

**FLORIDA BUILDING COMMISSION
CODE COORDINATION AND IMPLEMENTATION WORKGROUP
April 13, 2015
1:00 PM**

WORKGROUP MEMBERS PRESENT:

Chairman Dick Browdy
Tom Allen
Steve Bassett
Jay Carlson
David Compton
Kevin Flanagan

Darrell Phillips
Brad Schiffer
Jim Schock
Steve Strawn
Brian Swope
George Wiggins

WORKGROUP MEMBER NOT PRESENT:

Drew Smith

Charles Frank

DEPARTMENT STAFF PRESENT:

Jim Richmond
Mo Madani
Chris Burgwald
Patrick Cunningham,

April Hammonds
Chris Burgwald

MEETING FACILITATION:

The meeting was facilitated by Jeff Blair from the FCRC Consensus Center at Florida State University. Information at: <http://consensus.fsu.edu/>

Welcome and Introduction:

Chairman Browdy welcomed all to Citra, Florida to the Code Coordination and Implementation Workgroup and called the meeting to order at 1:01 pm. He stated this is a very significant group and was put together to review and evaluate all of the regulatory requirements currently impacting the Florida Building Code development process and the ultimate goal of this group is to develop a proposal for a legislative path to a more effective timetable for Code delivery and implementation of the Florida Building Code in the future. Chairman Browdy stated obviously it is anticipated that we would have this work product available and ready to move forward for the 2016 Legislative Session.

Welcome and Introduction (cont.):

Chairman Browdy asked that after roll call that the audience attendees introduce themselves. He also advised that Jeff Blair would be facilitating the meeting and providing background and coordinating the effort through the process we use to determine and evaluate for this effort.

Role Call:

Chairman Browdy called the role and a quorum was determined with 12 of 14 members present.

Public Introduction:

Chairman Browdy asked that the Public attendees introduce themselves at this time including who they are representing.

The following public attendees identified themselves for the record:

Tony Apfelbeck, Fire/Building Officials
Lee Arsenault, Contractors
Joe Belcher, Code Consultants (JDB)
Remington Brown, IBHS (Insurance Industry)
Doug Buck, FHBA (Building Contractors)
Bill Dunbaugh, Building Officials
John Farinelli, Code Consultants
Jaime Gascon, Miami-Dade County (Local Governments)
Richard Gathright, Building Officials
Claudio Grande, Building Officials
Doug Harvey, Building Officials
Robert Hill, Building Officials
Kim Mendoza, State Fire Marshal's Office
Bryan Holland, NEMA (Electrical Manufactures)
Eric Stafford, Code Consultants
Arlene Stewart, Code Consultants
Dick Wilhelm, AAMA (Manufactures)
Dwight Wilkes, Code Consultant
Dave Woodside, Fire Officials
Mark Zehnal, FRSA (Roofing and Sheet Metal Contractors)

Florida Building Commissioners present:

Commissioner Jeff Gross
Commissioner Frederick Schilling
Commissioner Jeff Stone

Agenda Review and approval:

Mr. Blair covered the agenda and purpose of the meeting today.

- To Approve Regular Procedural Topics (Agenda and Facilitator's Summary Report/Meeting Minutes)
- To Review List of Options to Address Issues Regarding the Florida Building Code Development
- Process
- To Discuss and Evaluate Level of Acceptability of Proposed Options
- To Consider Public Comment
- To Identify Needed Next Steps: Information, Assignments, and Agenda Items for Next Meeting

George Wiggins entered a motion to approve the agenda. Darrell Phillips seconded the motion. The motion passed with Tom Allen abstaining.

Approval of Summary Report and Minutes:

A motion was entered by Mr. Wiggins to approve the Summary Report and Minutes. Mr. Schiffer seconded the motion. The motion passed with Mr. Allen abstaining.

Review of Key Issues for Workgroup Evaluation:

Jeff Blair reviewed the Workgroup's approved list of key topics and issues provided as pages 5 - 6 of the Agenda Packet. Jeff reviewed the list of issues and asked participants to determine whether any issues should be revised and/or added. Following a review of the approved list of key issues, questions and answers, public comment, and Workgroup discussion, the Workgroup agreed to retain the list of key topics and issues as presented. Following is summary of the list reviewed and agreed to by the Workgroup:

Code printing and publication
Commission authority to issue errata
Code amendment process (triennial, annual and glitch)
Florida Specific amendments, statutory timeline requirements
Adoption of standards and codes by reference
Commission participation with the ICC code development process.

Review, Evaluation and Acceptability Ranking of Proposed Options:

Jeff Blair reviewed the initial list of options proposed by stakeholders to address each of the eight key topical issues within the Workgroup's scope. A preliminary list of options was offered by participants between Meeting I and Meeting II, and other options were referred by the Commission. Jeff explained that the Workgroup would address each of the eight key issues in turn by topic, and that participants would be invited to propose any additional options and comment on existing options before the Workgroup members ranked them. He further explained that members would be asked to rank each proposed option in turn utilizing a four-point acceptability ranking scale where 4 = acceptable, 3 = minor reservations, 2 = major reservations, and 1 = unacceptable. Jeff stated following discussion and refinement of options, members may be asked to do additional rankings of proposed options if requested by a workgroup member. Jeff advised members should be prepared to offer specific refinements to address their reservations. He said once ranked, options with a 75% or greater number of 4's and 3's in proportion to 2's and 1's shall be considered consensus recommendations. Jeff advised the workgroup's consensus recommendations will be submitted to the Commission for consideration.

