



**FLORIDA
BUILDING
COMMISSION**

"STRONGER CODES THROUGH SCIENCE AND CONSENSUS"



**FACILITATOR'S SUMMARY REPORT OF THE
15 AUGUST 2023 FLORIDA BUILDING COMMISSION MEETING
WEB-BASED AND TELECONFERENCE VIRTUAL MEETING**

PROCESS DESIGN, CONSENSUS-BUILDING AND FACILITATION BY



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FLORIDA BUILDING COMMISSION
AUGUST 15, 2023 FACILITATOR’S MEETING SUMMARY REPORT

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Florida Peninsula – From Space



FLORIDA BUILDING COMMISSION
AUGUST 15, 2023 FACILITATOR'S MEETING SUMMARY REPORT



OVERVIEW OF COMMISSION'S KEY ACTIONS AND DECISIONS
TUESDAY, AUGUST 15, 2023

I. PLENARY SESSION SUMMARY AND OVERVIEW

The Commission conducted their August 15, 2023 Plenary Session as web-based and teleconference virtual meeting. At the August meeting the Commission considered and decided on Chair's issues and recommendations, Executive Director's announcements, product and entity approvals, applications for accreditor and course approvals, applications for waivers from accessibility requirements, petitions for declaratory statements, and recommendations from the Commission's various committees. Specific actions included voting to: **1)** Approve the updated Workplan and Schedule for development of the 8th Edition (2023), Florida Building Code; **2)** Approve Right-Suite Universal 2023 using its Right-Energy Florida module Version 23.0.01.01, for demonstrating compliance with the residential building energy requirements of the 8th Edition (2023) Florida Building Code, Energy Conservation for single-family new construction using the performance method, and to authorize staff to approve non-consequential changes to the software as needed; **3)** Approve EnergyGauge Summit 8.0, for demonstrating compliance with the commercial building energy requirements of the 8th Edition (2023) Florida Building Code, Energy Conservation, for the following code compliance methods: ASHRAE 90.1—2019 – Energy Cost Budget Method, ASHRAE 90.1—2019 – Prescriptive Compliance Method, ASHRAE 90.1—2019 – Appendix G Performance Rating Option, FBC 2023 – Total Building Performance Compliance Option, FBC 2023 – Prescriptive Compliance Option, and FBC 2023 – Component Performance Alternative Method, and to authorize staff to approve non-consequential changes to the software as needed; **4)** Approve EnergyGauge USA Version 8.0, for demonstrating compliance with the residential building energy requirements of the 8th Edition (2023) Florida Building Code, Energy Conservation, for the following code compliance methods: R402 Prescriptive R-Value Method, Prescriptive Total UA Alternative Method, Performance Method – R405, and ERI Method – R406, and to authorize staff to approve non-consequential changes to the software as needed; **5)** Approve COMCheck-Web, for demonstrating compliance with the commercial building energy efficiency requirements pursuant to the requirements of Section 5.6, Envelope Trade-Off Compliance for the envelope, using the procedures of the Normative Appendix C of ASHRAE 90.1—2019, and using Sections 6, 7, 8, 9 & 10 for compliance using the prescriptive method; and **6)** To not initiate an investigation and to dismiss the complaint regarding FL 15709 WinDoor Inc.

(Attachment 1 — Meeting Evaluation Results)

II. CHAIR'S WELCOME

Chairman Schock welcomed the Commission, DBPR staff, and the public to the August 15, 2023 plenary session of the Florida Building Commission.

The Chair noted that in addition to considering regular procedural issues, updates, and reports, the primary task for the August 15, 2023 meeting was to consider a product approval complaint.

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

III. COMMISSION ATTENDANCE

The following Commissioners participated in the August 15, 2023 web-based and teleconference virtual meeting:

Jim Schock (Chair), James Batts, Michael Bourré (Vice Chair), David Brown, David Compton, Jeff Gross, David John, Grey Marker, Asael Marrero, Brad Schiffer, Fred Schilling, Brian Swope, Tim Tolbert, and Stephen Wilcox.

(14 of the 16 seated Commissioners attended — 88%).

Absent Commissioners:

Rodney Hershberger, and Brian Langille.

