

PROPOSED

RESOLUTION NO.

1 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, PERTAINING TO ORGANIZATION AND RESPONSIBILITIES OF
3 THE PUBLIC WORKS DEPARTMENT; AMENDING VARIOUS SECTIONS OF
4 CHAPTER 6 OF THE BROWARD COUNTY ADMINISTRATIVE CODE
5 ("ADMINISTRATIVE CODE") REGARDING ORGANIZATIONAL CHANGES IN THE
6 PUBLIC WORKS DEPARTMENT; AMENDING SECTION 25.93 AND SECTIONS 25.122
7 THROUGH 25.126 OF THE ADMINISTRATIVE CODE REGARDING LANDSCAPING IN
8 SWALES IN THE PUBLIC RIGHT-OF-WAY AND THE GREEN BUILDING POLICY;
9 REPEALING PARTS XIV, XV, XVI, XVII, XVIII, XX, AND XXI OF CHAPTER 6,
10 INCLUDING SECTIONS 6.67 THROUGH 6.88 AND SECTIONS 6.97 THROUGH 6.103,
11 PART X OF CHAPTER 25, AND SECTION 25.67 OF THE ADMINISTRATIVE CODE;
12 AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE,
13 AND AN EFFECTIVE DATE.

14
15 WHEREAS, the Broward County Public Works Department is responsible for a
16 diverse set of vital government functions and oversees multiple agencies;

17 WHEREAS, certain provisions of the Broward County Administrative Code
18 ("Administrative Code") related to the operations of the Broward County Public Works
19 Department have not been updated in more than two decades;

20 WHEREAS, the Public Works Department recommends updating descriptions for
21 the functions and responsibilities of various agencies, as well as the qualifications listed

for the relevant agency directors, to reflect current practices and industry standards, and repealing other provisions that are obsolete or redundant; and

WHEREAS, the Broward County Board of County Commissioners finds it appropriate to adopt the recommended changes, NOW, THEREFORE,

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

Section 1. Chapter 6 of the Broward County Administrative Code is hereby amended to read as follows:

Chapter 6

ORGANIZATION, PUBLIC WORKS

6.1. Public Works Department Established; Scope.

There is hereby established a Public Works Department which shall be responsible for the management, operation, and control of public works functions of County government. The Public Works Department shall include:

- a. Facilities Management Division.
- b. Highway Construction and Engineering Division.
- c. Highway and Bridge Maintenance Division.
- d. Traffic Engineering Division.
- e. Water and Wastewater Services;
 - ~~1. Water and Wastewater Engineering Division;~~
 - ~~2. Water and Wastewater Business Operations Division;~~
 - ~~3. Water and Wastewater Operations Division;~~
 - ~~4. Water Management Division; and~~

5. ~~Water and Wastewater Information Technology Division.~~

f. Solid Waste and Recycling Services;

~~1. Solid Waste Operations Division; and~~

~~2. Recycling and Contract Administration Division.~~

g. Construction Management Division.

h. Real Property and Real Estate Development Division.

6.2. Public Works Director.

The Broward County Public Works Director shall be the head of the Public Works Department. ~~The Broward County Public Works Director shall have proven administrative ability and shall have a degree from a four-year college or university, preferably supplemented by graduate or specialized training and extensive, progressively responsible experience in public administration or a related field, including several years in an executive or administrative capacity, or any equivalent combination of training and experience. The Public Works Director may designate a Deputy Public Works Director from among the Department's staff.~~

6.3. Functions; Responsibilities.

The Public Works Department shall:

a. Plan, organize, and direct a comprehensive public works program and service delivery system embracing the combined functions, duties, and responsibilities of the services and divisions of the Department.

b. Develop and implement management systems designed to facilitate the formulation and execution of annual and long-range plans; to optimize resource management; and to ensure compliance with statutory requirements and policies and

procedures promulgated by the Board of County Commissioners and the County Administrator.

c. Conduct management studies to provide information relevant to new County programs and to improve existing County operations, and to evaluate implementation of same.

