4. Reconsideration of Amendment to strike CS SB 336/190 from the original motion.
5. Second withdrawn from the amendment. Amendment dies for a lack of a second.
6. Motion to table the original motion was approved by a vote of 21 – 0 in favor.

Motion—Commission moved to proceed with amending rule 9B-70 in order to facilitate the approval for transition core training courses (core elements) to be considered equivalent to the original Building Code Core course and be that each of the modules be approved for Continuing Education Credits. *Adopted unanimously 22 – 0 in support.*

(Attachment 4)

Product Approval Ad Hoc Report and Recommendations

Commissioner Mehlretter presented the committee’s report and the Commission unanimously accepted the report as amended by Commissioner Mehlretter by a vote of 21 – 0 in favor.

(Attachment 3)

Rules of Procedure Ad Hoc Report and Recommendations

Commissioner D’Andrea presented the committee’s report and the Commission unanimously accepted the report by a vote of 20 – 0 in favor.

(Attachment 2)

Manufactured/Prototype Building Ad Hoc Report and Recommendations

Commissioner Parrino presented the committee’s April and March 2001 reports and recommendations and the Commission unanimously accepted the reports by a vote of 20 – 0 in favor.

Commission Actions

Motion— Staff to notify by letter the 67 county school board district Chairs and superintendents of required inspections/insignia prior to occupancy of Factory Built Schools.

Adopted unanimously 21 – 0 in support.

(Attachment 5)

Energy TAC Report and Recommendations

Commissioner Lipka presented the committee’s report and recommendations and the Commission unanimously accepted the report by a vote of 18 – 0 in favor.

Commission Actions

Motion— The gas multiplier numbers on Form 600 A (for North Central Florida) shall be Corrected to be consistent with the computer program. Commission determined that the corrections are merely editorial in nature. *Adopted unanimously 18 – 0 in support.*

Motion— FBC accept Florida Solar Energy Center (FSEC) report on air handler location credit multiplier.

*Adopted unanimously 18 – 0 in support.
(Attachment 6)*

Mechanical TAC Report and Recommendations

Commissioner Harris presented the committee's report and the Commission unanimously accepted the report by a vote of 18 – 0 in favor.

(Attachment 7)

Plumbing TAC Report and Recommendations

Commissioner Shaw presented the committee's report and recommendations and the Commission unanimously accepted the report by a vote of 20 – 0 in favor.

Commission Discussions

Review Commission's authority to require that manufacturers of water pipe products should include information on or with their products which provide the conditions under which their products are suitable for use with the quality of the water provided by the water utilities.

Need training on water pipe corrosion issues.

Commission Actions

Motion—Commission voted to approve the PSC report.

*Adopted unanimously 19 – 0 in support.
(Attachment 8)*

Building/Structural TAC Report and Recommendations

Commissioner D'Andrea presented the committee's report and recommendations and the Commission unanimously accepted the report by a vote of 22 – 0 in favor.

Commission Actions

Motion— Commission voted to support staff proposal to provide technical assistance to local government's in establishing the location of windspeed lines as mandated by S. 1606.1.6 of the Florida Building Code.

Adopted by a vote of 20 –1 in favor.

Motion—Commission voted to table Declaratory Statement DCA-01-Dec-002. (Advisory opinion on whether anchor systems are required to be corrosion resistant)

*Adopted unanimously 20 – 0 in support.
(Attachment 9)*

Accessibility TAC Report and Recommendations

Commissioner Richardson presented the committee's report and recommendations and the Commission unanimously accepted the report by a vote of 19 – 0 in favor.

Commission Actions

Motion—Motion to defer consideration of refinements to Subsection 2 of Section 553.512, F.S., from the Accessibility TAC to the full Commission for their consideration.

*Commission voted 15 – 4 to table the motion until the July 2001 Commission meeting.
(Attachment 10)*

Legal Staff Reports/Discussions/Recommendations/Approval

Covered in other topical areas of the report.

Consideration of Accessibility Waiver Applications

The Commission reviewed and decided on the Waiver applications submitted for their consideration.

Review Committee Assignments and Issues for May's Commission Meeting

- Commission assessment and workplan review workshop
- Product Approval Ad Hoc Committee
- Education Training Ad Hoc Committee
- Rules of Procedure Ad Hoc Committee
- Prototype/Manufactured Buildings Ad Hoc Committee
- Special Occupancy TAC (4 hours)
- Accessibility TAC (4 hours)
- Accessibility Council and Waivers
- Partnership for Building Department Effectiveness Task Group(Tentative)
- Chair appoints Privatization Ad Hoc Committee

Staff Assignments

- Commission assessment and workplan workshop
- Review possibility of appointing Accessibility TAC member to general interest category.
- Follow-up on pool safety and industry workshop development from public comment.
- Accessibility at plenary meetings (worktable and seating space)
- Review Commission's authority to require that manufacturers of water pipe products should include information on or with their products which provide the conditions under which their products are suitable for use with the quality of the water provided by the water utilities.
- Staff to notify by letter the 67 county school districts Chairman and superintendents of required inspections /insignia prior to occupancy of Factory Built Schools.
- Notify Florida Legislature of Commission's opposition to the proposed amendment to F.S., 553.73(3).
- Staff should work to provide technical assistance to local government's in establishing the location of windspeed lines as mandated by S. 1606.1.6 of the Florida Building Code.

