

Resolution 2008-856

1
2 A RESOLUTION OF THE BOARD OF COUNTY
3 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,
4 AMENDING CHAPTER 25 OF THE BROWARD COUNTY
5 ADMINISTRATIVE CODE, CREATING PART XVIII., ENTITLED
6 "GREEN BUILDING POLICY" ADOPTING THE UNITED STATES
7 GREEN BUILDING COUNCIL'S LEADERSHIP IN ENERGY AND
8 ENVIRONMENTAL DESIGN (LEED) STANDARDS AS A
9 BENCHMARK TO BE USED FOR NEW CONSTRUCTION OF
10 COUNTY-OWNED BUILDINGS; PROVIDING FOR
11 SEVERABILITY; PROVIDING FOR INCLUSION IN THE
12 BROWARD COUNTY ADMINISTRATIVE CODE; AND
13 PROVIDING FOR AN EFFECTIVE DATE.

14 (Sponsored by the Board of County Commissioners)

15 WHEREAS, the Board of County Commissioners of Broward County, Florida,
16 desires to create a more sustainable community by incorporating green building
17 practices in the design, construction, use, and maintenance of its buildings; and

18 WHEREAS, the Board of County Commissioners of Broward County, Florida,
19 desires to create Chapter 25, Part XVIII, Sections 25.122 through 25.125, relating to
20 Green Building Practices; and

21 WHEREAS, green building standards are designed to reduce operating costs,
22 encourage resource conservation, reduce construction waste, increase energy
23 efficiency, and create a healthier environment for employees and visitors; and

24 WHEREAS, Section 255.2575, Florida Statutes, (2007) "Energy-efficient and
sustainable buildings," requires that County buildings be constructed to meet a high
performance green building rating system such as the United States Green Building
Council (USGBC) Leadership in Energy and Environmental Design (LEED); and

1 WHEREAS, to this end, the United States Green Building Council, a 501(3)(c)
2 nonprofit organization, has created the Leadership in Energy and Environmental Design
3 as a rating system, providing specific principles and practices to be applied, that will
4 result in a green building; and

5 WHEREAS, the Board of County Commissioners of Broward County, Florida
6 finds the USGBC's LEED rating system and certification process are appropriate for
7 Broward County's new construction; and

8 WHEREAS, the Board of County Commissioners of Broward County, Florida
9 further finds the following:

10 (1) LEED provides building owners and operators the tools necessary to
11 obtain an immediate and measurable impact on the building's performance.

12 (2) LEED provides a means of tracking the quantifiable aspects of sustainable
13 design and building performance.

14 (3) LEED trained professionals will verify the project's compliance with the
15 established environmentally sensible construction practices, systems, and materials.

16 (4) LEED has a well-defined system for incorporating updates.

17 WHEREAS, the Board finds that the Naturscape Broward program, which
18 encourages the use of native plants and landscape design principles which conserve
19 water use and improve water quality, to be compatible with the goals of the LEED
20 program to conserve resources, increase energy efficiency, and help create a
21 sustainable environment; and

22 WHEREAS, the Board finds that the Naturscape Broward program is a
23 complimentary program to the County's LEED efforts and hereby incorporates the
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1 Naturscape Broward program into the County's Green Building Policy; NOW,
2 THEREFORE,

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4 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
5 BROWARD COUNTY, FLORIDA:

6 Section 1. Part XVIII. of the Broward County Administrative Code is hereby
7 created as follows:

8 **Part XVIII. Green Building Policy.**

9 **Section 25.122. General.**

10 a. Definitions:

11 The following words, terms and phrases, when used in this chapter, shall have
12 the meanings ascribed to them in this section, except where the context clearly
13 indicates a different meaning.

14 *Green building* means generally the resource efficient design, construction, and
15 operation of buildings deemed it be by employing environmentally sensible construction
16 practices, systems and materials.