Commissioner Schock asked if the public would be allowed to comment on each section or only at the end of the presentation.

Mr. Blair advised they would be able to comment by section.

Mr. Blair asked if there were any additional recommendations from the members and then any public comments.

Mr. Schiffer stated he would like for the group to look at having an integrated code in electronic format that would be free to everyone, find another way to pay for it. He said the standard business model needs to be reviewed. Mr. Schiffer said that this would be for everyone and finding funding to pay for it elsewhere.

Chairman Browdy clarified by stating that he is speaking of a full online searchable code free to all.

Discussions followed among the group regarding linking and how this would be prepared as integrated.

Mr. Bassett stated if you buy either version of the code and you want both you are required to pay for each and he feels that if you buy one you should get a package that would include both hard copy and electronic.

Mr. Blair stated that the group needs to come to a consensus on the best format and then the group can drill down from there.

Review, Evaluation and Acceptability Ranking of Proposed Options (cont.):

Chairman Browdy stated the first discussion should be on whether or not there should be integration. He said the focus should be if there should be an integration of the code and then decide how that would be implemented. Chairman Browdy asked if that would be better than item by item.

Mr. Blair said we could discuss.

Chairman Browdy asked for consensus of the group to integrate or not to integrate.

Mr. Blair said then the group could look at the options.

There was further discussion on the way to approach among the members.

Mr. Blair advised the design is to show what has the most support.

Mr. Blair offered a straw vote to go through each option and that would suggest which one has the most support or to discuss and land on the threshold issue and then go back and see what is left.

The first vote was in favor of going through and ranking options as strategy. The vote had three members in favor.

The second vote was in favor of the discussion of landing on the threshold issue and then going back to discuss what is left. The vote had nine members in favor.

Mr. Blair stated the group will focus on the threshold issue of an integrated code or supplement to the code. He stated the group will discuss first and then the public will be allowed to share their input. Mr. Blair stated this is not binding.

Mr. Schock stated the first topic was the most difficult to deal with as for a solutions. He said representing building officials, he understands their stance. Mr. Schock said he had completed survey and their feelings were 75% to integrate the code. He said he understood the Building Official Association is to take the supplement option and for him it is difficult as he feels the building and residential and those portions of the code that are Florida specific and has a lot of Florida specific and integrating those codes would be very difficult and confusing. Mr. Schock stated last cycle there was a specific supplement for Gas Code and it has worked well. He said the mechanical, plumbing and things that are not so Florida specific this could be an option, but until we get more Florida specifics in the I-Code, he does not feel it should be fully integrated. Mr. Schock stated the Accessibility has to go through the Federal review. He went further explaining the specifics that would possibly have issues with being integrated. Mr. Schock spoke on how the officials feel about the PDF file verses the Hard Copy and the need for using each. He said third party printing could cause issues with copy right issues.

Mr. Blair asked that they focus on the threshold question and then sub-options will be discussed.

Review, Evaluation and Acceptability Ranking of Proposed Options (cont.):

Mr. Wiggins stated he represents the Building Officials Association but also having done this for forty years, you deal with a lot of engineers and architects that are out of state. He said there needs to be a practical way to use the I-Codes and then when they have a design in Florida; they could order the codes for Florida Specifics. He said there should be a hyperlink from the I-Codes linking to Florida Specifics. Mr. Wiggins explained the reason he felt the link would work and be less costly and available for all to use.

Chairman Browdy clarified the stance or vote from Mr. Schock and Mr. Wiggins.

Mr. Schock provided what he felt the advantages and disadvantages were and the PDF online vs the hard copy.

Mr. Blair advised he was compiling the list of those wishing to speak.

Mr. Bassett referenced the hurricane Andrew and the committee set up to investigate. He said there were 468 Building Codes at the time of Andrew, he feels that if there is not a fully integrated code there are going to be many problems. Mr. Bassett said there should be a fully integrated code and then the base code after.

Mr. Flanagan said he like Mr. Wiggins suggestion and he feels if you have it electronically and the availability of the hard copy this linking would work.

Mr. Madani wanted to make it clear that Florida does not sell the code or earn any revenue from the code. He said it is ICC initiated.

Mr. Schock asked for clarification on the hard copy code as they speaking of integrated or not integrated.

Mr. Flanagan said he is a proponent of the online version, but he feels the hard copy should be made available, but both would be integrated.

Mr. Swope stated he is for a fully integrated code and surprisingly he uses both hard copy and online version. He said he does not see a fully integrated in hard copy and with the online link it would not show all as integrated. Mr. Swope stated referencing the call on Legislative review conference calls, there are issues going through the Legislature for the code when it should be the Commission.

Mr. Schiffer asked for clarification from Mr. Wiggins on the linking process.

Mr. Wiggins provided further detail on the hyperlinking process with the I-Code.

Review, Evaluation and Acceptability Ranking of Proposed Options (cont.):

Mr. Schiffer said the editing of the code is to see if it is Florida Specific amendment, if so it, is added to the Code and take out the ICC and then make sure that it is not conflicting with any other area of the code, it is not just a plug in.

Mr. Wiggins and Mr. Schiffer further discussed how the links would work with the changes and updates in the Florida Code.