DBPR STAFF PARTICIPATING

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

MEETING FACILITATION

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



PROJECT WEBPAGE

Information on the Florida Building Commission project, including agenda packets, meeting reports, and related documents may be found at the Commission Webpage. Located at the following URL: <http://floridabuilding.org/c/default.aspx>

IV. AGENDA REVIEW AND APPROVAL

Following are the key agenda items approved for consideration:

- To Approve Regular Procedural Topics (Agenda and Minutes).
- To Consider/Decide on Chair’s Discussion Issues/Recommendations.
- To Consider/Decide on Executive Director Announcements and Discussions.
- To Receive Update Regarding the Florida Building Code, 8th Edition, (2023), Workplan.
- To Review/Approve Submittals for Energy Code Compliance Software for Compliance with the Florida Building Code, 8th Edition (2023), Energy Conservation.
- To Consider/Decide on Product Approval, DBPR, and Entity Approval.
- To Review a Complaint from Yiping Wang Regarding Product Approval FL-15709.
- To Consider/Decide on Applications for Accreditor and Course Applications.
- To Consider/Decide on Applications for Waivers from Accessibility Requirements.
- To Receive a Legal Report Briefing.
- To Consider/Decide on Petitions for Declaratory Statements.
- To Receive/Decide on Reports and Recommendations from Committees.
- To Hear Public Comment.
- To Identify Needed Next Steps, Assignments, and Agenda Items for Next Meeting (October 17, 2023 Onsite Meeting, Marriott Courtyard Cocoa Beach/Cape Canaveral, Florida).

Commission Action:

MOTION — The Commission voted unanimously, 14 - 0 in favor, to approve the agenda for the August 15, 2023 meeting as presented and posted.

Amendments to the Posted Agenda: There were no amendments offered to the posted agenda.

(Attachment 2 — August 15, 2023 Commission Agenda)

V. APPROVAL OF THE JUNE 20, 2023 MEETING MINUTES AND FACILITATOR’S SUMMARY REPORT

The Chair asked whether there were any corrections or additions to the posted June 20, 2023 Meeting Minutes and/or Facilitator’s Summary Report that were posted electronically in advance of the meeting. There were none offered, and the Commission took the following action:

Commission Action:

MOTION — The Commission voted unanimously, 14 - 0 in favor, to approve the June 20, 2023 Meeting Minutes and Facilitator’s Summary Report as posted/presented.

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

VI. CHAIR’S DISCUSSION ISSUES AND RECOMMENDATIONS

Passing of John O’Conner

The Chair expressed he was saddened to report that John O’Conner passed recently, and on behalf of the Commission offered sincere condolences to John’s family and friends. John has been involved with the Commission process since inception and served on numerous TACs and workgroups over the years. The Chair thanked John for his dedicated service to the citizens of Florida, and indicated that he will be missed.

Appointments

Chairman Schock made the following appointments and thanked the appointees for agreeing to serve:

- Kyle Sawchuk to the Code Administration TAC.
- Rebecca Quinn to the Hurricane Research Advisory Committee. The Chair thanked Rebecca for agreeing to serve.

Updated Commission Milestones

The Chair reminded participants that the Updated Commission Milestones document (updated as of June 20, 2023) is linked to the August 15, 2023 FBC Agenda on the BCIS.

VII. EXECUTIVE DIRECTOR ANNOUNCEMENTS AND DISCUSSIONS

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

A) Future Commission Meeting Dates

Tom reported that the Commission’s next meeting is October 17, 2023, and will be conducted Onsite at the Marriott Courtyard Cocoa Beach/Cape Canaveral. Following are the dates for the regular bimonthly Commission meetings scheduled for the remainder of 2023:

- December 12, 2023, Web-Based and Teleconference Virtual Meeting

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

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

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

Commission Action:

MOTION— The Commission voted unanimously, 14 – 0 in favor, to approve the updated Workplan and Schedule for development of the 8th Edition (2023), Florida Building Code.

(Attachment 5 — 2023 Code Update Workplan and Schedule)

IX. APPROVAL OF ENERGY CODE COMPLIANCE SOFTWARE SUBMITTALS FOR DEMONSTRATING COMPLIANCE WITH THE 8TH EDITION (2023), FLORIDA BUILDING CODE, ENERGY CONSERVATION

The Chair noted that the Florida Building Code 8th Edition (2023) is on schedule to become effective December 31, 2023. As a result, during the August meeting the Commission was asked to consider the approval of Energy Code Compliance Software submittals for demonstrating compliance with the 8th Edition (2023), Florida Building Code, Energy Conservation.

Specifically, the Commission was asked to approve:

- **Right-Suite Universal 2023** using its Right-Energy Florida module, for demonstrating compliance with the residential building energy efficiency requirements for single-family new construction using the performance method;
- **EnergyGauge Summit 8.8**, for demonstrating compliance with the commercial building energy efficiency requirements for specified methods of compliance; and
- **EnergyGauge USA Version 8.0**, for demonstrating compliance with residential building energy efficiency requirements for specified methods of compliance.
- **COMCheck-Web**, for demonstrating compliance with the commercial building energy efficiency requirements for specified methods of compliance.