~~e.~~ d. Establish and maintain effective working relationships with other governmental units and public and private agencies in areas relating to the functions and responsibilities of the Public Works Department; and represent the interests of Broward County government in public works and related matters.

~~d.~~ e. Establish and monitor procedures for the orderly and timely processing of public works information of interest to the County Administrator, the Board of County Commissioners, and the community.

~~e.~~ f. Perform administrative reviews; and advise and consult with the County Administrator, and, as appropriate, with the Board of County Commissioners and the Offices of the County Attorney and County Auditor, in matters relating to the Public Works Department.

~~f.~~ g. Produce project status reports to the Board of County Commissioners.

. . .

6.22. Facilities Management Division Established; Director as Head.

There is hereby established a Facilities Management Division, which shall be responsible for the administration of the County's facility management program. The Facilities Management Director shall be the head of the Facilities Management Division. ~~The Director of Facilities Management shall have a degree from a four-year college or~~

91 ~~university with demonstrated experience in facilities management, and considerable,~~
92 ~~progressively responsible management experience, or any equivalent combination of~~
93 ~~training and experience.~~ The Facilities Management Director shall develop and set forth
94 policies, procedures, and standards governing the operation of the facilities management
95 system for all facilities under the control of the Board of County Commissioners.

96 **6.23. Functions; Responsibilities.**

97 The Facilities Management Division shall:

98 . . .

99 j. ~~Coordinate with the Public Works Department and other County agencies~~
100 ~~in preparing plans for the County's anticipated space needs, develop and maintain an~~
101 ~~outline of a facilities space master plan, and plan and control space utilization and~~
102 ~~assignment~~ Maintain a facilities space plan for the County, manage the assignment and
103 utilization of County facility space, and collaborate with the Public Works Department and
104 County agencies to develop plans for future space needs.

105 . . .

106 **6.47. Highway Construction and Engineering Division Established; Director as**
107 **Head.**

108 There is hereby established a Highway Construction and Engineering Division,
109 which shall be responsible for administering the engineering services program of the
110 Public Works Department. The Highway Construction and Engineering Director shall be
111 the head of the Highway Construction and Engineering Division.

112 ~~The Director of the Highway Construction and Engineering Division shall be a~~
113 ~~professional engineer capable of attaining registration in the State of Florida, and shall~~

~~have expertise in road construction management and considerable, progressively responsible management experience, or any equivalent combination of training and experience.~~

6.48. Functions; Responsibilities.

The Highway Construction and Engineering Division shall:

...

e. ~~Take part~~ Participate in the formation and implementation of special assessment roadway projects for roads.

...

~~i. Negotiate the donation of real property rights for capital improvements such as roads, bridges, drainage easements and utility easements for use by County government as authorized by the Board of County Commissioners.~~

~~j. i.~~ Review plans, issue permits, and inspect all construction within the unincorporated public rights-of-way and functionally classified County rights-of-way.

~~k. j.~~ Coordinate the relocation of conflicting utilities within the limits of new highway and bridge construction projects.

~~l. k.~~ Coordinate the County Land Survey Program with the County Surveyor;
~~P~~pprepare plats and make property surveys necessary for the County government as well as supply location and construction surveys as required for road construction and maintenance activity. The County ~~l~~Land ~~s~~Survey ~~p~~Program includes perpetuation of the County township survey and ties to state and federal control surveys (both horizontal and vertical control).

~~m. l.~~ Implement a policy of the Board of County Commissioners that churches and those persons proposing to construct or improve single-family dwellings on existing single-family lots shall not, as a condition of platting, be required to construct or cause to be constructed additional trafficway lanes in the roadway immediately adjacent to the real property sought to be platted.