Attachment 1

Meeting Evaluation Summary FLORIDA BUILDING COMMISSION

April 10 – 11, 2001

Orlando, Florida

How Well Did the Commission Achieve the Meeting Objectives?

	<i>Circle One</i>	Good	Poor		
Average					
Chair's Discussion Issues and Recommendations	5	4	3	2	1
	<u>15</u>	4	1		
					4.7
Review and Adoption of Updated Commission Workplan	5	4	3	2	1
	<u>15</u>	3	2		
					4.65
Update on Legislative Issues	5	4	3	2	1
	<u>13</u>	5	2		
					4.55
Education Ad Hoc Report and Recommendations	5	4	3	2	1
	<u>14</u>	5	1		
					4.65
Product Approval Ad Hoc Report and Recommendations	5	4	3	2	1
	<u>15</u>	4	1		
					4.7
Rules of Procedure Ad Hoc Report and Recommendations	5	4	3	2	1
	<u>14</u>	4	2		
					4.6
Mfg./Prototype Building Ad Hoc Report and Recommendations	5	4	3	2	1
	<u>15</u>	5			
					4.75
Energy TAC Report and Recommendations	5	4	3	2	1
	<u>13</u>	5	2		
					4.55
Mechanical TAC Report and Recommendations	5	4	3	2	1
	<u>14</u>	3	2		
					4.63
Plumbing TAC Report and Recommendations	5	4	3	2	1
	<u>13</u>	6			
					4.68
Building/Structural TAC Report and Recommendations	5	4	3	2	1
	<u>14</u>	3	2		
					4.63
Accessibility TAC Report and Recommendations	5	4	3	2	1
	<u>12</u>	5	2		
					4.53

Staff Reports/Discussions/Recommendations	<u>5 4 3 2 1</u> 13 3 3	4.53
Accessibility Waiver Applications	<u>5 4 3 2 1</u> 15 4 1	4.65
Rate the Following Aspects of the Meeting?		
Clarity of the meeting purpose and plan	<u>5 4 3 2 1</u> 15 4 1	4.7
Background information was helpful	<u>5 4 3 2 1</u> 15 3 2	4.65
Agenda packet was helpful	<u>5 4 3 2 1</u> 15 2 2	4.45
Balance of structure and flexibility	<u>5 4 3 2 1</u> 14 4 2	4.6
Group involvement and productivity	<u>5 4 3 2 1</u> 15 5	4.75
Facilitation	<u>5 4 3 2 1</u> 15 3 2	4.65
Facility	<u>5 4 3 2 1</u> 9 7 4	4.25

Comments:

1. Good Meeting

- (Hotel) Sold my room to a wedding party. Workers at check-in did not know if DCA was staying in facility or not. Had to relocate me to another hotel. Even with a confirmation # and making reservati on time. I also know of other people associated with the meeting that the same above mentioned inci happened to (Guests of Commission)
- Very Good.
- Good Location. Easy Access.

What Did You Like Best About the Meeting?

- Flexibility of scheduled committees & FBC meeting on Wed.
- Good Hotel.
- Covered a lot in short amount of time.

How Could the Meeting Have Been Improved?

- Fine
- Parking was limited.
- Move meeting to New Hampshire

Attachment 2

Rules Of Procedures and HOC Committee Report

The Committee met and addressed the following issues:

- (1) Reviewed relevant provisions of the FBC-FHBA Settlement Agreement and identified specific issues and options for addressing such issues.

Issues of concern:

- ☐ July 1 annually: submit deadline.
- ☐ Minimum interest standard for submittal.
- ☐ All submittals require complete accurate fiscal impact statement.
- ☐ TAC shall review: 45 day notice prior to TAC review (with supporting document).
- ☐ Must provide reasonable time for any interest to submit relevant documents.
- ☐ TAC shall utilize majority quorum.
- ☐ 75% required for favorable recommendations.
- ☐ 3 year exempt from July 1, Dec 31 dates but still requires noticing & TACs.
- ☐ One cycle/12 month period.
- ☐ TAC sends recommendations to FBC. Commission may decide pro/con regardless of TAC recommendation.
- ☐ FBC must provide 45 day notice with info prior to consideration.
- ☐ Fiscal Impact data required for final product - by FBC review date.
- ☐ Effective date July 1 of following year provided approved by December 31.
- ☐ Provision for emergency amendment process using Ch. 120 rule procedures.

Update Process

Three year cycle may update model code. Model code exempt to fiscal impact statement unless requested by affected party. Six month effective date.

