REPORT OF THE ICC PARTICIPATION WORKGROUP
MEETING I—DECEMBER 7, 2004

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. Rick Dixon provided the Workgroup with an overview including the following key points:
The formation of the Workgroup is an initiative spearheaded by Chairman Rodriguez in part based on the IRC prescriptives issue that required the Commission to delay the implementation of the 2004 Florida Building Code in order to retain the existing level of protections afforded in the current Code. Fortunately, the Commission discovered the potential code change prior to implementation; however, the reason the issue was not vetted prior to the rule adoption hearing is a direct result of the Commission not having participated in the ICC code development process. The Chair is committed to future code development processes being on schedule for implementation, and believes the Commission should take a proactive approach to the ICC code development process in the future. The Chair has charged the Workgroup with assessing the issues and exploring the range of options regarding the Commission’s participation in the ICC process.

ICC Workgroup chair, Nick D’Andrea asked committee members and the public to brainstorm a list of issues that should be evaluated, and then to pose options for each of the issues in turn. Commissioner D’Andrea noted the committee membership and indicated that they represented the key stakeholder groups. Their charge will be to develop a package of consensus recommendations to deliver to the Chair and Commission over the coming months.
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

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.

Comments

- FBC could participate as public entity – with 12 votes.
- FBC’s participation will not negate other Florida representatives.
- FEMA resources utilized on earthquakes not wind issues, this should be re-evaluated in light of the recent hurricane events.
- There is value for FBC participation in the ICC process.

Options/Ideas

- Avoid duplicate participation and hire a consultant to serve as a liaison to FBC (i.e., regional fire committees).
- Resources determines level of participation by the FBC.
- Leveraging resources is in the best interest of Floridians.
- FBC should maintain their full power by amending State code first, then bring to the ICC process and encourage the ICC to take similar action.
- Water penetration is an issue that is Florida specific.
- Mold is an issue that is Florida specific.
• FBC needs the best knowledge available—ICC participation provides this level of expertise.
• ICC has great resources/experts excellent input useful to the Florida Building Code development.
• Need a presentation on ICC participation (Phil McMahan could provide) —Education is needed to ensure similar mission and fit between ICC and FBC.
• FBC issues are well noted and understood by experts.
• Model code process—review and revise for Florida specific issues/needs.
• More public participation is needed in Florida, the ICC is a open process.
• Need a group to review our proposed changes to the ICC.
• Perhaps existing FBC TAC’s could be used to participate.
• Make Florida specifics part of the ICC Code.
• Coordinate—utilize BOAF/others need numbers to participate effectively.
• Develop a list of current ICC participants and coordinate for a Florida unified effort.
• Get large voting block—leverage by providing pre-filled out ballot to local entities based on review and developing a state consensus on the issues.
• Long range program and quick fix plan is needed (i.e., product approval, wind, water).
• Concern over competitors interests at the ICC—Florida needs a unified effort to prevail on key issues important to Florida.
• The FBC base code will revert to ICC with the 2004 FBC—We will need to keep coordination/participation to update.
• Need an individual to interface with BOAF/stakeholders to ensure consistency or reporting and monitoring.
• Use sale of Code to support staff person to coordinate/monitor (resources).
• In order to effect change, Florida members need to be on ICC committees.
• Hire consultant/s to represent Florida/FBC’s interests.
• Allow FBC Commissioners to be on ICC Committees.
• Monographs currently on website for review and comments.
• Standards updates are done by experts and provide support to FBC. Industry groups will help the Commission with this aspect.
• FBC position on current code change proposal—review by TAC’s
• 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.
• Hire consultants to monitor/coordinate.
• Three functions – Florida specific issues, ICC participation, FBC code.
• ICC TAC changes to ICC first then Florida specific in the FBC, if not approved at ICC level – put before ICC first.
• Need to develop/define categories of Florida specific—wind, flooding, climate.
• Funding is available through participation on ICC committees.
• ICC will fund committee to participate.
• ICC should appoint Commissioners to ICC committees.
• Commissioner participation could be a problem due to stakeholder representation nature of the Commission.
• Workgroup members are invited to attend and evaluate the ICC process by attending the 2005 ICC Codes Forum and Expo in Cincinnati, Ohio from February 21 – March 6, 2005.

Next Steps
• Workgroup will meet next at the January 24 – 26 Commission meeting in Orlando.
• Phil McMahon will do a presentation on ICC participation.
• Members interested in attending the ICC Code Forum and Expo should contact Phil McMahon at: pmcmahan@iccsafe.org
• Jeff Blair will write a report and post to FBC website.