~~n. m.~~ Pursuant to Section 316.550, Florida Statutes, as amended, issue a special permits ("Special Permit") for any oversize and overweight vehicles ("Vehicles") operating on any rights-of-way within any ~~eCounty-owned airports~~ jurisdictional roads on which such Vehicles ~~co-mingle~~ commingles with vehicles operated by the general public. The Highway Construction and Engineering Division shall promulgate rules and regulations concerning the issuance of such Special Permits, which rules and regulations shall have the force and effect of law as authorized by Subsection 316.550(5), Florida Statutes, as amended. The application and Special Permit shall be promulgated by the Director of the Highway Construction and Engineering Division. Any application or Special Permit fee shall be established by resolution of the Board of County Commissioners.

...

6.52. Highway and Bridge Maintenance Division Established; Director as Head.

There is hereby established a Highway and Bridge Maintenance Division, which shall be responsible for the administration of the highway and bridge maintenance programs of County government. The Highway and Bridge Maintenance Director shall be the head of the Highway and Bridge Maintenance Division.

~~The Director of the Highway and Bridge Maintenance Division shall have a degree from a four-year college or university with demonstrated experience in highway~~

159 ~~construction and maintenance, and considerable, progressively responsible management~~
160 ~~experience, or any equivalent combination of training and experience.~~

161 **6.53. Functions; Responsibilities.**

162 The Highway and Bridge Maintenance Division shall:

163 a. Be responsible for the maintenance of the County road system, including
164 the cleaning and mowing of rights-of-way, street patching, resurfacing, intersection
165 improvements, ~~canal maintenance and construction~~, guardrail maintenance, bridge
166 maintenance, and street cleaning.

167 b. Be responsible for ~~road~~ maintenance and construction projects ~~that are~~
168 ~~accomplished~~ of the County road system, including bridges and other thoroughfares,
169 undertaken with Broward County ~~employees~~ forces.

170 . . .

171 d. Provide maintenance ~~and nursery stock~~ for selected landscape construction
172 projects as well as maintenance for stormwater systems for unincorporated Broward
173 County that are an integral part of the countywide master plan.

174 . . .

175 f. Administer the Broward County mosquito control program for the abatement
176 or suppression of mosquitoes ~~and other arthropods~~, whether disease-bearing or
177 pestiferous.

178 . . .

179 **6.57. Traffic Engineering Division Established; Director as Head.**

180 There is hereby established a Traffic Engineering Division, which shall be
181 responsible for the administration of the traffic engineering program of County

government. The Director of Traffic Engineering shall be the head of the Traffic Engineering Division.

~~The Traffic Engineering Director shall have a degree from a four-year college or university with major course work in engineering or a related field and considerable, progressively responsible management experience in traffic engineering or a related field, or any equivalent combination of training and experience.~~

. . .

6.62. Water and Wastewater Services Established; Director as Head.

There is hereby established Water and Wastewater Services, which shall be responsible for administering the water management and wastewater management systems of County government. The Director of Water and Wastewater Services shall be the head of Water and Wastewater Services.

~~The Director of Water and Wastewater Services shall have proven administrative ability and shall have a degree from a four-year college or university, preferably supplemented by graduate or specialized training and considerable, progressively responsible experience in public administration or a related field, or any equivalent combination of training and experience.~~

6.63. Functions; Responsibilities.

~~The functions and responsibilities of Water and Wastewater Services shall include the following:~~

. . .

f. ~~Accomplish management studies leading to new programs and improved methods, and monitor and evaluate implementation to ensure desired results.~~

g. f. Establish and maintain effective working relationships with other governmental units and public and private agencies in areas relating to the functions and responsibilities of Water and Wastewater Services.

. . .