PROPOSED OPTIONS FOR ISSUES

	<u>VOTE</u>
All parties have opportunity to provide evidence. TAC may approve on <i>consent agenda</i> . Party may use public comment to address FBC. Approve/Deny.	7-0
Topics for amendments: change to existing - Add or Delete; and new topics. FBC may determine restrictions as needed.	7-0
Model code: may be adopted after adoption by code group. Not publication. Exemption from fiscal impact - unless requested . Exempt from timeline. 6 month effective date after approved by FBC. TAC consideration + 45 days process required.	7-0
Standing: any interested party (must be living)	7-0

Fiscal impact statements must be provided 45 days to FBC.
TAC must provide fiscal to amendment at TAC meeting (consider & provide estimate).
FBC may amend recommendation/amendment should discuss fiscal impact (no notice reqd).
Provide prior to format rule adoption. Must submit by July 1 date. Changes published -
web site.
TAC action 45 days (workshop 120). Notice 45 days.
FBC consideration (public hearing - 120). Approve by Dec. 31 for July 1 effective date.
If multiple TACs, consider simultaneously. 7-0

Code effective date - cycle date July 1 - Dec 31 remains. 7-0

What defines complete & accurate?
 Completed form (adopted by rule)
 FBC will determine; TAC will consider
As well, if TAC votes not accurate/complete, send to FBC as incomplete
Staff will not forward amendment to TAC if form not complete. 7-0

Simultaneous 45 day notice TAC & FBC. Limits action by TAC.
Intent & recommendation is for 90 day notice.
45 may be used for special/urgent issues by FBC 7-0L

Annual amendments – who may initiate (FBC only to any interested party)
Any interested party may initiate. 7-0R

FLA specific amendments: new editions of base code.
 staff should review & track base/model code changes
 TAC should review changes
 Not utilize SBCCI
 Staff will draft code changes (final version)
 Provide specific code language by TAC/FBC to staff for implementation
 Utilize 3 year process 7-0B

All adopted unanimously: 7-0

(2) Identified the following issues with regard to the code amendment process /rules of procedure:

- Limitations on subjects for amendments.
- How does FBC adopt model codes?
(Accepted unless challenged - require impact statement to specific issue only)
- Interested party standing.
- Consent agenda – allowable
- Amendments to modification - re fiscal statement.
- What if code effective date is Oct 1?
- Fiscal impact criteria: what constitutes accurate?
- 45 day notice - simultaneous.

- Who initiates yearly amendments?
- [State Fire Marshal: How affected. Not impacted unless they choose.] Defer.
 Coordination issues between FBC/SFM.
- Update new editions of base/model code. How are FLA specific amendments dealt with?
- When to consider model code changes relative to adoption cycle.
- Criteria for consideration (i.e., urgency)

(3) Identified additional issues for further consideration as follows:

- Process for amending rules.
- State agency issues for consideration by FBC: special process.
- Public comment & window/timelines (consistent with 120 Sunshine)
- State Fire Marshal: FBC coordination.
- Declaratory Statement
- Filter criteria for annual / vs triennial review.
- TAC review timeline guidelines/process for consideration/determination of issue.
- Meeting organization/process protocols.

Attachment 3

Florida Building Commission Product Approval Ad Hoc Committee Report April 10, 2001

Attendees

Raul Rodriguez
Nick D'Andrea
Jim Mehlretter

Dick Browdy
Craig Parrino
George Wiggins

Steve Corn
Frank Quintana
Steve Bassett

Introduction

The meeting was declared open by Raul Rodriguez at 1:00 p.m. (As noticed on the Committee agenda). Jeff Blair reviewed the meeting objectives and guidelines. Rick Dixon explained that the Commission would like the Product Approval Rule be effective October 1, 2001, coinciding with the effective date of the Florida Building Code.

- Minutes from the March 5, 2001 workshop were reviewed.

Motion: Approve the minutes of the March 5, 2001 workshop.

Vote: unanimous in favor. Motion passed.

- A list of product approval issues were discussed. The Committee forwards the following recommendations:

- 1. Clarify that evaluation must be done by tests where code specifies a test standard. The Florida Building Commission may approve greater than or equal to standards.

Motion: Miami-Dade P.A. 202 to be considered greater than or equal to ANSI, AAMA, NWDA 101 IS2-97

Vote: unanimous in favor. Motion passed.

- 2. Develop criteria for a product approval to be revoked or modified. Develop criteria for an entity accreditation to be revoked.

Motion: Adopt recommendation of Product Approval Task Group regarding product and entity revocation. Amend language to expand adoption to all entities.

Vote: unanimous in favor. Motion passed.

- 3. Establish a renewal process.

Motion: Strike issue #3.

Vote: unanimous in favor. Motion passed.

- 4. Develop an appeals process outside of the Chapter 120 process.

Pre-commission appeals from determinations at the local level.

Motion: DCA staff and legal to review issue and bring a recommendation back to the Committee.

Vote: unanimous in favor. Motion passed.

- 5. Develop application procedures for accreditation of certification agencies, evaluation entities, validation entities and quality assurance agencies.
Motion: DCA staff and legal to review existing procedures (i.e. ISO guidelines utilized) and bring a recommendation back to the Committee. Include criteria from the five entities recognized by the Florida Building Commission to set standards for their applicants to meet..
Vote: unanimous in favor. Motion passed.

- 6. Establish statewide standard test protocols. Currently there are multiple standards.
Action: There was consensus that this issue was covered by issue #1.

- 7. Determine duration of approvals.
Action: There was consensus that approvals are good until product or the code changes.

- 8. Develop checklist for state and local enforcement agencies to assist in validation of product compliance, including implementation guidelines and education and outreach activities.
Motion: DCA staff to review BOAF list and bring a recommendation back to the Committee.
Vote: unanimous in favor. Motion passed.

- 9. Determine if local jurisdictions should evaluate products for local approval.
Motion: Adopt the Commission's recommendation to the Legislature regarding local product approval.
Vote: unanimous in favor. Motion passed.