Following was the process used to review the submittals:

- Overview of Energy Compliance Software, As Needed
- Commissioner Clarifying Questions
- Public Comment (*3 Minutes/Person*)
- Commission Discussion and Action

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

Commission Actions:

MOTION — The Commission voted unanimously, 14 – 0 in favor, to approve Right-Suite Universal 2023 using its Right-Energy Florida module Version 23.0.01.01, for demonstrating compliance with the residential building energy efficiency requirements of the 8th Edition (2023) Florida Building Code, Energy Conservation for single-family new construction using the performance method, and to authorize staff to approve non-consequential changes to the software as needed.

MOTION — The Commission voted unanimously, 14 – 0 in favor, to approve EnergyGauge Summit 8.0, for demonstrating compliance with the commercial building energy efficiency requirements of the 8th Edition (2023) Florida Building Code, Energy Conservation, for the following code compliance methods: ASHRAE 90.1—2019 – Energy Cost Budget Method, ASHRAE 90.1—2019 – Prescriptive Compliance Method, ASHRAE 90.1—2019 – Appendix G Performance Rating Option, FBC 2023 – Total Building Performance Compliance Option, FBC 2023 – Prescriptive Compliance Option, and FBC 2023 – Component Performance Alternative Method, and to authorize staff to approve non-consequential changes to the software as needed.

MOTION — The Commission voted unanimously, 14 – 0 in favor, to approve EnergyGauge USA Version 8.0, for demonstrating compliance with the residential building energy efficiency requirements of the 8th Edition (2023) Florida Building Code, Energy Conservation, for the following code

compliance methods: R402 Prescriptive R-Value Method, Prescriptive Total UA Alternative Method, Performance Method – R405, and ERI Method – R406, and to authorize staff to approve non-consequential changes to the software as needed.

MOTION — The Commission voted unanimously, 14 – 0 in favor, to approve COMCheck-Web, for demonstrating compliance with the commercial building energy efficiency requirements pursuant to the requirements of Section 5.6, Envelope Trade-Off Compliance for the envelope, using the procedures of the Normative Appendix C of ASHRAE 90.1—2019, and using Sections 6, 7, 8, 9 & 10 for compliance using the prescriptive method.

X. APPLICATIONS FOR PRODUCT AND ENTITY APPROVAL

Jeff Blair presented the Product Approval Oversight Committee’s recommendations for entities and product approvals on the consent agenda for approval.

Commission Actions on the Consent Agendas for Approval:

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

MOTION — The Commission voted unanimously, 14 - 0 in favor, to approve the consent agenda of products (110) recommended for approval to the 2020 Code as posted/presented.

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

MOTION — The Commission voted unanimously, 14 - 0 in favor, to approve FL 42117, and FL 42119.

MOTION — The Commission voted unanimously, 14- 0 in favor, to conditionally approve FL 42095 to allow the applicant to provide the requested connection details and to correct the typo from "Door" to "Window."

MOTION — The Commission voted unanimously, 14- 0 in favor, to conditionally approve FL 42122 to allow the applicant to add the mullion dimensions and material.

Commission Actions Regarding DBPR Applications:

There was no Commission action required regarding the August 2023 DBPR Applications. The complete results of Commission decisions regarding applications for product and entity approvals are available on the BCIS. (*See BCIS Website for Linked Committee Report*)

XI. COMPLAINT BY Ms. YIPING WANG REGARDING PRODUCT APPROVAL FL 15709 WINDOOR

The Chair explained that a complaint was filed by Ms. Yiping Wang with regard to FL 15709, WinDoor Inc. The Product Approval POC heard the complaint and subsequently determined that there was not substantial material evidence submitted of possible violations of the Product Approval Rule, and the POC is recommending that the Commission not initiate an investigation of FL 15709 WinDoor Inc.

Following are the sequence of steps followed for the Commission’s review of the complaint:

- 1) Justin Vogel, the Commission's legal counsel discussed the legal framework for reviewing complaints within the product approval program.
- 2) An opportunity for clarifying questions on the legal framework was provided (Commission, Wang, Miller).
- 3) An opportunity for the complainant (Ms. Yiping Wang) to present the complaint was provided.
- 4) An opportunity for Commission member clarifying questions was provided.
- 5) An opportunity for the respondent WinDoor Inc.'s representative Lynn Miller's and/or Daniel DeLeo's (respondent's attorney) response to the complaint was provided.
- 6) An opportunity for Commission member clarifying questions was provided.
- 7) Staff (Mo Madani) was provided with an opportunity to provide the Commission with any relevant information (General Notes).
- 8) An opportunity for clarifying questions on staff's input was provided (Commission, Wang, Miller).
- 9) An opportunity for public comment was provided.
- 10) Commission discussion and action on the complaint regarding FL 15709 WinDoor Inc.

