

MEMORANDUM

Agenda Item No. 7(H)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: May 3, 2011

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Ordinance authorizing the
creation of the Miami-Dade
County Green Business
Certification Program

This ordinance was amended at the Economic Development and Social Services Committee as stated on the County Manager's memo.

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.



R. A. Cuevas, Jr.
County Attorney

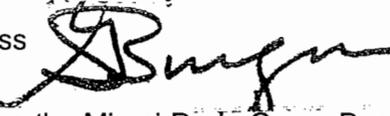
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Memorandum



Date: May 3, 2011

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: George M. Burgess
County Manager 

Subject: Ordinance Creating the Miami-Dade Green Business Certification Program

This item was amended at the April 13, 2011 Economic Development and Social Services Committee meeting to remove the following: "A GBC Program coordinator may be required in the future as the program matures and more businesses participate" from the Fiscal Impact section of the Manager's Memorandum.

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached ordinance that would create Section _____ of the Code of Miami-Dade County, creating a voluntary Miami-Dade County Green Business Certification (GBC) Program, in line with green jobs and green economy recommendations of the Climate Change Advisory Task Force, Mayor's Sustainability Advisory Committee, and requested by the local business community.

Scope

The GBC Program will benefit businesses countywide. The program is available, on a voluntary basis, to all local Miami-Dade businesses.

Fiscal Impact/Funding Source

The GBC Program will be implemented utilizing existing resources, and specifically through the collaborative efforts of the Department of Environmental Resources Management, Office of Sustainability and Office of Economic Development and International Trade.

This program is a free service. There is no cost to businesses who wish to participate in the program and achieve certification.

Track Record/Monitor

This program will be managed by the Office of Sustainability.

Background

Local businesses and industries that drive Miami-Dade's economy can contribute to a more sustainable community through the choices made in the procurement of raw materials and supplies; in how they operate their businesses; and in the goods and services they produce. And, operating a business in an environmentally-friendly way is becoming more important because consumers are increasingly making choices based on environmental factors. Incorporating good environmental business policies can favorably affect the bottom line in the following ways:

- Financially: Businesses can immediately save money
- Marketing: Businesses can promote your business as being green
- Social Responsibility: Customers know that businesses are doing their part

The Miami-Dade Green Business Certification (GBC) program has been developed to help local enterprises maximize their social, ecological and financial performance. The voluntary program aims to help businesses become more resource-efficient with energy and water use, raw materials and waste production. The program offers Miami-Dade business an opportunity to examine their current business practices and implement green initiatives that would save money and increase their marketability while contributing to the protection of our natural resources. The GBC Implementing Order is provided as a companion item.

The GBC Program will complement existing County programs and incentives that assist local businesses in becoming more energy efficient and that create green jobs locally. Such programs include the County's Renovation for Energy Efficiency Loan (REEL) program which is offering up to \$1.5 million in competitive revolving loan funds to all business that expend a lot of energy and commit to reductions; the expedited review process offered by the Building and Neighborhood Compliance Department the for commercial, industrial and residential green building-certified projects; and, the Targeted Jobs Incentive Fund (TJIF) which provides additional incentives for relocating or expanding qualifying businesses in targeted industries, as well as start-ups when they are located in LEED-certified buildings or engage in green business practices.



Assistant County Manager



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: May 3, 2011

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 7(H)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(H)
5-3-11

ORDINANCE NO. _____

ORDINANCE AUTHORIZING THE CREATION OF THE MIAMI-DADE COUNTY GREEN BUSINESS CERTIFICATION PROGRAM; PROVIDING FOR PURPOSE, STANDARDS AND CRITERIA, REQUIRED AND RECOMMENDED PRACTICES, SELF-AUDIT APPLICATIONS, AND EVALUATION PROCESS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section of the Code of Miami-Dade County is created to read as follows:

Sec. . Creation of Green Business Certification Program

The Miami-Dade County Office of Sustainability is hereby authorized to create a Miami-Dade County Green Business Certification Program (Program) for the purpose of encouraging and recognizing businesses that conserve natural resources, such as water, electricity and fuel; reduce, reuse and recycle materials; reduce the use of hazardous materials and generation of hazardous waste; and take affirmative steps to prevent pollution.

Sec. . Standards and Criteria for Certification

The Green Business Certification Program shall be voluntary and target the various business sectors operating in the county; including but not limited to, restaurants, garment cleaning, dental practices and retail offices.

In developing program standards and criteria for the various business sectors, the Office of Sustainability shall consult

with the Department of Environmental Resources Management, the Department of Solid Waste Management, the Miami-Dade Water and Sewer Department, and the Office of Economic Development and International Trade, and may consult with other relevant federal, state, regional and local agencies and departments, as well as consider industry best management practices and the feedback from interested stakeholders. In addition to program standards and criteria, a business must be in compliance with all applicable permits, licenses and regulations in order to qualify for certification as a Green Business.

Sec. . Application and Evaluation Process

Certification as a Green Business will require a business to submit an application involving an initial self-audit to assess compliance with required and recommended certification practices established for that business sector. These certification practices shall address waste reduction, energy conservation, water conservation, pollution prevention, transportation, communication and education, and carbon footprint savings, as applicable. The Program shall provide reference guides to assist businesses in the performance of self-audits.

After receipt of an application with a completed self-audit, the Program team shall conduct an onsite assessment to confirm the accuracy of the self-audit, which may include requests for the business to provide supporting documentation. A business will only be certified as a Green Business if it is in compliance with all required practices, meets the minimum thresholds and standards of the Green Business Certification Program, and is in compliance with all applicable local, state and federal regulations. In addition, a certified business will also receive a total scoring based upon the number of required and recommended practices it satisfies.

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Robert A. Duvall

Prime Sponsor: Commissioner Rebeca Sosa