- 10. Should validation entities be recognized in law?
Motion #1: For state-wide approvals, recognize any evaluation entity willing to certify a product, recognize a Florida Licensed Professional Engineer or Registered Architect, and recognize Miami-Dade Product Control.
Vote: unanimous in favor. Motion passed.

Motion #2: Do not include specific entities in law.
Vote: six in favor, two opposed. Motion passed.

- 11. Determine if the Commission's approval is specific to individual standards in the codes that apply to a product or to all standards that apply to a product.
Action: There was consensus that this issue was covered by issue #1.
Motion: Commission approval specific to standards applied for not all standards.
Vote: unanimous in favor. Motion passed.

- 12. Determine if the Commission will have to compile lists of all standards that apply to all products for all applications.
Motion: No
Vote: unanimous in favor. Motion passed.
- 13. Establish a product quality assurance process.
Motion: All products approved should have in-house quality assurance process to be audited by an independent third party.
Vote: six in favor, two opposed. Motion passed.
- 14. Develop requirements for validation/certification reports.
Motion: Adopt recommendation of Product Approval Task Group regarding validation/certification reports. In addition, include the name and qualification of person validating or certifying (professional registration number).
Vote: unanimous in favor. Motion passed.
- 15. Determine if architects and engineers should declare and/or demonstrate expertise in the field their evaluation report covers.
Motion: No
Vote: seven in favor, one opposed. Motion passed.
- 16. Clarify system administration.
Motion #1: DCA to maintain a web based list of state-wide approved products and approved entities.
Vote: unanimous in favor. Motion passed.

Motion #2: DCA to accept applications for state-wide approvals and forward to the Florida Building Commission.
Vote: unanimous in favor. Motion passed.
- 17. Develop accreditation criteria for validation entities.
Action: There was consensus that this issue was already completed.
- 18. Develop a method for identification of approved products.
Motion: Rely on labeling and identification from evaluation entities and not a separate FBC label. DCA to post a list on web-site.
Vote: six in favor, two opposed. Motion passed.

Discussion:

Provide reference numbers on web-site with applicable standards, model number, and FBC approval.

Products should have a “label” indicating an evaluation number of entity conducting evaluation.

- 19. Develop fee schedule for costs of processing applications for approval of testing, evaluation, certification, validation entities and quality assurance agencies and for costs of processing applications for statewide approval and listing of products.

Motion: DCA staff will consult with industry regarding cost recovery concept and provide recommendations to the Committee.

Vote: unanimous in favor. Motion passed.

- 20. Develop/determine material standards, guidelines and classification of products (Method 1).

Motion: Appoint an advisory committee to develop recommendations. Consider hierarchy of products, guidelines, classification and standards. Appoint TAC for long-term review after rule is complete by Ad Hoc.

Vote: unanimous in favor. Motion passed.

- **Motion:** Approve recommendation package to Florida Building Commission (issues 1 - 20). Staff will make recommendations on identified issues.

Vote: unanimous in favor. Motion passed.

Conclusion

The meeting was adjourned at 3:45

Attachment 4

EDUCATION AD HOC REPORT

APRIL 11, 2001

Members present: Dick Browdy, John Calpini, Doug Murdock, Karl Thorne, Frank Quintana, Peggy Harris, Christ Sanitas, Suzanne Marshall, Dan Shaw.

Minutes – March minutes were approved with the addition of Karl Thorne was in attendance at the March meeting.

The April agenda was modified to add a discussion on the availability of the transition courses. Agenda approved as modified.

Dr. Pierce Jones presented a synopsis of the transition training that is being developed. He indicated that the Building/Structural, Mechanical/Energy and Plumbing/Gas will be completed and transmitted to DCA, May 1, 2001. The Fire course should be completed May 31, 2001.

Charles Hickey presented a review of the Training Administrator's scope of work that is in the ITN.

Discussion on the dissemination of the transition courses.

Motion – (Peggy Harris, Karl Thorne, second) DCA staff to review and approve the final course draft and authorize to disseminate. Release courses as soon as available. Vote 7 - 0, approve.

Motion -- (Doug Murdock) DCA staff will have courses available by May 15, 2001 and release others as developed. Vote 7 - 0 approve.

Discussion

DCA staff will serve as the coordinator on the administration of the training.

Discussion on the selection committee for the Training Administrator ITN.

Motion – (Peggy Harris,) Option 2, Committee made up of Commissioners. Motion failed

Motion – (Doug Murdock, Karl Thorne, second) Select Option 3, One Commissioner. Vote 7 - 2, approve.

Motion – (Peggy Harris, Dan Shaw, second), Recommend Commissioner Browdy as the representative on the ITN Selection Committee. Vote 9 - 0, approve.

Discussion

Jim Richmond provided an update on the current legislation as related to Education/Training.

Motion – (Dan Shaw) To support Legislative bill CS 336/190 for education funding of \$500,000 from the CAT fund through construction industry associations. Vote 9 - 0, approve.

Discussion on the Education rule pertaining to the modification to Rule9B-70.

Motion – (Suzanne Marshall, Peggy Harris, second), Amend the rule 9B-70 to facilitate that the transition courses are equivalent to the original Building Code Core course and be approved as Continuing Education Credit for any additional courses taken..

Discussion

A facilitated discussion on the identification of the advanced training modules. The following are the suggested modules.