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

Commission Actions:

MOTION — The Commission voted unanimously, 14 – 0 in favor, to not initiate an investigation and to dismiss the complaint regarding FL 15709 WinDoor Inc.

Note: Commissioner Hershberger was not present during the meeting; however, he filed a memorandum of voting conflict stating that he is the Chairman of the Board of Directors for PGT Innovations, the parent company of WinDoor Incorporated.

XII. APPLICATIONS FOR ACCREDITOR AND COURSE APPROVAL

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

Commission Actions:

MOTION — The Commission voted unanimously, 14 – 0 in favor, to approve advanced accredited course numbers: 1143.0, 1138.0, 1139.0, 1134.0, 1135.0, 1140.0, 1136.0*, 1137*.0, and 689.3.

**Commissioner Schiffer abstained from voting on 1136.0*, and 1137*.0.*

MOTION — The Commission voted unanimously, 14 – 0 in favor, to conditionally approve for compliance with Rule 61G20-6.002, Administratively Approved Self-Affirmed (One-Change) Updated course numbers: 725.3, and 821.3.

XIII. APPLICATIONS FOR WAIVERS FROM ACCESSIBILITY REQUIREMENTS

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

Commission Actions Regarding Accessibility Waiver Applications:

A. Southern Grounds – Waiver 608 - 556 Central Avenue, St Petersburg 33701

MOTION — The Commission voted unanimously, 14 – 0 in favor, to grant the waiver for vertical accessibility to second floor on the grounds of the historical nature of the property.

B. Old School Square Office Suites – Waiver 631 - 102 North East 1st Avenue, Delray Beach 33444

MOTION — The Commission voted unanimously, 14 – 0 in favor, to grant the waiver for vertical accessibility to the second floor on the grounds of economic hardship.

C. Novak Cornwell Building – Waiver 627- 602 East Union Street, Jacksonville 32206

MOTION — The Commission voted unanimously, 14 – 0 in favor, to grant the waiver for vertical accessibility to the second floor on the grounds of economic hardship.

D. Carlos Miranda – Waiver 628- 600 NW 5th Street, Miami 33128

MOTION — The Commission voted unanimously, 14 – 0 in favor, to grant the waiver for vertical accessibility to the second floor on the grounds of economic hardship.

XIV. LEGAL REPORT

Justin Vogel, Commission Legal Counsel, updated the Commission on outstanding legal matters relevant to the Commission. Justin reported that there were no new legal matters to update the Commission on.

XV. PETITIONS FOR DECLARATORY STATEMENTS

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

1. DS 2023-025 by Kevin F. Martin of Pizzo Self Storage of Alachua, LLC.

Motion — The Commission voted unanimously, 14 - 0 in favor, to approve the Plumbing TAC’s recommendation on the Petition (to approve staff’s analysis (Option 2) as presented/posted for Q1).

2. DS 2023-033 by Ron Annechiarico of Accent Closets

Motion — The Commission voted unanimously, 14 - 0 in favor, to approve the Fire TAC’s recommendation on the Petition (to approve staff’s analysis for Q1 – Q5 to decline to answer the Petition on the basis that the Petitioner asks the Commission to review interpretations of the Florida Building Code by a local enforcement authority, and because this Petition is prospective in nature and involves conduct which has already occurred).

XVI. COMMITTEE REPORTS AND RECOMMENDATIONS

Chairman Schock requested TAC and POC chairs to confine their reports to a brief summary of any key recommendations, emphasizing any issues requiring an action from the Commission. The Chair requested if the TAC/POC requires Commission action, to frame the needed action in the form of a proposed motion to ensure that the Commission understands exactly what the TACs’ and/or POCs’ are recommending, and the specific action requested of the Commission. Acceptance of a committee report does not approve any recommendations contained within the report, and all specific

recommendations must be considered by separate motions. Committee reports are linked to the Commission's August 15, 2023 Agenda on the BCIS.

Education POC

Commissioner Bourré presented the POC's report and any recommendations.

Commission Action:

MOTION — The Commission voted unanimously, 14 – 0 in favor, to accept the POC's report as presented/posted (August 8, 2023).

Energy TAC

Mo Madani presented the TAC's reports and any recommendations.

Commission Action:

MOTION — The Commission voted unanimously, 14 – 0 in favor, to accept the TAC's reports as presented/posted (July 25, 2023 and August 11, 2023).

Existing Building Inspection Workgroup

Jeff Blair presented the Workgroup's report and any recommendations.

Commission Action:

MOTION — The Commission voted unanimously, 14 – 0 in favor, to accept the Workgroup's report as presented/posted (July 12, 2023).

Fire TAC

Commissioner Schiffer presented the TAC's report and any recommendations.

