FLORIDA BUILDING COMMISSION

ICC PARTICIPATION WORKGROUP

FACILITATOR’S SUMMARY REPORT OF THE
MARCH 15, 2005 MEETING

MIAMI, FLORIDA

Meeting Design & Facilitation By

Florida Conflict Resolution Consortium

Report By Jeff A. Blair
Florida State University

jblair@fsu.edu
http://consensus.fsu.edu

This document is available in alternate formats upon request to Dept. of Community Affairs, Codes & Standards, 2555 Shumard Oak Blvd., Tallahassee, FL 32399, (850) 487-1824.
REPORT OF THE ICC PARTICIPATION WORKGROUP
MEETING II—MARCH 15, 2005

Overview
At the October 2004 Commission meeting, Chairman Rodriguez stated that the Commission’s most pressing and time consuming issue is the code development process. He indicated that the Commission needs to maintain and update the Code with an emphasis on Florida Specific issues and defer to the national model code development process for issues which are more general and national in scope. As a result of delays arising from the code update process, the Chair stated, “It is my recommendation that the Commission participate in the ICC code development process by providing input related to amending the base national model code without having to make these nationally applicable type of changes on an interim basis in the Florida Building Code.”

The Chair indicated that participating in the ICC process, the Commission will be able to influence code changes on non-Florida specific issues as well as work on a broader national consensus for the Florida specific issues that the Commission has had to address before the national processes can achieve a consensus solution.

The Chair appointed Commissioner D’Andrea to head up a task group that would investigate the Commission’s options including how they could work with state partners like BOAF, and then to make a recommendation for a practical process for the Commission to use in participating in the ICC code development processes.

On December 7, 2004 the ICC Workgroup met for the first time and developed a list of issues and options related to the Commission’s participation in the ICC code development process. Following are the issues and options identified at the December meeting:

ISSUES IDENTIFIED FOR EVALUATION

- Resources and funding for FBC participation.
- Roles of FBC and stakeholder groups in participating (i.e., DCA staff, FBC representatives, TAC’s, stakeholder groups, etc.).
- How would/should the FBC participate as an entity.
- Florida specific issues—ensuring they are addressed in the ICC process.
- Coordinating overall state participation in the ICC process—with all of the entities that already participate in the process.
- Developing timelines for the process that works with the FBC process.

OPTIONS IDENTIFIED BY WORKGROUP

- Need an individual to interface with BOAF/stakeholders to ensure consistency of reporting and monitoring.
- Avoid duplicate participation and hire a consultant to serve as a liaison to FBC (i.e., regional fire committees).
- Allow FBC Commissioners to be on ICC Committees.
• Develop a list of current ICC participants and coordinate for a Florida unified effort.
• Liaison to review ICC committee work for the FBC and then utilize the FBC TAC’s or a special committee changed with evaluating Florida specific issues and representing them to the ICC process.

AGENDA FOR THE MARCH MEETING

• Review Issues and Options Identified During Meeting I—December 7, 2004
• ICC Participation Presentation by Phil McMahon
• Questions and Answers on ICC Presentation
• Discuss and Develop Package of Recommendations to Deliver to the Commission

ICC PARTICIPATION COMMITTEE MEMBERSHIP

Nick D’Andrea, chair
Hamid Bahadori
Steve Bassett
Joe Belcher
Joe Crum
Jack Glenn
Mike Goolsby
Dale Greiner
Kari Hebrank
Gary Kozan
Phil McMahan
Steve Munnel
Craig Parrino
Larry Schneider
George Wiggins
SUMMARY OF MEETING
The meeting started with a presentation by Phil McMahon on ICC participation. Following a thorough discussion and evaluation of the options and issues, the Workgroup agreed in concept that the Commission’s participation should be limited to utilizing the existing resources who currently participate in the ICC code development process (i.e., BOAF, South Florida, and FBC TAC members who volunteer to participate), and allow them to propose code amendments to the Commissions TAC’s. BOAF will serve as the coordinating entity and report to the Commission on a regular basis using their Code Development Committee to communicate to FBC/TAC’s regarding proposed code amendments.

In general, there was agreement that there should be a coordinated Florida approach to participation, and an effort should be made to communicate with all of the existing Florida entities on how to develop a coordinated effort.

A straw poll was taken and 9 members voted in favor and 3 against using the Commission’s TAC’s to review and monitor proposed ICC code amendments.

There were many views expressed ranging from a formal Commission participation through membership, to tracking ICC code proposals with the Commission’s TACS, to a very limited participation focusing only on Florida issues.

MEETING DISCUSSION
Following are questions, comments, and options proposed during the course of the meeting:

Questions regarding ICC participation (following McMahan’s presentation)

*Is there one area which dominates votes?*
West Coast, East Coast, and the South.

*What are the chances of committee recommendations being approved in assembly?*
About 80% of time actions are approved.
2/3 of vote is needed to overturn a committee recommendation.

*Does the ICC review code changes?*
Staff reviews the format,
Staff provides comments on amendments,
Staff reviews the appropriate standards, and
Listens to all views.

*Who can be a committee member?*
1/3 code officials, 2/3 industry people with general interest and A/E.

*Who can vote at final hearing?*
Any active member.
A professional member can not vote.
The final action meeting makes or breaks the action & normally at this meeting
Less people show up.

*How are committee members selected?*
Any active member can apply for a seat on a professional committee via application based on qualifications.
Competing industries are involved in process and push for actions to be approved.

**How should the Commission participate in the ICC Process?**

Coordination is needed to incorporate Florida issues.

Look at FBC to become members and coordinate Florida and ICC at the same time.
Submit code changes directly to the ICC. If you are on a committee ICC funds travel expenses

Is the FBC required to adopt up to date changes to the code?
The FBC is required to review the changes and then recommend adoption
We should explore Florida specific changes to ICC.

An all Florida effort should be made – BOAF, South Florida & FBC should coordinate efforts and also coordinate efforts with the southern block of members Regions 8 & 9 of the ICC.

FBC and TAC’s should coordinate and review all proposed code changes.

Use TAC’s in a timely manner to Review ICC proposed actions and then coordinate actions.

Pay closer attention to model FBC actions after the ICC process.

ICC will e-mail proposed changes directly to TAC’s if we provide addresses.

*Do we want to submit code changes to ICC?*
Yes. Use TAC’s as clearinghouses for the FBC to coordinate a unified Florida submittal for ICC changes. Whatever does not go in to the ICC process can be amended at the State level.

*Is there a process to guide us in submitting regional changes to the codes?*
ICC staff looks at regional issues.

Going through the ICC will expend a lot of time and effort at the ICC level and then must come back to the FBC. Florida specific amendments may benefit other coastal states.
Dealing with work at the national level may minimize the work done at the Florida level.

Which way do we look at future changes FL, then ICC or ICC, then FL?

Concern for the utilization of limited volunteer Florida resources.

Transmit info to municipalities who already participate.
Code changes being submitted to the ICC must be defended in person, a representative must be present.

**Straw Poll**

The FBC will participate using TAC’s to review changes in the ICC process? 9 Y/3 N

**Comment from Members Opposed to Concept:**
- Participation will be out of control with regards to resources human and financial.
- Objection is to deferring the changes from FBC to ICC.
- We need to Provide Pro’s and Con’s.
- Need to perform a cost-benefit analysis.

TAC’s used as the starting point for analysis of proposed changes to the ICC and FBC.

**Issues for FBC to Address**
- Staffing
- Funding
- Cost-Benefit Analysis