Mr. Schiffer advised the amount of work with updates, he felt a separate code or supplemental code because we have to look at the safety code fire prevention, etc. and there is balancing between the codes, so the State supplement went to ICC, but the integrated code is what he would support. Commissioner Schiffer stated with the PDF it will be easier to print and search.

Mr. Strawn stated he is in favor of fully integrated code as it is easier to have all in one place.

Mr. Madani explained the way the supplement is put together.

Mr. Swope stated he is a roofing contractor. He said that if he is in New York or Chicago and wanted to build in Florida there is document that is called the Florida Building Code. If I am going to build in the State of Florida, I am going to be familiar with the Code for the State I am building in. He said our charge is to meet our deadlines and the TACs and POCs meeting their deadlines, this all came down to the Fire Code and their time line. Mr. Swope stated we are trying to reinvent the wheel on something that does not need to be reinvented.

Mr. Schock stated he is for integration for the building parts of the code and not include the mechanical and plumbing being kept separate.

Mr. Compton stated that he agrees with Mr. Swope to cut down on mistakes being made. He stated on the out of state builders, the supplement may not get purchased by them. Mr. Compton provided some background. He stated he is in favor of integration.

Mr. Phillips stated that he is also favor of integrated code, but still would like to have hard copies for his group of plan reviewers.

Mr. Carlson stated that he would like to see totally integrated.

Mr. Wiggins stated for clarification are we still able to talk how it would be integrated. He is stated the hyperlink would be for the full integrated code.

Mr. Blair stated that the group needs to take a straw poll on the integrated question. He said if they reach 75% consensus, then they will go to the next step of type of publishing.

Review, Evaluation and Acceptability Ranking of Proposed Options (cont.):

Jim Richmond stated one concern is the level of detail, which would be if this is even possible on a technical standpoint.

Mr. Wiggins stated that he had checked with ICC.

Public Comments on Integration or No Integration:

Joe Belcher, JDD Code Services, stated he is in favor of integrated code. He said we need to get the Fire Code along with us.

Tony Apfelbeck stated he is also in favor of an integrated code. He said choosing one option does not preclude the other option; he thinks there are valid reasons such as out of state contractors that would want to pull information from the web.

Eric Stafford stated he supports a fully integrated code; he feels there will be a lot of confusion with supplements.

Richard Gathright, stated his county wants to the Code quickly as their customers want to discounts using the new code requirements on their insurance.

Doug Harvey stated he supports the supplement because they deal with designers all over the world and those groups use stock plans directed from ICC and address the issues. He said if there was an ability to indicate Florida change in this section. Mr. Harvey stated only highlight on the change they need to be aware of.

Mark Zehnal stated he is in favor of an integrated code whether it is electronic or paper. He stated he uses both, when traveling it makes it easier to have the copies. Mr. Zehnal provided explanation of why the different options should be available.

Doug Buck stated they have been supporters of the integrated code, but in perspective there are so many Florida amendments so the supplement is big and he questions how many Florida specifics amendments are truly needed in the state. He said if there were only a few then the question of integrated or supplement would not be a problem. Mr. Buck stated that we should not be rewriting using ICC base code. He said he is glad to see the Workgroup put together.

Dwight Wilkes stated his role with ALMA, he works in 10 different states, the ones that modify the code can be a hassle because they have separate document which causes for a lot of research. He stated that Virginia is by far the easiest to use and beat us 1 point on hurricane rating on the state. Mr. Wilkes stated he can go to ICC and pull up Virginia, he can see all changes that have been made red for ICC and blue for Virginia and is free. He said electronically is the way to go and we should see how Virginia is doing this. He said full integration excluding gas and mechanical codes.

Public Comments on Integration or No Integration (cont.):

Mr. Gross stated integrated is closer to International Code. He stated Florida has climate differences and hurricanes that have to be taken into consideration.

Jamie Gascon stated he is in favor of a fully integrated Code.

Bill Dunbaugh said that he is in favor of a fully integrated Code.

Claudio Grande advised that he is also in favor of a fully integrated Code.

Joe Belcher questioned legal on the electronic vs printed is there a concern if there is any differences.

April Hammonds, Esq. stated if there were any differences we would need to look at those changes.

Mr. Compton stated he wanted to respond to comment on out of design professionals submitting plans asking you to tell them what you want. He said that is a licensure issue and not a code issue. Mr. Compton stated as a licensed professional engineer he is expected to submit full and complete plans. He said sometimes there are mistakes thus the reason for plans examiners, but he has never asked them what he needed to do. Mr. Compton stated he has made appointments to meet with plans examiners but never to ask what he needs to do.

Mr. Allen with ICC stated he would go to ICC and ask questions on the different variations and see what is available.

Mr. Blair asked for vote on integrate code strategy. The vote was ten.
Mr. Blair asked for vote on supplemental code strategy. The vote was one.

Chairman Browdy stated that “D” and “E” should be eliminated allowing Mr. Wiggins request to stay.

Jeff Blair stated “B” would be brought up later.

Integrated Building, Residential, Existing and Energy with supplements for Mechanical, Gas and Electric Options:

Mr. Blair stated “C” could now be discussed that references to Integrate Building, Residential, Existing and Energy Codes and use supplements for Mechanical, Plumbing, Gas and Electrical Codes.