Commission Action:

MOTION — The Commission voted unanimously, 14 – 0 in favor, to accept the TAC's report as presented/posted (August 9, 2023).

Plumbing TAC

Commissioner Schilling presented the TAC's report and any recommendations.

Commission Action:

MOTION — The Commission voted unanimously, 14 – 0 in favor, to accept the TAC's report as presented/posted (July 25, 2023).

Product Approval POC

Jeff Blair presented the TAC's report and any recommendations.

Commission Action:

MOTION — The Commission voted unanimously, 14 – 0 in favor, to accept the POC's report and Facilitator's Summary Report as presented/posted (August 8 2023).

XVII. COMMISSION MEMBER COMMENTS AND ISSUES

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

Commissioner Comments:

- Commissioner Brown: reflected that the Commission meetings are scheduled at 8:30 a.m. which is 7:30 a.m. for those in the Florida Panhandle. He invited the Commission to conduct a meeting in Northwest Florida, and noted that it had been a long time since the Commission met in the area.

XVIII. GENERAL PUBLIC COMMENT

Members of the public were offered an opportunity to provide comment during each of the Commission's substantive discussion agenda items. In addition, Chair Schock invited members of the public to address the Commission on any issues under the Commission's purview.

Public Comments:

- None were offered.

XIV. NEXT COMMISSION MEETING OVERVIEW AND ASSIGNMENTS

The October 17, 2023 meeting will focus on the Commission's regular procedural and substantive issues, and any rule development initiatives. The October meeting will be conducted onsite at the Marriott Courtyard in Cocoa Beach-Cape Canaveral, Florida.

(Attachment 5 — Commission Meeting Schedule)

STAFF ASSIGNMENTS FROM THE AUGUST 15, 2023 COMMISSION MEETING

There were no specific assignments not handled through the meeting's agenda items.

ADJOURNMENT

The Chair thanked Commission members, staff and the public for their participation, and adjourned the meeting at 9:41 a.m. on Tuesday, August 15, 2023.

ATTACHMENT 1
FLORIDA BUILDING COMMISSION MEETING EVALUATION RESULTS

AUGUST 15, 2023 — VIRTUAL WEBINAR TELECONFERENCE MEETING

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

Number of Respondents: 9 of 14 (64% response rate) Commissioners participating in the meeting completed meeting evaluations.

1. OVERALL MEETING ASSESSMENT.

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

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

- 10 Chair's Discussion Issues/Recommendations.
- 10 Executive Director's Announcements and Discussions including FBC Annual Report.
- 10 8th Edition (2022) Workplan Approval.
- 10 Submittals for Energy Code Compliance Software Approvals.
- 10 Applications for Products and Product Approval Entities Approvals.
- 10 Complaint from Yiping Wang Regarding Product Approval FL-15709 Decision.
- 10 Applications for Accreditor and Course Approvals.
- 10 Applications for Waivers from Accessibility Requirements Decisions.
- 10 Legal Report.
- 10 Petitions for Declaratory Statements Decisions.
- 10 TAC, POC, Committee, and Workgroup Reports and Recommendations.

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

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

4. COMMISSIONERS LEVEL OF SATISFACTION WITH THE MEETING.

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

5. HOW WELL THE NEXT STEPS WERE COMMUNICATED.

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

6. WHAT COMMISSIONERS LIKED BEST ABOUT THE MEETING.

- Really appreciate how Jeff respects our time, but continues to make sure stakeholders are heard. He also allows complete discussion of any issues brought to the Commission.
- All information covered well today!
- Everyone had a chance to say something if they wanted to.
- Meeting was kept on track and moved along very smoothly.
- Quick and timely.
- Everything.

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

- Perfect meeting, no improvement needed.
- Nothing to add here.
- Can't think of anything now.
- I don't see how. It's extremely well run and very, very professional.

COMMENTS ON SPECIFIC EVALUATION TOPICS.

*The Facilitator helped us arrange our time well (#3. third bullet):

- He did very well.

ATTACHMENT 2
AUGUST 20, 2023 MEETING AGENDA

FLORIDA BUILDING COMMISSION
PLenary SESSION
WEB-BASED AND TELECONFERENCE VIRTUAL MEETING

MEETING OBJECTIVES

- To Approve Regular Procedural Topics (Agenda and Minutes).
- To Consider/Decide on Chair’s Discussion Issues/Recommendations.
- To Consider/Decide on Executive Director Announcements and Discussions.
- To Receive Update Regarding the Florida Building Code, 8th Edition, (2023), Workplan.
- To Review/Approve Submittals for Energy Code Compliance Software for Compliance with the Florida Building Code, 8th Edition (2023), Energy Conservation.
- To Consider/Decide on Product Approval, DBPR, and Entity Approval.
- To Review a Complaint from Yiping Wang Regarding Product Approval FL-15709.
- To Consider/Decide on Applications for Accreditor and Course Applications.
- To Receive a Legal Report Briefing.
- To Consider/Decide on Petitions for Declaratory Statements.
- To Receive/Decide on Reports and Recommendations from Committees.
- To Hear Public Comment.
- To Identify Needed Next Steps, Assignments, and Agenda Items for Next Meeting (October 17, 2023, Onsite, Marriott Courtyard Cocoa Beach/Cape Canaveral).