- Product Approval
- ASCE 7-98, wind design, wind borne debris standards, large openings.
- Life Safety including egress and suppression systems.
- Administration- inspections, permitting (Chapter 1).
- State Regulatory provisions.
- Accessibility
- Special Buildings – Schools etc.
- Prototype buildings
- Termite provisions
- Historic Preservation
- Roofing
- Pools/Spas
- Hazardous substances
- Energy conservation
- Review existing core/transition courses to combine them as a advanced module.

Action Items:

- Authorized DCA staff to approve the final versions of the transition/core courses and disseminate.
- Transition/core courses will be released as developed beginning on or before May 15, 2001.
- Recommend to the Secretary of DCA that a selection committee for the Training Administrator ITN consist of DCA staff and on Commissioner.
- Recommend the legal staff proceed with amending Rule 9B - 70.001 to reflect the transition courses be elements of the administrative core and be equivalent. Recommend that continuing education credits be issued for all of the transition training courses.
- DCA will act as coordinator on transition core training delivery until the Training Administrator is under contract.

Adjourn at 9:55 am.

Attachment 5

Prototype Buildings Ad Hoc Committee Report

Minutes of the April 9, 2001 Mfg Bldg/Prototype Ad hoc Committee

Craig Parrino, Chairman

Members attending:

Med Kopczynski

Christ Sanidas

Karl Thorne

John Calpini

Ed Carson

Suzanne Marshall

Agenda approved as submitted

March 2001 Minutes approved including conceptual process diagram

Legislative update relative to Prototype Buildings, Factory Built Schools and Storage buildings

Exception for Factory Built Schools to July 03

Payment for inspection services pass on to manufacturer

Kit storage building language not in Bill

Prototype Program development issues Part 3:

The following categories were created for management development purposes

- 1) Policy,
- 2) Administrative,
- 3) Local authority

April 2001 Prototype Committee motions/Recommendations/no action

Motion: Staff to notify by letter to the 67 county school districts Chairman and superintendents of required inspections /insignia prior to occupancy of Factory Built Schools. Karl/Med

1) Policy issues addressed were the following:

Motion: Policy issue # 2 -Time frame for Plans Review - Plans have a maximum 30 days turn around time when in the hands of the Plans Examiner. Note: 90 day total turn around time. Med/John

Recommendation: Policy issue #3 -Architectural control issue - Allow local Building Officials to use as much of approved plan as possible. Med/consensus

Motion: Policy issue # 4 - Alternative materials /methods -Administrator shall document why discussion was made, Administrator shall consider alternate material/methods. John/Med

Motion: Policy issue # 5 -Contract management of Plans Reviewer - Plans Examiner will be approved by F.B.C. and will report to the Administrator, the Fire Marshall approves 633 Plans Reviewer. Med/Karl

Recommendation: Policy issue # 6 -Threshold Buildings must meet established criteria as set forth by the Florida Building Code

Motion: Policy issue # 7 (part one)Ownership of Documents - Designer must approve set of plans for each permit. Plans examiner receive a royalty each time plan is approved, through the Administrator. Med/John

Administration item # 7 (part two) Administrator must approve use of plans (including tracking) each time plans are used. Mastering of prototype plans shall not be allowed. Ed/Karl

Motion: Policy issue # 8 & 12 - Limiting factors on drawings relative to site/foundation orientation.-Local jurisdiction to determine on title page the following: Limiting factors, alternatives, revisions, sheet and or page legend and design criteria. Med/Ed

No Action: Policy issue # 9 Abuses to the Prototype System - deferred until the May 2001 meeting

No Action: Policy issue # 10 - What should system include -NA

No Action: Policy issue # 11 - Conflicts with Uniform Fire Safety Standards - See Policy issue #5 and Ad hoc developed chart in concept

Recommendation: Policy issue # 15 -Conformance to architects/engineers, requirement operations - Conformance to 471& 481 FS Requirement operations.

2) Administration Issues:

Recommendation: Administration issue # 1 -Approval process -Plans submitted to Administrator, Administrator responsible for Building/Fire Review, Administrator issues approval

Motion: Administration Issue # 7 - Plans Identification - Tracking system (numbering etc), number of times plans used, number dictating cycle of revisions, stamped in red 3x5 (horizontal) box at top right hand corner for official use only. Placed in this space shall be the Plans examiners name, date reviewed, and identification number. Med/Ed

Recommendation: Administration Issue # 8 - Tracking System (Internet) to developed by the Administrator and DCA. through the BCIF program.

Motion: Administration Issue # 9 Shelf life of Plans - For use for the Code in effect when plans were approved. Med/John

No Action: Administration Issue # 10 Record retention -addressed by the Ad hoc in December to the Legislature. April meeting, recommends compliance to State record 119 FS by the Administrator.

Note: Defer this issue to Commission Rules & Procedure Committee

3)Local Authority

Recommendation: Local Authority issue #2 - Changes in use category - change of use - Local Jurisdiction, existing buildings would not be in Prototype buildings program.