6.92. Solid Waste and Recycling Services Established; Director as Head.

There is hereby established Solid Waste and Recycling Services, which shall be responsible for administering recycling, resource recovery, and solid waste collection and disposal operation systems of County government. The Director of Solid Waste and Recycling Services shall be the head of Solid Waste and Recycling Services ~~and shall have: a degree from an accredited four-year college or university with major coursework in public or business administration, engineering, or project management; at least six (6) years of experience in solid waste management, including four (4) years of high-level supervisory and administrative experience; or any equivalent combination of relevant training and experience.~~

6.93. ~~Solid Waste and Recycling Services Functions; Responsibilities.~~

~~The functions and responsibilities of Solid Waste and Recycling Services shall include the following:~~

a. Guide and direct the activities of ~~the Solid Waste Operations Division and the Recycling and Contract Administration Division~~ Services towards environmentally sound and economically efficient solid waste collection, recycling, and disposal programs.

b. Develop, gGuide, and direct the implementation of the capital improvement programs of the Solid Waste ~~Operations Division and Recycling and Contract~~

~~Administration Division~~ Services to ensure efficient utilization of the resources of Solid Waste and Recycling Services in the design, construction, and renewal of facilities.

c. Develop and maintain accounts and accounting systems to provide for appropriate management information for Solid Waste and Recycling Services and prepare schedules related to financial reports for the Solid Waste Fund, the BMSD Waste Collection Fund, the Solid Waste Capital Fund, and such other funds as may be required to account properly for activities of Solid Waste and Recycling Services in accordance with established eCounty policies.

d. Maintain records of revenues and expenditures and prepare financial documents and reports when appropriate for federal and state governmental agencies.

e. Provide support to all data processing activities of Solid Waste and Recycling Services as appropriate.

f. Coordinate the preparation and completion of budget reports, including requested budget, approved budget, and budget comparative reports, as well as coordinate all interim budget amendments or adjustments for Solid Waste and Recycling Services.

~~g. Develop management studies leading to new programs and improved methods, and monitor and evaluate implementation to ensure desired results.~~

~~h.~~ g. Establish and maintain effective working relationships with other government units and public and private agencies in areas relating to the functions and responsibilities of Solid Waste and Recycling Services.

i. h. Coordinate with the ~~Broward Solid Waste Disposal District~~ and ~~pertinent~~
appropriate intergovernmental authorities, special districts, committees, councils, and
groups.

j. i. Develop, implement, and maintain strategic, fiscal, and capital improvement
plans.

~~k. j. Implement marketing outreach and public education programs.~~

k. Regulate the disposal of solid waste within Broward County as provided by
federal, state, and local regulations, and as directed by the Board of County
Commissioners.

l. Develop and implement a program for solid waste disposal that is feasible,
cost-effective, and environmentally sound for all of Broward County, consistent with Board
policy and directives.

m. Coordinate with all appropriate federal, state, and county agencies and with
municipalities in implementing a solid waste operations system for Broward County.

n. Coordinate with all appropriate federal, state, and county agencies and with
municipalities in implementing recycling and solid waste collection systems of Broward
County.

o. Provide disposal capacity for the Broward Municipal Services District,
Unincorporated Areas, and municipalities of Broward County, consistent with applicable
law.

p. Direct the operation and maintenance of County solid waste disposal
facilities.

- q. Develop, implement and maintain strategic, fiscal, and capital improvement plans.
- r. Identify and plan for long-range solid waste disposal needs.
- s. Develop and coordinate countywide solid waste, recycling, and waste reduction programs, including marketing, educating the public, procuring grants, and reporting to appropriate regulatory agencies.
- t. Establish, provide, and maintain for solid waste collection and recycling services that are feasible, cost-effective, and environmentally sound for the Broward Municipal Services District.
- u. Develop and implement a household hazardous waste program for Broward County.
- v. Ensure compliance with all applicable federal, state, and local regulations.
- ...

6.116. Construction Management Division Established; Director as Head.

There is hereby established a Construction Management Division, which shall be responsible for ~~administration of the County's facility construction management programs~~ the management of construction projects of the County's Facility Capital Improvement Program. The Construction Management Director shall be the head of the Construction Management Division ~~and shall be designated as the County Architect or the County Engineer, as applicable.~~

~~The Construction Management Director shall be an architect or professional engineer capable of attaining registration as an architect or licensure as an engineer in the State of Florida, and shall have expertise in construction management and~~

considerable, progressively responsible management experience, or any equivalent combination of training and experience. The Construction Management Director shall develop and set forth policies, procedures, and standards governing the operation of the construction management system for all facility construction under the control of the Public Works Department.