COMMISSION AND COMMITTEES — ON SITE & VIRTUAL MEETINGS

July 12, 2023	8:30 a.m.	Existing Building Inspection Workgroup
July 25, 2023	10:00 a.m.	Energy TAC
July 25, 2023	1:00 p.m.	Plumbing TAC
August 8, 2023	9:00 a.m.	Education Program Oversight Committee
August 8, 2023	10:00 a.m.	Product Approval Program Oversight Committee
August 9, 2023	10:00 a.m.	Fire TAC
August 11, 2023	10:00 a.m.	Energy TAC

MEETING AGENDA — AUGUST 20, 2023

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

8:30 a.m.	1.)	Welcome and Opening, Roll Call
	2.)	Review and Approval of Meeting Agenda
	3.)	Review and Approval of the March 14, 2023 Meeting Minutes and Facilitator’s Summary Report and May 10, 2023 Meeting Minutes
	4.)	Chair’s Discussion Issues Appointments Updated Commission Milestones

	5.)	Executive Director Announcements and Discussions Future Meetings: October 17, 2023 – On Site, Cocoa Beach, Florida December 12, 2023 – Virtual Meeting
	6.)	Florida Building Code, 8th Edition, (2023) Update – Workplan Status
	7.)	Review and Approval of Energy Compliance Software for Compliance with the Florida Building Code, 8th Edition (2023), Energy Conservation. A. Right Energy Florida 2023 B. EnergyGauge USA 8.00 C. EnergyGauge Summit 8.00 D. COMCheck-Web
	8.)	Applications for Product (2020) and Entity Approval
	9.)	Complaint by Ms. Yiping Wang Regarding Product Approval FL 15709 Windoor Inc.
	10.)	Applications for Accreditor and Course Approval
	11.)	Legal Report
	12.)	Declaratory Statements A. DS 2023-025 by Kevin F. Martin of Pizzo Self Storage of Alachua, LLC. B. DS 2023-033 by Ron Annechiarico of Accent Closets
	13.)	Committee Reports A. Education Program Oversight Committee (August 8, 2023) B. Energy Technical Advisory Committee (July 25, 2023 and Aug. 11, 2023) C. Existing Building Inspection Workgroup (July 12, 2023) D. Fire Technical Advisory Committee (August 9, 2023) E. Plumbing Technical Advisory Committee (July 25, 2023) F. Product Approval Program Oversight Committee (August 8, 2023)
	14.)	Commissioner Comment
	15.)	Public Comment
	16.)	Adjourn Commission Plenary Session

ATTACHMENT 3
KEY TO COMMON ABBREVIATIONS

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

ATTACHMENT 4

FLORIDA BUILDING COMMISSION HISTORY AND OVERVIEW

HISTORY

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

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

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

OVERVIEW

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

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

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

Since its formation in July of 1998, the Commission has demonstrated a commitment to working with affected interests to build consensus on complex issues. The adoption of the first edition of the Florida Building Code (2001 Edition), developed from September 1998 through January of 2001, involved 27 Commission meetings, dozens of facilitated public workshops and hundreds of TAC meetings. The Commission has consistently worked with all affected interests to build the best possible consensus-based decisions for the citizens of Florida. Through its committees and workgroups comprised of experts, the Commission has always developed its decisions based on the results of the best engineering and science available. Since 1999 the Commission has convened 70 special issue stakeholder workgroups to develop broad based consensus recommendations on issues of concern to stakeholders. Although the Code is by law a minimum building code, the Florida Building Code is the strongest consensus and science based building code in the country. The Insurance Institute for Business and Home Safety (IBHS) ranked the Florida Building Code as number one in their 2012, 2018, and 2021 assessments of residential building code enforcement systems for life safety and property protection in hurricane prone regions.