May 2001 Prototype meeting issues: Projected time needed 3 hours

- 1) Discussion on training of Prototype program
- 2) Prototype program fees
- 3) Discussion of Abuses to the system -Policy issue #9
- 4) Discussion of organizational committee chart/ players to be included in committee
- 5) Discussion of criteria for Plans examiners and Fire inspectors

Adjourn

Attachment 6

Energy Technical Advisory Committee Report

April 9, 2001

Attendees

Steve Bassett	Roger Sanders	Leonard Lipka	Donny Pittman
Jack Glenn	Pete Quintela	Peggy Harris	Philip Simmons
Frank Frail	Bob Andrews	Joe Crum	Dan West
Maury Jacobson	Betsy Goll	Bill Crosthwaite	Lorraine Ross
David Pierson	Philip Fairey	Frank O'Neill	Gene Bassham
Ann Stanton	Malcolm Barnes	Wendell Porter	Katherine Hurt

Introduction

The meeting was declared open by Commissioner Steve Bassett at 1:00 p.m. (as noticed on the Commission agenda), although he was informed that the meeting had been noticed for 2:00 p.m. per Energy TAC agenda and the Florida Building Code web site and only three voting members were present. Materials and the tape recording were operational by 1:17 p.m. as Mr. Bassett insisted on convening the meeting.

Training

Wendell Porter of the University of Florida presented an overview of the UF's work toward providing transitional and core change of code training materials, including a facilitator's guide for the instructor containing notes of interest and references. The energy portion of his slide show was considered, with Commissioner Bassett recommending the inclusion of the air handler unit settlement language. Comments on the slides should be provided to Ann Stanton by the week following; DCA will forward them to the UF for inclusion in the training package.

Correct Forms

Ann Stanton presented an area of the 600A forms that needs to be fixed. A graphical error on the "paper" Form 600A in 1997 resulted in south Florida gas furnace multipliers being included on the forms for north and central Florida. However, the EnergyGauge Fla/Res computer program used by most providers to determine energy code compliance continued to contain the correct multipliers, causing a disparity between the handwritten Form 600As and the computer program commonly used to perform the same calculation.

MOTION: Maury Jacobson moved that the gas multiplier numbers on Form 600A north and central Florida be corrected to be consistent with the computer program. David Pierson seconded the motion. With the arrival of Commissioner Peggy Harris, a quorum of seven voting members had been achieved. The motion was approved unanimously.

Air Handler Simulation Study Report

Philip Fairey of the Florida Solar Energy Center made a presentation on the air handler simulation study performed by FSEC under contract to the Florida Department of Community Affairs as per the settlement of the Florida Air Conditioning Contractors' challenge to the Florida Building Code rule. A committee of persons representing the Florida Home Builders, the Florida Air Conditioning Contractors, and the Department met twice, once to agree on assumptions for the performance of the air handler, and again to consider and approve the results of the computer simulation. Fairey submitted a final report on the study entitled "AHU Location Simulation Project" and described the effect of including air leakage with conduction in the summer AHU multipliers for the attic location as increasing from 1.04 to 1.08 (south Florida), 1.10 (central Florida) and 1.11 (north Florida). Winter multipliers for the attic location changed from 1.04 (all zones) to 1.14 (south Florida), 1.11 (central Florida) and 1.10 (north Florida). Multipliers also changed for air handlers located in the interior of homes and outdoors. The garage location remained 1.0 (baseline). The impact of moving the air handler from the attic to the interior of the building acts as an incentive for change, increasing the difference from 11% (all zones) to from 17 to 23% (winter) and 18 to 21% (summer) conditions. Discussion included the suggestion that air handler brands used in the field study upcoming be varied and reported, that the baseline location might be changed to the interior of the home, and that the amount of air handler leakage was determined by committee consensus in the absence of reported data.

MOTION: Steve Bassett moved that the report be accepted and forwarded to the Commission. Maury Jacobson seconded the motion. By this time, the Chair and a total of 11 voting members had arrived for the meeting. The motion was passed unanimously.

Recap

With the arrival of most of the TAC participants, Wendell Porter was asked by Chair Leonard Lipka to recap his presentation on training materials. He included the web site where the code comparison materials may be found: <http://www.energy.ufl.edu/fbc/fbc.htm>. Lipka requested that Stanton email this web address to the TAC participants.

Ann Stanton again presented the need for a correction on Form 600A for north and central Florida forms. Because the vote had already been taken with a quorum present, Lipka agreed the motion should stand.

New Business

Jack Davis requested direction on the procedure to follow to change the code. He submitted a code change proposal to the TAC recommending that using mastic to seal all ducts be accepted as an alternative to the airtight duct test because so few state-approved duct testers are currently available. Jack Glenn stated that because the rule had to be reopened to include the new air handler multipliers, the rule would be open to challenge. Counsel Kathy Butler was asked to find an answer on this issue.

Conclusion

Chair Leonard Lipka adjourned the meeting at 2:50 p.m.

Attachment 7

Mechanical Technical Advisory Committee Report

April 9, 2001

Attendees

Steve Bassett	Roger Sanders	Leonard Lipka	Jack Davis
Jack Glenn	Pete Quintela	Peggy Harris	
Bob Andrews	Joe Crum	Dan West	
Maury Jacobson	Betsy Goll	Donny Pittman	
David Pierson	Elery Borton	Philip Simmons	
Jim Cummings	Ann Stanton	Wendell Porter	

Introduction

The meeting was convened by Chair Peggy Harris at 3:15 p.m. with 10 voting members present. The agenda was moved by Leonard Lipka, seconded, and approved unanimously.