Mr. Bassett stated he did not want to be discriminated against being a Mechanical Engineer and he said he has seen so many problems when it was integrated when the Yankee Engineers don’t know how to design in Florida. He said they have a hard time reading the book as it is when it is integrated, and if it is separated we are going to have more problems. Mr. Bassett stated that all sections should be integrated and leaves Mechanical and plumbing as it is. He stated he is against this suggestion.

Integrated Building, Residential, Existing and Energy with supplements for Mechanical, Gas and Electric Options (cont.):

Mr. Blair performed ranking for section “C: to Integrate Building, Residential, Existing and Energy Codes and use supplements for Mechanical, Plumbing, Gas and Electrical Codes. The vote was one acceptable, five major reservations and four not acceptable rendering a percentage of only 45% in favor.

Hyperlink Proposed option:

Mr. Blair advised the next option was proposed by Mr. Wiggins and he then asked that he explain this option of printing.

April Hammonds, Esq. advised that there were no handouts for the added item on the agenda. She asked if they were online, and they were not as this item was added today.

Mr. Wiggins began his explanation; however, Ms. Hammonds requested to speak regarding this agenda add on item.

Ms. Hammonds stated her issue that some of the audience members would like copies. She stated that in the future if there are added items we need to ensure that copies are made available to public participants as well as the members.

Mr. Blair asked what if there are proposed options at the table.

Ms. Hammonds advised if there are proposed items brought to the table that is one thing, however currently we have something here that matches with the format we are utilizing yet people that do not have the updated version of it cannot make notations. She advised if you are going to show additions to the agenda, then there must be printed versions or copies provided to audience participants.

Mr. Blair again asked if they could add options at the table.

Ms. Hammonds advised yes, but if it is going to be added to the agenda being shown on the screen then printed copies have to be made available to the public audience/participants, otherwise it would need to be added on the next work group.

Discussion was then held within the group regarding adding options at the table.

Chairman Browdy clarified the process that Mr. Wiggins was proposing in delivery of the Code with hyperlinks.

Mr. Wiggins explained that he is proposing publishing the Florida Code electronically by using the appropriate I Codes as the base and create a hyperlink or other best technique to insert the Florida modifications in each Chapter, Section or throughout the Code in use (whichever works best). He further explained the hyperlink text would show the modifications made to the base code. Mr. Wiggins

Hyperlink Proposed Options (cont.):

stated the rationale is that this provides a fully integrated code while allowing designers and other code users the ability to use the base I codes for projects outside of Florida.

Mr. Bassett stated he understands that the new code will show the Florida differences within the printed copy and PDF copy. He said that the real issue is to let the purchaser know that the Florida differences show whichever way it is presented.

Mr. Schock stated he felt the proposal from Mr. Wiggins is fine. He said if you buy the Florida disc you would have that. Mr. Schock said this proposal does not go far enough to deal with the issue with the hard copies.

Mr. Madani said he thinks what Mr. Wiggins is talking about is conceptually is what we are doing with the code now. He said we integrate everything, where Florida has changes there is under-marking. Mr. Madani asked if Mr. Wiggins wanted a different color.

Mr. Wiggins stated yes, at this time he cannot tell what the changes are/were in the 2010 code. He further stated that the changes should be seen.

Mr. Madani stated that the changes are showing as strike and or delete which are available on the website.

Mr. Wiggins stated he purchased a 2012 I Code and he was unable to insert the Florida supplement. He said the Florida supplement to the 5th Edition is 259 pages, there is no way to insert and be able to make sense of it. Mr. Wiggins said that an insert being a color difference in text or something to show the changes to assist the code officials or anyone that would be using the code.

Mr. Madani asked how it is different now as we have, we have an integrated and I see marked in the margin with changes. He said you can go to the supplement on the website to see what has had strike through and changes. Mr. Madani said the rationale can also be found on the website for anyone who wants more information. He said he thinks they may be speaking of the second layer to show like a Legislative format, and it is there if someone wished to view it.

Mr. Schiffer referenced how this editing is currently being done. He said Mr. Madani submits and ICC sends them out. Mr. Schiffer asked Mr. Wiggins if he is asking for a hyperlink to see the changes and he said the virtue would be the Florida changes would include the editing done one the code.

Mr. Madani stated a hyperlink would be on each section so it would require a lot of hyperlinks and there would be a lot of material included in all of the changes that took place.

Mr. Flanagan said although he likes Mr. Wiggins' proposal, he has questions of who will maintain the hyperlinks and make sure they are working.

Hyperlink Proposed Options (cont.):

Mr. Wiggins said the ICC would complete the hyperlinks.

Mr. Flanagan asked if Mr. Madani feels this could happen.

Mr. Madani said the problem would be having a link in every section of the code and it already takes a lot of correlation. He said this option could be used for the changes without the actual integration; this is no different than what we are doing.

Mr. Allen said this would be an ICC function and Florida would have to ask for this and the cost of course that would be have charged, but there would be no delay. He said it takes six weeks from the time the final version is received to publish; it takes nine months to complete the changes.

Mr. Swope stated he still cannot figure out if someone from out of state is building in Florida, why would they not go straight to the Florida Building Code to get information on building that building. He said color coding code changes and ICC puts out theirs and now hyperlink there will be the same issue, they will need to still be able to print it out. Mr. Swope stated our system is not broken, we need to tweak the process, and it appears we are trying to re-invent the wheel. He said it is too easy for information get lost in transition.