6.117. Functions; Responsibilities.

The Construction Management Division shall:

...

b. Through the expertise of the Construction Management Director/~~County Architect/Engineer~~, provide architectural and construction management services and technical assistance to all County agencies except the Aviation, Port Everglades, and Transportation Departments, and the Parks and Recreation Division, for which agencies the Construction Management Division will assist as requested by the County Administrator.

c. Manage the County's Facility Capital Improvement Program by developing project budgets based on the requirements of specific projects.

~~e.~~ d. Unless otherwise provided by law, provide contract administration of construction and major modification contracts for the projects to be used by the constitutional officers, the County Administrator's Office, and other projects that are not solely for the use of or clearly the responsibility of the Aviation, Port Everglades, or Transportation Departments or the Parks and Recreation Division. The Construction Management Division may provide management services to state agencies by written agreement when appropriate funds are provided.

...

6.121. Real Property and Real Estate Development Division Established; Director as Head.

There is hereby established a Real Property and Real Estate Development Division, which shall be responsible for administration of the County's real property and real estate development programs. The Real Property and Real Estate Development Director shall be the head of the Real Property and Real Estate Development Division.

~~The Real Property and Real Estate Development Director shall be a licensed engineer or architect capable of attaining an engineering or architect license in the State of Florida, or a Florida licensed Real Estate Broker or Real Estate Sales Associate, and shall have expertise in real estate development, including architectural programming and design, purchase and sale transactions, real estate leases, and the management of public/private partnerships, and considerable, progressively responsible management experience, or any equivalent combination of training and experience. The Real Property and Real Estate Development Director shall develop and set forth policies, procedures, and standards governing the operation of the real property and real estate development system for all pertinent projects under the control of the Public Works Department.~~

6.122. Function; Responsibilities.

The Real Property and Real Estate Development Division shall:

...

b. ~~Provide~~ Negotiate and prepare lease documents for approval by the Board of County Commissioners for the acquisition of leasehold space for County departments, divisions, and offices other than the Aviation and Port Everglades Departments, state

agencies for which the County is required to provide accommodations, and elected officials of Broward County government.

. . .

i. Be responsible for the negotiations for the purchase or conveyance to the County of real property and real property rights for capital improvements such as roads, bridges, parks, libraries, aviation, port, and transportation, as well as drainage easements and utility easements for use by County government, as authorized by the Board of County Commissioners.

. . .

~~e. n.~~ Establish and maintain an inventory of acquisition and disposition projects with all pertinent information on the property, including, but not limited to, the following, as applicable: seller, landlord, donor, buyer, tenant, location, appraiser, date of appraisal, appraised value, date of authorization by the Board of County Commissioners for negotiation, purchase price, rents, date of approval of the transaction by the Board of County Commissioners, date of the official minutes of the Board of County Commissioners in which the deed can be found, the book and page number or instrument number where the instrument is filed in the Official Records of Broward County, and copies of all applicable legal documents.

~~p. o.~~ Establish and enforce procedures for keeping purchase negotiations confidential in accordance with Section 125.355, Florida Statutes, as ~~may be~~ amended, when such confidential negotiations are approved in writing by the County Administrator. Where confidential negotiations are approved in writing, all offers and counteroffers shall be made in writing, and no person shall have access to the negotiation records or to the

appraisals during the confidentiality period permitted by Section 125.355, Florida Statutes, as ~~may be~~ amended, unless authorized by the Real Property and Real Estate Development Director of Real Property and Real Estate Development or the Public Works Department Director.

~~q. p.~~ Implement Section 25.27 of the Broward County Administrative Code addressing utilization of the Main Courthouse at the Broward County Judicial Complex.