Training

Chair Harris asked how many participants had not seen Wendell Porter's presentation on the University of Florida's work to date toward providing transitional and core change-of-code training materials. Two members had not seen it but waived the opportunity for another presentation. Copies of the slides developed to date were passed out for TAC review. Comments on the slides should be provided to Ann Stanton by the week following; DCA will forward them to the UF for inclusion in the training package. Harris asked if the TAC had reviewed the code change comparison and if they had any comments. Hearing no response, Harris moved on to other things.

New Business

Harris passed out a letter from Joanne Sperline, President of Thermofin of Florida, Inc., requesting relief from a clause of section 504.6 which requires clothes dryer vents to have a smooth interior finish. Ms Sperline believes the requirement for a smooth surface will put her company out of business. Discussion of the issue showed that most participants felt a non-smooth surface is a hazard in a dryer vent, especially in multi-story buildings. Broward County had a legal decision that requires them to allow use of this product, while most of the rest of the state do not now allow its use. Use of the product as a transition duct between the vent and the dryer is allowed in section 504.6, although transition ducts "shall not be concealed within construction". The TAC decided no action was needed.

Conclusion

Chair Harris adjourned the meeting by 4:00 p.m.

Attachment 8

Plumbing TAC Report

Meeting Chaired by Commissioner Don Shaw

The TAC met and addressed the following subjects:

- (1) **Approved the agenda and the minutes from the previous meeting with amendment to add language stating that (IACMO) has approved a final standard for Vacuum Release Valve.**
- (2) **Reviewed and provided comments on the final draft report of the Interagency Copper Pipe Corrosion Project.**

General comments:

- Don Shaw, Chairman gave a short summary explaining the history of the copper pipe corrosion problem and issue currently before the TAC. Also, he stated that the report does not incorporate all comments provided by the staff to the Public Service Commission (PSC) during the project meeting in Tallahassee, Florida. PSC staff indicated that the draft final report is being updated to incorporate comments received from all interest group.
- Section 605.1, Water compatibility, was removed from the IPC.
- Enforcement of s.605.1 should be the responsibility of the Building Official and the water utilities.
- Enforcement and implementation of s.605.1 is not possible without the availability of information from the industries (pipe manufacturers and water utilities) regarding the conditions under which their product is suitable for use. In fact, nobody will be able to make determination with regard to the code requirement of 605.1 without the availability of such information.
- Hydrogen sulfide is the major cause of copper pipe corrosion. Treatment of water for hydrogen sulfide should take care of the problem at hand.
- Using a list of specific elements/chemicals to test for the applicability of pipes and waters within the requirements of s.605.1 is not a viable option since water quality is in a continuous change.
- If the manufacturers do not provide the needed information, the Contractor can assume that pipe materials referenced in the code are suitable for use and pipe failure should be the responsibility of the pipe manufacturers.

Action: the TAC voted to approve the report under the condition that the report be revised to incorporate the Chairman's comments submitted to the PSC at the Tallahassee meeting. (Motion made by Gary Duren and seconded by Robert Trumbower, vote - 6/6).

Note: the report will recommend the following:

- (1) Specific training regarding Florida's copper corrosion problems be included in the FBC's training on Florida's new statewide building code. (The Chairman and staff will work together to incorporate in the Plumbing Transition Training the necessary language to implement this recommendation.)
- (2) When water utilities are unable to improve the quality of the water for compatibility with water service pipes and water distribution pipes, local governments that believe stronger action is needed should consider approving amendments to the building code for their county.
- (3) Manufacturers of water pipe products should include information on or with their products which provide the conditions under which their products are suitable for use with the quality of the water provided by the water utilities.

Action: the TAC voted to require that the manufacturers comply with recommendation #3 above. (Motion made by Gary Duren and seconded by George Seiler, vote - 6/6).

- (3) **Discussed a request for a code change with regard to the requirement s.613.2, Pressure Tanks, of the FBC, Plumbing.** The new FBC, Plumbing requires "Tanks to be buried shall have a minimum wall thickness of 1/4 inch and, be built by the manufacturer specifically for underground use". The proposed change will revise the current code language to say "Tank to be buried shall be built by the manufacturer specifically for underground use". This change is needed because tanks with a 1/4 inch wall thickness is not available.
- (4) **Discussed the incompatibility of termite soil treatments with PVC pipes.** The issue was raised by Steve Dwinell of Department of Agriculture. Currently, the Department is gathering information on this subject. Steve requested that information on this subject be send to him (FAX # 407-292-0918). He also stated that a code change to address this issue may be needed. The Chairman added that the code requirements for sleeving of pipes is a problem and the need for such sleeving should be addressed. Also, he added this issue enforces the fact that water piping systems in need for a wise determination to select the right pipe materials for the right job.

Attachment 9

Building Structural TAC Report

Chaired by Commissioner Nick D'Andrea.