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

ATTACHMENT 5
COMMISSION’S UPDATED MEETING SCHEDULE AND
2023 CODE UPDATE WORKPLAN
UPDATED AUGUST 15, 2023

COMMISSION MEETING DATES FOR 2023

1) February 7, 2023	Web-Based and Teleconference Virtual Meeting
2) March 14, 2023	Onsite, Westin Lake Mary, Florida
3) April 11, 2023	Web-Based and Teleconference Virtual Meeting
4) June 20, 2023	Onsite or Virtual, TBD
5) August 15, 2023	Web-Based and Teleconference Virtual Meeting
6) October 17, 2023	Onsite, Marriott Courtyard Cocoa Beach/Cape Canaveral, Florida
7) December 12, 2023	Web-Based and Teleconference Virtual Meeting

TENTATIVE COMMISSION MEETING DATES FOR 2024

1) February 13, 2024	Web-Based and Teleconference Virtual Meeting
2) April 16, 2024	Onsite (Rule workshop for milestone inspection requirements)
3) June 18, 2024	Virtual Meeting (Second rule workshop for milestone inspection requirements, if necessary)
4) August 13, 2024	Web-Based and Teleconference Virtual Meeting
5) October 15, 2024	Onsite (In conjunction with TAC meetings for I-Code changes review)
6) December 10, 2024	Onsite (Commission review of I-Code changes)

COMMISSION’S 2023 CODE UPDATE DEVELOPMENT WORKPLAN

8TH. EDITION (2023) FBC CODE UPDATE DEVELOPMENT TASKS

8TH. EDITION (2023) UPDATE TO THE FLORIDA BUILDING CODE

TASKS	SCHEDULE
<i>Selection of the Model Codes</i>	
2020 NEC published and available to the public;	08/25/2019
2021 International Codes published and available to the public;	January 2021
Commission selects 2021 I Codes “model codes” and 2020 NEC to conduct its review	2/9/2021 Completed
<i>Review of the Model Code Changes</i>	
In coordination with ICC, staff post complete listing of the code changes to the I Codes online	2/25/2021 Completed
Staff post on Commission website/Building Code Information System (BCIS) analysis of the 2021 I-Code change to provide for identification of the following:	5/17/2021 Completed
<ul style="list-style-type: none"> • Provisions which overlap with the provisions of the FBC • Provisions which correlate directly with the provisions of the FBC 	

<ul style="list-style-type: none"> • Provisions which provide for energy efficiency standards that meet or exceed the national energy standards mandated by Title III of the Energy Conservation and Protection Act • Provisions which are necessary to maintain eligibility for federal funding and discounts from the National Flood Insurance Program, the Federal Emergency management Agency, or the United States Department of Housing and Urban Development 	
<p>Residential Construction Cost Impact Workgroup (RCCIWG) reviews the 2021 changes to the International Residential Code (IRC) and provides comments to the Commission’s TACs on impactful code changes.</p> <p>RCCIWG meeting – Conference call/Webinar</p>	<p>6/29/2021 Completed</p>
<p>45 day public review and comment period ends (By Rule -45 day min before TAC review)</p>	<p>7/1/2021 Completed</p>
<p>Staff post on Commission website analysis of the 2021 I-Code changes with public comments (Tracking Charts and code change monographs)</p>	<p>8/2/2021 Completed</p>
<p>TACs review the 2021 changes to the I Codes and make recommendations to the Commission regarding those changes as follows:</p> <p>That the Commission rejects certain model code provisions by consent agenda.</p> <ul style="list-style-type: none"> • (Due to such issues as being unnecessary, negatively impacting the level of public health, safety, or general welfare provided by an existing Florida Building Code provision, diminishing the requirements of provisions related to wind resistance or water intrusion, unnecessarily imposing additional costs, or potentially requiring modification or further investigation before being adopted for use in this state) <p>That the Commission approves certain model code provisions by consent agenda.</p> <ul style="list-style-type: none"> • (When considering whether to recommend inclusion on a consent agenda for approval, the TACs shall consider such criteria as whether the model code provisions are editorial or organizational in nature, correct an error, provide clarification, provide for alternative design methods, improve the effectiveness of the code, are uncontroversial to affected stakeholders, or are required by law.) <p>That the Commission approve or reject certain model code provisions after considering them individually.</p> <ul style="list-style-type: none"> • (When recommending individual consideration of model code updates, the TACs shall consider such criteria as whether the update has the potential to impose significant costs, cause confusion or regulatory difficulty, may be unnecessary, is highly controversial to affected stakeholders, or requires further evaluation.) <p>TACs meetings – on site - TBD</p>	<p>9/22-30/2021 and 10/1-7/2021 Completed</p>