Mr. Strawn said if you are building in Florida or any other state you need to know what the rules are. He further stated you need to be aware of who you are designing for and the applicable code.

Chairman Browdy called for a ten minute break.

Chairman Browdy called the meeting back to order. He said the options from our first meeting are part of the published agenda you received today. Chairman Browdy said as it customary for workgroups by definition that come together to create other options, and it is important that delineate those options that are a product of this meeting and those options that came from previous meeting. He said on the screen it clearly states those that were from the prior meeting and those that are entered into this meeting today and for legal purposes must be noted. Chairman Browdy advised that we will continue moving on to next step of section one and the option entered by Mr. Wiggins.

Mr. Blair then called for the ranking of the new option of hyperlink for the electronic code entered by Mr. Wiggins.

Mr. Wiggins asked to clarify that this does not do away with the hardcopy code only the electronic version.

Public Comments Hyperlink option:

Mr. Belcher stated for clarification that he understands that there will still be the hard copy and this will be another option available.

Public Comments Hyperlink option(cont.):

Chairman Browdy stated this option would be available for those who want the option, it would be up to the individual. He said this is a list of requests to go back to ICC for costs.

Mr. Zehnal said it is the hard copy and the electronic version we have and then a business decision by the ICC to offer the hyperlink option.

Chairman Browdy stated yes if ICC wants to make this option available to designers and builders. He said the discussion is taking place if this is an option that Florida wants to offer. Chairman Browdy said that we have made the decision for the integrated code and now we are going to rank the different options of publication. He said we are not in the driver seat to make the final decisions; this would be options of recommendations.

Mr. Blair said this is in addition to the integrated version. The ranking was as follows acceptable one vote, minor reservations five votes, major reservations one vote and not acceptable four votes which would be 55% in favor.

Electronic Version Free to users Options:

Mr. Schiffer offered discussion on publication of a fully featured integrated Code in electronic version free to the user. He said the version that everyone goes to on the ICC website cannot be copied, or searched in, and it does not show differences between Florida and ICC. Mr. Schiffer stated he wants the option for a fully integrated copy electronically just as you would get in the hard copy and a way to defer the costs allowing the version to be free and the costs absorbed elsewhere.

Mr. Compton asked if this option could be available without the free part. He stated he is afraid if we do not ask for it either way we may lose the option.

Mr. Schiffer stated we have the option online and hardcopy, but we are asking for it in a format to print, search, etc. and offer it free.

Mr. Madani stated you can subscribe and get the most robust integrated code with all of the extra functions.

Mr. Allen stated one clarification is that they do not make a lot of money on the publication, but the costs of the development are the highest cost in the Code production.

Mr. Blair once proposed there will be an opportunity to gain more information for the next meeting.

Mr. Schock asked if there would still be a hard copy of the integrated code published.

Electronic Version Free to users Options (cont):

Mr. Schiffer said yes he would see no reason why it would not be the same, this would be in addition.

Mr. Blair clarified this is only electronic version free.

Mr. Schiffer stated yes.

Public Comments Electronic Version Free to users option(cont.):

Mr. Wilkes stated there are free versions on ICC website that he can print, there are some he can print the entire code, some will not allow printing, and this all depends on the state you are requesting. He stated he was able to pull VA and print what he needed free.

Mr. Madani stated for clarification the online version we have online is free and you should be able to cut and paste and print and he will confirm.

Mr. Blair clarified this is for published fully featured integrated Code in electronic version free to the user. The ranking was as follows acceptable one vote, minor reservations five votes, major reservations five votes and not acceptable zero votes which would be 55% in favor.

Mr. Allen stated he would check to see what the cost would be for fees if ICC did not publish.

Consider changing the base code from the I-Codes Options:

Mr. Blair asked the group to rank section B publish a fully integrated FBC using a third party publisher not ICC. The ranking was as follows acceptable one vote, minor reservations zero votes, major reservations one vote and not acceptable four votes which would be 55% in favor.

Mr. Blair read the option to consider changing the base code from the I-Codes. He further read ANSI consensus standards development is not required for development of I-Codes.

Mr. Compton asked what the options would be. He said that Ready Creek has a code, there are limited options for the base code.

Mr. Schiffer stated the Ready Creek was instrumental in adoption of the NFPA.

Mr. Bassett stated Ready Creek applies only to amusement facilities.

Mr. Allen said as a former member of the Ready Creek Epcot, it is solely for amusement facilities and is customized for that need.

Public Comments Changing from I Codes option(cont.):

Tony Apfelbeck stated that he is against using any other base code.

John Farinelli stated going all over the country training codes, getting rid of the I Codes would and could cause a great deal of issues.

Mr. Blair advised the group will rank changing the base code from the I-Codes, ANSI consensus standards development is not required for development of I-Codes. The ranking was as follows acceptable one vote, minor reservations zero votes, major reservations zero vote and not acceptable ten votes which would be 9% in favor.

Mr. Blair advised the group as homework to go over these ideas and suggestions before the next meeting and work on any new topics.

Errata Option:

Mr. Blair stated the next topic is errata. He said the group will start with "A" which will allow the Commission to issue errata only to correct errors and to update standards, requiring a 75% majority vote in favor threshold. Mr. Blair advised this should not require a rule development to correct scrivener's errors or simple typographical errors.

Mr. Blair read "B" which will allow the Commission to issue errata and publication. He said it also will provide a clear definition of what constitutes errata. Mr. Blair advised he does not believe there is a difference from section "A".