The TAC met and addressed the following subjects:

- (1) **Approved both the Agenda and the minutes from the previous meeting.**
- (2) **Discussed the request for Declaratory Statement # DCA 01-DEC-022 requesting an advisory opinion on whether anchor systems are required to be corrosion resistant.**

General comments:

- Technical analysis and recommendations with regard to the Dec. Statement were presented by the staff (see attached).
- Legal staff stated that the request for the Dec. Statement is not specific and recommended that the Proponent withdraw his request.
- The Proponent explained that because of the gray area of the code on this subject, raw steel hardware are being used and he expressed that something need to be done to clarify the intent of the code.
- This is a major issue and needs to be resolved.
- The code does not provide guidelines necessary to determine which connector should be corrosion resistance.
- The TAC should work with the Proponent to formulate a code change for consideration by the Commission during the upcoming code change cycle.
- Recommend that the Proponent withdraw the Dec. Statement and the TAC work with the Proponent to propose a code change on this matter to the Commission.

Action: Table the Dec. Statement to allow the Proponent to provide additional information on the subject of concern at the next Structural TAC meeting. (Motion made by Doug Murdock and seconded by Robert Bitterli, Vote - 5/5).

- (3) **The University of Florida Staff gave status report on development of the Structural Transition Training materials and responded to questions from the attendees.**
- (4) **Addressed staff proposal with regard to providing technical assistance to local governments in establishing the location of wind speed lines as mandated by s. 1606.1.6 of the Florida Building Code. (For further information see attached)**

Action: The TAC approved the staff recommendations on this subject. (Motion made by Doug Murdock and seconded by James Mehlretter, vote - 5/5)

Attachment 10

Accessibility Technical Advisory Committee Report

Meeting called to order at 2PM by Dick Browdy Chairman

Members in attendance: Quorum achieved

Dick Browdy	Commissioner -	Producer Group
Karl Thorne	Commissioner -	Consumer Group
Dan Shaw	Commissioner	Producer Group
Steve Sensakovic		General Interest Group
Bunny Armstrong		General Interest Group
Sharon Mignardi	-	General Interest Group
Jeffrey Gross	-	Consumer Group
Larry Schneider	-	Consumer Group

Members absent:

Diana Richardson	Commissioner -	General interest Group
Warren Jerrigan	-	General Interest Group

Vacancy	Producer Group
Vacancy (questionable)	Consumer Group

Agenda approved as submitted

Minutes of the March 5, 2001 Accessibility Technical Advisory Committee were approved as submitted.

Objective 1 Accessibility Code training part one, DCA staff presented an two hour credited course . The second two hour segment will be held at the May Accessibility TAC to complete the Accessibility Code training.

Objective 2 Discussion on the Accessibility Advisory Council membership
DCA Legal staff explained that the Department has forwarded the proposed statutory amendment regarding the Council to the Florida Building Commission (via the Accessibility TAC) for a recommendation as to how the Commission would like the Department to proceed on this issue. Note: The Commission requests that the Accessibility TAC review the proposed amendment, discuss it, and offer a consensual recommendation to the Commission regarding the amendment.

The amendment strikes existing specific organizations and recommends replacements of seven knowledgeable persons to represent the Advisory Council

Facilitated discussion towards recommendation to the Commission relative to proposed Amendment to 553.512

TAC Issues identified: Adopted by TAC 8-0 in favor

- * Balance of representation relative to specific disabilities
- * Organizations- specific or individual
- * Number of members on Council
- * Leave as is, no change option

- * Terms of office
- * Replacement/attendance - quorum issue
- * Inclusionary/exclusionary membership
- * Performance/mission of Council
- * Accountability of Council -result of contribution
- * Information flow - to community
- * Diversity issues
- * Duplicative services - review
- * Title of representative positions FS
- * Proxy voting
- * Accommodating members (IE conference, technology)
- * Conflicts of interest in Council membership

Council make recommendations to FBC on waivers

- * Persons who represent disabled community or are disabled
- * Need persons with specific disabilities or expertise in specific areas
- * Knowledge of the Accessibility Code
- * Where possible representative of organization with knowledge
- * Need training on ADA & FBC for members
- * Council may request opinion from private consultant for education or to enhance technical expertise.
- * Council membership/makeup review

Balance of representation

- * Council as advisory board
- * Council recommendations not reliable to the FBC
- * Assign Commissioner to work with Council
- * Concern over specific group representation relative to fairness vs advocacy
- * Council reviews hardship relative to Access Code
- * Fair finding of facts on applications
- * Need different disabilities perspectives
- * Cite references with recommendations to FBC
- * Commissioners should monitor Council to except level of consideration by Council

Organizations

- * Advocacy Center for persons with Disabilities
- * Division of Blind Services
- * Division of Vocational Rehabilitation
- * Statewide organization for physically handicapped
- * Hearing Impaired representative
- * PVA
- * Florida Council of Handicapped Organizations
- * Non inclusive of other disability groups

Next Steps

- * TAC explore crafting recommendation to FBC to enhance diversity and provide open representation in TAC meetings
- * Mission of Council - qualifications, diversity, etc.
- * Review and refine mission statement

Result of discussion and Straw poll

Conceptual proposal to refine statute 553.512.

Vote to support 6 (Dick, Dan, Karl, Sharon, Jeff, Larry)

Vote to reject 2 (Steve, Bunny)

Other Business included the following:

TAC membership

Hand out from the Florida Department of State relevant to an Notice of the Public Access Requirements of the Americans with Disabilities Act, this notice addresses Public Access requirements for individuals with Disabilities.

May meeting items: Projected time needed 2 hours

Part two of the Accessibility Code training 2 hours

Adjourn

Note: Commission voted to re-visit the discussion relevant to Advisory Council membership in July. Dan Shaw.