17 *Project* means construction associated with the creation, development, or
18 erection of any building deemed to be eligible for the program.

19 *USGBC* means the United States Green Building Council.

20 *LEED* means the Leadership in Energy and Environmental Design Rating
21 System, Version 2.0, of the United States Green Building Council, any amendments
22 thereto or subsequent versions.

23 *LEED Certified* means a project that has attained a minimum of twenty-six (26)
24 points as determined by USGBC's rating system.

1 *LEED Silver* means a project that has attained a minimum of thirty-three (33)
2 points as determined by USGBC's rating system.

3 *LEED Gold* means a project that has attained a minimum of thirty-nine (39)
4 points as determined by USGBC's rating system.

5 *LEED Platinum* means a project that has attained a minimum of fifty-two (52)
6 points as determined by USGBC's rating system.

7 b. Purpose:

8 The purpose of the Broward Green Building Policy is to provide the County with a
9 certification-based green building program. This program will provide sustainable and
10 environmentally-friendly practices of construction and design. It shall be the policy of
11 the County to achieve a minimum LEED rating of "LEED certified" for all new County-
12 owned and operated building construction.

13 In order to ensure that County construction projects meet the LEED standards, all
14 County construction projects deemed to be eligible for the program shall be registered
15 with the USGBC and the project team, including, but not limited to, the architect,
16 engineer, general contractor, and County agencies responsible for the project, shall
17 seek certification of registered projects.

18 **Section 25.123. Environmental Categories.**

19 The six (6) environmental categories for LEED's building evaluation and rating
20 are:

- 21 (1) sustainable site characteristics;
- 22 (2) water use efficiency;
- 23 (3) energy use and atmosphere;
- 24 (4) materials and resource usage;

- (5) indoor environmental quality; and
- (6) innovation in sustainable design strategies.

Section 25.124. LEED Rating Policy.

The LEED's rating system is a certification tool. The USGBC points shall be awarded to building projects that incorporate the design and construction practices and technologies listed in LEED. The project shall be subject to certification by a qualified third party who has been trained and certified as a green building rater. For purposes of the program, "third party" means any person or entity authorized by USGBC to verify that a project has satisfied any or all of the requirements associated with the LEED standard designated for a particular project.

Section 25.125. County Staff Responsibility.

The Directors of County Departments and Divisions whose main responsibilities include locating, planning, designing, constructing, maintaining, operating, and decommissioning County-owned building shall be responsible for ensuring that such buildings comply with the requirements of the County's Green Building Policy. The County's Construction Management Division shall be responsible for coordinating any educational, technical, and financial resources available to County departments that support and promote sustainable design and construction of County buildings. The Construction Management Division shall: (a) determine the version of the LEED reference guide to be used by the County, (b) provide technical expertise on specific sustainable building issues on a case-by-case basis, (c) develop policies and procedures to implement the green building program and (d) shall coordinate LEED training programs provided by the United States Green Building Council.

1 Section 2. SEVERABILITY.

2 If any portion of this Resolution is determined by any Court to be invalid, the
3 invalid portion shall be stricken, and such striking shall not affect the validity of the
4 remainder of this Resolution. If any Court determines that this Resolution, or any
5 portion hereof, cannot be legally applied to any individual(s), group(s), entity(ies),
6 property(ies), or circumstance(s), such determination shall not affect the applicability
7 hereof to any other individual, group, entity, property, or circumstance.

8 Section 3. INCLUSION IN ADMINISTRATIVE CODE.

9 It is the intention of the Board of County Commissioners that the provisions of
10 this Resolution shall become and be made a part of the Broward County Administrative
11 Code; and that the sections of this Resolution may be renumbered or re-lettered and the
12 word "resolution" may be changed to "section," "article," or such other appropriate word
13 or phrase in order to accomplish such intentions.

14 Section 4. EFFECTIVE DATE.

15 This Resolution shall become effective upon adoption.

16 ADOPTED this 14th day of October 2008.

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