~~r. q.~~ At the direction of the County Administrator or the Director of the Public Works Department, the Real Property and Real Estate Development Division shall conduct and coordinate the oversight and management of new real estate development(s) and redevelopment(s) for the County, including: (1) site selection analysis; (2) obtaining entitlements; (3) obtaining architectural and engineering services; (4) oversight and management of architectural/engineering programming and design services; and (5) coordinating with the Construction Management Division regarding construction program management and oversight.

r. Manage the bidding process for acquiring real property at public auctions, which shall include, but not be limited to, placing bids of up to \$50,000.00 but in no case in excess of the assessed value of the real property as established by the Broward County Property Appraiser.

6.123. Authorities and Required Approvals.

a. For appraisals and other services referenced in Section ~~6.122(l)~~ 6.122.l. above: the County Administrator may authorize services estimated to cost ~~\$20,000.00~~ \$50,000.00 or less; the Director of Purchasing may authorize services within the Director

of Purchasing's delegated authority; approval by the Board of County Commissioners is required for services that exceed the Purchasing Director's delegated authority.

b. Any proposed purchase of real property having a purchase price of \$500,000.00 or more must be submitted to the Board of County Commissioners, including submission of a complete and accurate summary of the proposed transaction and all appraisals, at least twenty-eight (28) days prior to the date of the Board meeting at which the transaction will be considered, except for the purchase of Excepted Real Property Purchases, as defined in Section ~~4.622(a)~~ 6.122.a above. Purchases of real property may be for the appraised value or the negotiated price, as may be approved by the Board of County Commissioners.

c. Subject to the review and approval by the Office of the County Attorney for legal sufficiency, the Real Property and Real Estate Development Director may execute:

1. Tenant estoppel certificates, agreements providing for subordination, nondisturbance, and/or attornment that do not impose any additional material obligations on the County or modify the terms of the applicable lease, and other similar ancillary documents customary in lease transactions;
2. Trespass affidavits or other documents required to be issued by the property owner, operator, or tenant to local law enforcement related to law enforcement activities on premises owned, leased, or operated by the County;
3. Agreements, licenses, permits, or other similar documents to permit access to or installation of telecommunications, internet, cable, or satellite

equipment, utilities, or other equipment needed to operate or maintain facilities that are owned, leased, or operated by the County; and

4. Agreements to permit temporary access or use, for a limited duration not to exceed six months in the aggregate, of premises owned, leased, or operated by the County (a) for a specified, narrow purpose related to real property management (such as soil sampling or pest control), or (b) for use by a public safety or other governmental agency.

Section 2. Section 25.93 of the Broward County Administrative Code is hereby amended to read as follows:

25.93. General.

Within the unincorporated portions of Broward County and limited only to those roads classified as local roadways, an individual homeowner or ~~Home Owners~~ homeowners' Association, may make landscape improvements or place planting and landscape materials, inclusive of decorative mailbox supporting structures, within the swale portions of the public rights-of-way adjacent to their home(s), so long as such installations do not constitute a sight triangle obstruction, interfere with the intended drainage functions of the swale area, or impair the public's ability to safely walk or ride a bicycle or operate a motor vehicle on the adjacent roadway. Any such landscaping or planting must comply with the Broward County Zoning Code, as amended. The individual homeowner or homeowners' association, as applicable, shall be responsible for the maintenance of any landscape improvements or installed structures on the swale portions of the public rights-of-way adjacent to the residence.

Section 3. Sections 25.122 through 25.126 of the Broward County Administrative Code are hereby amended to read as follows:

25.122. General.

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

Green bBuilding means generally the resource-efficient design, construction, and operation of buildings ~~deemed it be by~~ that employing environmentally sensible construction practices, systems, and materials.

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

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

LEED means the Leadership in Energy and Environmental Design Rating System, Version ~~2.0~~ 4, of the United States Green Building Council, any amendments thereto or subsequent versions.

LEED Certified means a pProject that ~~has attained a minimum of twenty-six (26)~~ was awarded forty to forty-nine (40-49) points as determined by USGBC's rating system.