Mr. Blair introduced section "C" which is to seek authority to issue errata only to clarify the intent of code amendments. He stated errata should include the ability to adopt the latest edition dates of adopted codes and standards into the adopted Code. Mr. Blair stated this is also covered within the other ranking.

Mr. Strawn stated under section "A" standards adopted under the code, they should be within the cycle of the code. He said he would suggest that "C" be a part of "A" where standards errata should include the ability to adopt the latest edition dates of adopted codes and standards into the adopted Code.

Mr. Bassett stated amendments are a problem now with a code that has a certain version of the NEC and code officials that taking a course that is two versions later than what we have in our Code and he feels that is going to cause more problems. He said we should be able to update when it takes us two years to update the codes verses what is being taught.

Errata Option (cont.):

Mr. Strawn said that one of the problems is when we submit product approval; he does not want to have to change the product approval and then have errata that would require something different.

Mr. Schock said he does see the difference in “A” and “B” and they should go through the TAC groups prior to going to the Commission and “C” should go away.

Ms. Hammonds stated she has reservations on this section stating that errata is defined as an error in printing or in writing. She further stated there should be a list of errors or corrections that should be listed in the book. Ms. Hammonds stated there should be no substantive changes at all, it is meant to clear up typos, numbers that were transposed, a left out page with a list of the changes, updates and any material left out.

Mr. Madani explained the process of how the reading goes on new codes and how they attempt to avoid errors. He further stated there are no new code changes completed through errata only corrections, omissions, or typos.

Errata Option public comment:

Joe Belcher stated he strongly supports the Commission to complete errata without rule making. He referenced changes/updates in the past and how it was completed.

Additional discussion was held as to what changes would require a rule adoption and would not be considered as errata. Also there was discussion on the purpose of the group and how changes can be made if needed such as in the glitch cycle.

Mr. Blair advised the group will rank errata section “A” only allowing the Commission to issue errata only to correct scrivener’s errors or simple typographical errors without additional rulemaking to implement the adopted errata. The proposed errata will be reviewed by the TACs prior to Commission consideration. The Commission will require a 75% or greater voting threshold for approving errata. The ranking was as follows acceptable eleven votes, minor reservations zero votes, major reservations zero votes and not acceptable zero votes which would be 100% in favor.

Mr. Blair said the member’s decided not to rank “B” and “C” since the topics were covered by other ranked options.

The Code Amendment Process: 1.)Triennial, 2.)Annual, 3.)Glitch:

Mr. Blair provided the ranking choices for 1.) **Triennial Code Update**. He stated “A” is to maintain the 3 year code update cycle, “B” is to maintain one comprehensive 3 year code update cycle, with no glitch amendment and “C” is to consider/evaluate a 5 year code update cycle.

Mr. Strawn asked for clarification for “B” for the ISO rating. He said there are a number of states moving to a 5 or 10 year cycle.

Mr. Blair said that is section “C”

Public comment on the Code Amendment Process: 1.)Triennial

Mr. Adams (sic?) stated the standards that you are adopting are 7,8,9 10 years old behind the National level and finding products that comply will be hard. He stated that is a huge reservation he would have going to a five year cycle.

Doug Buck stated he sees two issues, one being consistent with ICC, and the other one he would like for people to think about the process we just went through speeding up forgetting about the Fire Code and now we are a year behind, he would suggest skipping a cycle. Mr. Buck said by skip a cycle then bring it back to the table for the regular cycle.

Mr. Richmond asked if this was on the original list.

Mr. Blair stated it was brought up at the last meeting, but failed to have the worksheet.

Mark Zehnal asked if this is not part of the statute, we would have to change the law to consider this process.

Mr. Blair advised that the purpose is to get this information to propose to the Legislature to make some statutory changes.

Doug Harvey questioned in the statute it requires a three year update, utilizing the latest ICC model code. He said based on the fact that we are not adopting the base code until July 2015 three years would be July 2018 and would we not be forced to do that.

Ms. Hammonds advised we are starting our next triennial cycle and will be discussing at our Plenary Session tomorrow.

The Code Amendment Process: 1.) Triennial (cont)

Mr. Bassett stated to clarify that the TAC's will be looking at Version 6 Code.

Mr. Swope stated that ICC put out 2015 this year and we will be in the same time frame. He said we do not need to fix something is not broken; we just need to sync up with the Fire Code. Mr. Swope said if the Fire Code lines up, then the Code will print more timely.

Mr. Schock stated that his concern of a 5 or 6 year cycle, the Fire Code will come out, both parties have to work together.

Mr. Blair advised the group will rank changing The Code Amendment Process #1 Triennial –A.) Maintain the 3 year Code Cycle maintain status quo. The ranking was as follows acceptable eleven votes, minor reservations zero votes, major reservations zero vote and not acceptable zero votes which would be 100% in favor.

There were three additional options that were not ranked as they were covered by other ranked options.

The Code Amendment Process: 2.) Annual Amendments:

Mr. Blair provided the ranking choices for 2.) **Annual Amendments**. He stated "A" is to maintain the status quo for annual amendments, "B" Utilize the Annual Amendment Process to update the FBC to the latest reference codes and standards adopted into the Code., "C" Limit annual amendments to update standards and emergencies based on natural disasters. And "D" Issue two annual amendment cycles after the triennial code update is completed.