Staff post TACs' recommendations online for further public review	10/15/2021 Completed
Deadline for requesting amendments (2021 I-Codes changes) to be pulled of the consent agenda for individual consideration	11/19/2021 Completed
Commission considers TACs' recommendations regarding the latest changes to the model codes - on site meeting (TBD)	12/14-15/2021 Completed
Staff post Commission's recommendations online	1/3/2022 Completed
<i>Proposed Modification to the Foundation Code and Commission's Approved I-Codes Changes</i>	
Period for public to propose modifications to the 7 th Edition (2020) FBC and the Commission's approved I-Codes changes	1/4/2022 – 2/15/2022 Completed
Proposed amendments reviewed by staff and posted to the Commission website	3/3/2022 Completed
1 st 45 day comment period ends <i>(By law -45 day min before TAC review)</i>	4/17/2022
Staff post on Commission website proposed code changes (Tracking Charts and Detail Reports) Staff assign TAC members specific proposed code change for review in advance of the TAC meetings in June	5/2/2022 Completed Completed
TACs consider proposed modifications (1 st 45 day comment period) TACs meetings - 4-day on-site meetings	6/20-24/2022 Completed
TACs recommendations posted to the website Starting date for the 2 nd 45 day comment period	7/13/2022 Completed
Residential Construction Cost Impact Workgroup (RCCIWG) reviews the TACs' recommendations with regard to the proposed modifications to the Florida Residential Code (FRC) and provides comments to the TACs/Commission on impactful code changes.	08/17/22 Completed
2 nd 45 day comment period ends <i>(by law – 45 day min before Commission review)</i>	8/26/2022
Staff post on Commission website proposed code changes with comments (Tracking Chats and Details Reports)	9/21/2022 Completed
TACs consider public comments on their actions on the proposed mods TACs meetings – 6-day meetings [5-day on-site and 1 – day via conference/webinar]	10/6-13/2022 Completed
Staff post on Commission website TACs consideration of public comments	11/10/2022 Completed
Deadline for requesting amendments to be pulled off consent agendas for individual consideration	11/22/2022 Completed
Commission considers TAC recommendations (2 nd 45 day comment period) Commission – 1-day meeting	12/13/2022 Completed
8 th Edition (2023) FBC (7 th Edition (2020) FBC, Florida Supplement and Commission's approved I Codes) posted online	12/20/2022
<i>Provide Supplements to ICC for integration into the 7th Edition (2020) FBC</i>	Completed
Deadline for submitting comments on the Draft 8th Edition (2023) update to the FBC (Supplements plus 7th Edition (2020) FBC)	January 31, 2023

TACs review comments to Rule Development Workshop of March 14, 2023 and make recommendations to the Commission TACs meetings - 3-days of conference call/webinar meetings	2/21 - 24/2023 Completed
Rule Development Workshop Commission – 1-day meeting	March 14, 2023 Completed
Rule Development Workshop To review comment requesting consideration of the latest editions of ICC 500 and ICC 600 for inclusion in the 2023 update to the FBC Meetings - Conference call/webinar/concurrently – in the afternoon Appropriate TACs (Roofing, Structural and Special Occupancy) Residential Construction Cost Impact Workgroup (RCCIWG) Florida Building Commission – Conference call/webinar – in the afternoon	May 10, 2023 Completed
Integrated Draft 8 th Edition (2023) FBC – Posted online	May 22, 2023
Rule Development Workshop To review comment requesting withdrawal of Modification # SP10413 to retain the existing language of Chapter 4, Section 464.4.2.2 in the 7 th Edition (2020) for inclusion in the 8 th Edition (2023), Florida Building Code. Special Occupancy TAC meeting – June 12, 2023 (Conference call/webinar)	June 20, 2023 Completed Completed
<i>Glitch/Errata</i>	
Deadline for submitting glitch amendments and errata regarding the draft 8 th Edition (2023) update to the FBC	TBD
Proposed glitch amendments and errata reviewed by staff and posted to the Commission website	TBD
1 st 45 day comment period ends (<i>By law -45 day min before TAC review</i>)	TBD
TACs consider proposed modifications (1 st 45-day comment period) TACs meetings – 3 days of conference call/webinar meetings	TBD
TACs recommendations posted to the website Starting date for the 2 nd 45-day comment period	TBD
2 nd 45 - day comment period ends (<i>by law – 45 - day min before Commission review</i>)	TBD
Rule Development Workshop To review and take final action on proposed glitch amendments and errata regarding the draft 8 th Edition (2023) update to the FBC	TBD
Hearing on 8 th Edition (2023) FBC to consider received comments	TBD
Final Rule Hearing on 8 th Edition (2023) FBC/Commission approves final version of Code 8 th Edition (2023) Florida Fire Prevention Code available in final format	TBD
Rule Submitted to Secretary of State and Supplement/Integrated posted online – subject to addressing all JAPC’s concerns	TBD
Final FBC -PDF posted	TBD
Printed Code available - subject to negotiation with ICC	TBD
2023 FBC (8th Edition) Effective Date (6 – months after publication)	12/31/2023