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

LEED Gold means a pProject that ~~has attained a minimum of thirty-nine (39)~~ was awarded sixty to seventy-nine (60-79) points as determined by USGBC's rating system.

LEED Platinum means a pProject that ~~has attained a minimum of fifty-two (52)~~ was awarded eighty or more (80+) points as determined by USGBC's rating system.

LEED Silver means a Project that was awarded fifty to fifty-nine (50-59) points as determined by USGBC's rating system.

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

USGBC means the United States Green Building Council.

b. *Purpose*∴ The purpose of the Broward Green Building Policy is to provide the County with a certification-based ~~g~~Green ~~b~~Building program∴ ~~T~~h~~i~~s program will provide sustainable and ~~environmentally friendly~~ environmentally friendly practices of construction and design. It shall be the policy of the County to achieve a minimum LEED rating of "LEED ~~e~~Certified" for all new County-owned and ~~_~~o~~p~~erated building construction.

~~In order t~~To ensure that County construction p~~ro~~jects meet the LEED standards
criteria, all County ~~construction p~~ro~~je~~cts deemed to be eligible for the Green Building program shall∴ be registered with the USGBC∴ and ~~the project team, including, but not~~
~~limited to, the architect, engineer, general contractor, and County agencies responsible~~
~~for the project, shall seek certification of~~ a minimum rating of "LEED Certified" for
registered ~~p~~ro~~je~~cts.

. . .

25.124. LEED Rating Policy.

The LEED's rating system is a certification tool. The USGBC points shall be awarded to building ~~p~~ro~~je~~cts that incorporate the design and construction practices and technologies listed in LEED. The ~~p~~ro~~je~~ct shall be subject to certification by a qualified third party who has been trained and certified as a ~~g~~Green ~~b~~Building rater. For purposes of the program, "third party" means any person or entity authorized by USGBC to verify

that a pProject has satisfied ~~any or all~~ of the requirements associated with the LEED standard designated for a particular pProject.

25.125. County Staff Responsibility.

The Directors of County ~~D~~epartments and ~~D~~edivisions whose main responsibilities include locating, planning, designing, constructing, maintaining, operating, and decommissioning County-owned buildings 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, and (c) develop policies and procedures to implement the gGreen ~~b~~Building program ~~and (d) shall coordinate LEED training programs provided by the United States Green Building Council.~~

25.126. Outdoor Lighting Standards.

All County-owned and -operated facilities, except for correctional facilities, shall comply with Section 39-112, "Outdoor Lighting," of the Broward County Code of Ordinances, to the extent not in conflict with federal, state, or local law.

Section 4. Parts XIV, XV, XVI, XVII, and XVIII of Chapter 6, including Sections 6.67 through 6.88, of the Broward County Administrative Code, regarding the various Divisions of Water and Wastewater Services, are hereby repealed in their entirety.

Section 5. Parts XX and XXI, including Sections 6.97 through 6.103, of Chapter 6 of the Broward County Administrative Code, regarding the Solid Waste Operations Division and the Recycling and Contract Administration Division, are hereby repealed in their entirety.

Section 6. Part X and Section 25.67 of Chapter 25 of the Broward County Administrative Code, regarding Tree Donations to Public Bodies, are hereby repealed in their entirety.

Section 7. Severability.

If any portion of this Administrative Code Resolution is determined by any court to be invalid, the invalid portion will be stricken, and such striking will not affect the validity of the remainder of this Administrative Code Resolution. If any court determines that this Administrative Code Resolution, in whole or in part, cannot be legally applied to any individual, group, entity, property, or circumstance, such determination will not affect the applicability of this Administrative Code Resolution to any other individual, group, entity, property, or circumstance.

Section 8. Inclusion in the Broward County Administrative Code.

It is the intention of the Board of County Commissioners that the provisions of this Administrative Code Resolution become part of the Broward County Administrative Code as of the effective date. The sections of this Administrative Code Resolution may be renumbered or relettered and the word "resolution" may be changed to "section," "article," or such other appropriate word or phrase to the extent necessary to accomplish such intention.