Mr. Strawn stated there are many reference codes and he said you want the latest one in like in Product Approval. He said he would not vote in favor of D.

Chairman Browdy stated when we do update whether it is for product approval and specifically for education we are mandated to teach the latest edition of the Code and if we find ourselves updating by virtue of that updating our education courses. He said one action can create another action.

Mr. Richmond stated annual amendments have not been used under the watch of many of the people in attendance today. He stated since the glitch amendments came about the annual amendments have not been used. He said it created conflict where the authority could be over used and essentially we have stopped using it, but uses the glitch update process.

Mr. Schock stated it is better to have it there should we ever need to use it rather than do away with it all together.

Public Comments The Code Amendment Process: 2.) Annual Amendments:

Mr. Belcher stated that he feels we are missing the boat not using the annual amendment process, and he provided examples and purpose and reason for his comment to keep and use the annual amendment process.

Mr. Richmond stated his concern it may be better to add standard updates in another area. He provided explanation as to why this would be a better way to view the annual amendments.

Chairman Browdy stated this group is designed to give other alternatives and other pathways that may be necessary to accommodate and delivery of the Florida Building Code. He said maybe there is a way to include in the glitch process and within the definition we can set guidelines when to update. Chairman Browdy said that the system can be abused if opened on an Annual basis.

Mr. Richmond provided detail on what could be done in the future thus the reason for this group. He said this type of dialog will allow for discussion of change.

Jamie Gascon asked if there is only one glitch process.

Mr. Richmond spoke for Ms. Hammonds in her absence; he stated the glitch process is unlimited in statute and currently subject only to Chapter 120 process. He said the annual amendment process was more in line with Code development process.

Mr. Gascon stated we should catch glitches that as we promulgate a code it addresses any changes. He said that maybe the annual amendment process would be used for instances such as storm issues in areas where there is a need prior to a triennial updates. Mr. Gascon stated he is in favor of keeping the annual amendment process.

Doug Buck advised that maybe better definitions would help with this processes so that it can be better understood. Mr. Buck provided historical information as an example. He stated he is in favor of keeping the annual amendment process.

Mr. Bassett provided examples of why this should remain as an option.

Mr. Madani stated he wanted to respond to Mr. Belcher on standard updates, he stated there are 6000 applications for product approval that require updating every time we revise the code. He advised that it seems as though the manufacturers do not want to change their standards, they do not want to go and re-test, and they will provide an engineer to state the old standard equals the new standard. Mr. Madani said the system product approval program allows for the new standards, the process of new standards is there, he does not believe it is necessary to update each year. He said the manufacturers do not want the expense of changing their technical documents each year, this could create a major problem with too many changes every year.

Public Comments The Code Amendment Process: 2.) Annual Amendments (cont.):

Mr. Belcher stated he did not say this needs to be done every year; he feels it should be available when there are issues. He provided examples of when and why it should or could be used.

Mr. Blair stated the group should think about ways this could be updated or changed.

Mr. Wiggins said with product approval there is an Administrative Rule that will handle updated codes that allows use of prior information if they can prove it is equivalent and that would handle the issue and concerns. He also stated on page 13 we will be working with standards again. Mr. Wiggins stated that maybe there should be some separation of topics such as products to address individually.

Mr. Blair advised the group will rank changing The Code Amendment Process #2 Annual Amendments "A" is to maintain the status quo for annual amendments. The ranking was as follows acceptable eleven votes, minor reservations zero votes, major reservations zero vote and not acceptable zero votes which would be 100% in favor.

There were three additional options that were not ranked as they were covered by other ranked options.

The Code Amendment Process: 3.) Glitch Amendments:

Mr. Blair explained the glitch amendment and stated both options are not inconsistent with one another.

Ms. Hammonds asked if A and B together would be status quo.

Mr. Blair asked the group if they want to keep the glitch cycle the way it is.

Mr. Wiggins stated on mistakes on the codes, if not brought forward during TAC or Commission meetings or could there be an emergency rule. He provided an example if something were omitted would there be a rule making or glitch. Mr. Wiggins asked if the Legislature would allow emergency rule.

Ms. Hammonds stated that this could be included in criteria and add specific language allowing correction under glitch.

Chairman Browdy stated there is already a process that can be used under the glitch.

Mr. Madani said in regards to glitch, you can fix problems during that cycle and complete the glitch process to complete.

Mr. Richmond advised there should be specific language for any glitch for any change.

Discussion was held with multiple members to discuss changes and types of glitches and how they evolved.

The Code Amendment Process: 3.) Glitch Amendments (cont.):

Mr. Blair stated everyone including the public needs to think of topics to be added to the glitch process for discussion at the next meeting.

Mr. Richmond stated he would like to word glitch changed to code amendment.

Ms. Hammonds stated there is statutory criteria that specifies what exactly is required for it to be a glitch.

Mr. Blair read the requirement from the statute.

Mr. Richmond said the statute does not specifically speak to the word “glitch”.

Chairman Browdy stated again the purpose of this is to give us some opportunity to voice concerns about what has strangled our effort to produce this code timely and for it to be effective. He further stated there could be a piece of legislation that was written so that the Florida Building Commission could define what a glitch is and if it did define a certain instance it could act. Chairman Browdy stated there is nothing that says we can't ask for that desecration to make a determination of what a glitch is and you should think about this issue.

Mr. Schock said he felt the intent was to combine A and B in this section. He said he would like for “whenever needed” to be added.

Mr. Blair advised the group will rank changing The Code Amendment Process #2 Glitch Amendments “A Issue glitch amendments whenever needed (status quo) and continue to conduct a glitch cycle within (concurrent with) the code update cycle. (The two proposed options (A and B) were combined during the 4/13/15 meeting). The ranking was as follows acceptable eleven votes, minor reservations zero votes, major reservations zero vote and not acceptable zero votes which would be 100% in favor.

Florida Specific Amendments:

Chairman Browdy asked that Mr. Blair introduce this topic, however, we would not vote on this today as there is a time limitation on the use of the meeting room and the group will need to vacate and move to the next meeting site for tomorrow's Plenary Session in Gainesville.

Mr. Blair read the options up for ranking under Florida Specific Amendments.

Public Comments Florida Specific Amendments:

Doug Buck spoke to the three choices as A is an option and C is the law. He said that there are a lot of Florida specifics that would not pass muster however, would need to be litigated. Mr. Buck provided examples. He said it was meant to be something uniquely for Florida and not just because we want it there.

Doug Harvey stated that he agreed with Mr. Buck.

Joe Belcher stated that he did not agree that he believes that the Florida Code works so well because we can get things written that would not get into the ICC code. He stated there are things that need to be done. Mr. Belcher stated last year he could not get IRC to agree to label shutters, he said that other states could care less about the storms in Florida. He said he is not against the ICC, however, it is too broad and does not speak to the important area codes for Florida such as wind speeds. Mr. Belcher provided many examples of ICC turning back recommendations.

Chairman Browdy asked Mr. Belcher and Mr. Buck, if it is not a Florida issue according to ICC or if it is not an International or National issue for ICC does it then become a Florida issue.

Mr. Buck said no just because someone does not take it does not make it our issue. He further stated if there is a need and it can be articulated that this issue should be included because of something unique to Florida like wind speeds and there are many listed, then we to speak to it through the statute but this is not what the initial intent was. Mr. Buck stated the intent was to have a code process that customized the International Code not open it up because stuff could not get in the ICC. He stated at this point he is not sure he cares anymore because there are people that come to your meeting and perfected the ability to lobby the group with advocates to achieve what they want which sounds like the ICC. Mr. Buck stated when it began it was meant to be Florida specific and if we can't specify.

Tony Apfelbeck stated he agreed with Mr. Buck. He stated several Legislative Session ago we made a substantial change that mandated sunset review on Florida specifics and was extremely helpful pulling some of the specifics out of there that did not have technical substantiation that were basically in there from day one. Mr. Apfelbeck stated there are still codes in there that have no Florida specific justification and he provided an example. He said there are those that need to be removed and leave only those that can be justified. Mr. Apfelbeck said as good as we are we do not give those amendments as much attention as the ICC process, the ICC process you get other code experts that give ideas and information whereas here there are issues that pop up because it was not correlated with other issues.

Public Comments Florida Specific Amendments:

Eric Stafford stated the Florida Sunset Amendment cleaned up a lot of the code amendments that were not needed. He said the wind code is Florida Specific and it is difficult to get any change through ICC, if you look back at the hurricanes from 2004, the FBC performed well, we do not need to go backward. Mr. Stafford said if you do away with Florida specifics we are just going backward. He said he strongly encourages the group to keep Florida specific amendments. Mr. Stafford gave examples of good codes from Florida that are valuable to the state.

Doug Harvey said that he agrees with what has been previously stated. He said as Mr. Stafford alluded, there are many things we have done better. Mr. Harvey said lessons were learned in the early days and have learned over the years how to present to ICC with a more fashionable manner. He said there is a due process called CDP process which actually allows for much stronger contingency to vote on changes and they are trying to get a better voting consensus for Florida which will help in the future.

Mark Zehnal stated he stands on what was said last time, there needs to be a better presence at the ICC meetings.

Mr. Blair told the group if they would like copies of the various documents electronically, to send him an e-mail with the request to be added to the contact list.

Next Workgroup Meeting Overview and Issues:

Mr. Blair advised that the next Workgroup meeting, scheduled for June 18, 2015, will focus on further evaluation and ranking of options to address the eight key topical issues being evaluated by the Workgroup. He said during the meeting members will be asked to review the existing suite of ranked options and invited to propose any additional project relevant options for Workgroup consideration. Mr. Blair said once ranked, options with a 75% or greater number of 4's and 3's in proportion to 2's and 1's shall be considered consensus recommendations. The Workgroup's consensus package of recommendations will be submitted to the Commission for consideration.

Assignments:

Mr. Blair provided the following assignments:

- Jeff Blair will draft a facilitator's summary report of the meeting.
- Jeff Blair will send participants the list of options proposed to date with a request for participants to return to him a list of any additional options for evaluation relevant to each key issue. The revised list of options will be compiled without attribution and will serve as the next iteration of the Workgroup's **Options Evaluation Worksheet**. The discussions and ranking will only occur during Workgroup meetings and members should not discuss the options with other members in any format (verbal, written, electronic, etc.).
- The next Workgroup meeting date is June 18, 2015, and the exact location will be provided to participants as soon in advance of the meeting as possible.

Adjournment:

The Chair thanked Workgroup members and the public for their attendance and participation, and adjourned the meeting at 4:55 P.M. on Monday, April 13, 2015.