



FGBC

Florida Green Building Coalition



Green Local Governments

Setting the standards for Green Building
in the State of Florida

Designation Standard for Cities and Counties

Version 3.0

 Florida Green Local Government Designation Standard

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Florida Green Local Government Designation Standard

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Steps to Becoming a Florida Green Local Government

1) **Learn about the Florida Green Local Government Standard.**

Contact the Florida Green Building Coalition (FGBC) that operates and maintains the standard. An individual will be available to introduce you to the process. Our contact information is available on the FGBC website: <http://www.FloridaGreenBuilding.org> under the "Contact Us" tab.

2) **Designate an office, department, or individual as Project Coordinator.**

The designated Project Coordinator will be the primary liaison between the local government and FGBC. Download the application tool (Excel file) that can be found on the Local Government Standard page under the "Certification" tab on the FGBC website (www.FloridaGreenBuilding.org). When the application tool is open, locate the tab titled "Registration Form." Complete and return to the FGBC. When FGBC receives your completed registration form and appropriate fee, it will assign an FGBC Project Evaluator as your technical resource for the certification process.

3) **Determine what criteria apply to the local government.**

Since the standard's criteria are organized in terms of generic local government functions, the Project Coordinator will perform an exercise to determine what criteria will apply to the local government. For example, if there is no public electric utility, certain criteria will not apply. The exercise will enable the Project Coordinator to determine the *maximum applicable points total*. The Project Coordinator will also determine which department is likely to perform each function, in order to distribute criteria evaluation effectively.

4) **Conduct a local government assessment review in cooperation with departments.**

After criteria has been distributed to appropriate departments, individual departments review the criteria and indicate what has been done or is planned for implementation, and also indicate what is likely to be considered for achieving the Standard, and for the benefit of the local government.

5) **Conduct a local government evaluation.**

The Project Coordinator collects all departmental information, and determines where the local government currently falls in reference to the suggested levels of compliance. The Project Coordinator then prepares a summary report that is sent to all applicable local government departments.

6) **Schedule implementation meeting to outline path towards qualification.**

The project coordinator then assembles a meeting of departmental representatives to discuss the status in reference to the Standard. An interactive process then begins whereby areas of cooperation are explored, potential sustainable and green improvements are identified, and a plan is outlined with the intent of bringing the city/county towards compliance with the Standard. Designation levels are awarded based on achieving a percentage of the *Maximum Applicable Points Total*.

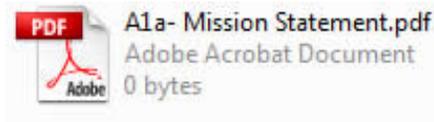
7) **Submit application and all necessary documentation to FGBC for evaluation.**

When the local government believes they have met the minimum requirements of the Standard, a submittal is provided to FGBC with necessary documentation such that the efforts can be reviewed, and the designation awarded. The documentation and completed application tool (checklist) should be provided in an electronic format, with each file sorted and labeled by its corresponding category

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and credit number within its respective category folder. (ie. Folder: A – Administration, and File: A1a – Mission Statement.pdf)

Send your registration form and check directly to FGBC, and send an electronic copy of the checklist with a copy of the check and supporting documentation to your assigned evaluator.



Florida Green Local Government Designation Levels

Registered Florida Green Local Government – Once the registration form and minimum deposit are received, the applying local government is considered to be “Registered”. This temporary status indicates a commitment to the Florida Green Local Government program and allows for an evaluator to be assigned to the project to help answer questions about the program. The “Registered” status for a project shall not exceed the maximum period of 18 months, by which time a final submittal must be prepared and sent for review. If a final submittal has not been received before the “Registered” period expires, the deposit is forfeited and the application process must be restarted to actively participate in the program.

Certified Florida Green Local Government – If all credit points that qualify the local government for the designation have been incorporated, the local government earns the “Certified” designation. This certification is good for a period of five years. At the end of five years, in order to remain certified, the local government must submit a new application to the Florida Green Local Government Standard Program.

Certified Florida Green Local Government Levels

- Bronze: 21% - 30% of Maximum Applicable Points Total achieved
- Silver: 31% - 50% of Maximum Applicable Points Total achieved
- Gold: 51% - 70% of Maximum Applicable Points Total achieved
- Platinum: > 70% of Maximum Applicable Points Total achieved

Notes on Listed Criteria and Documentation

Criteria listed as available Best Management Practices with which to achieve the Florida Green Local Government Designation were developed based on input from a variety of sources. Such sources include pilot local governments; statewide organizations dealing with energy, the environment, or land use; and other stakeholders.

Request for Modification to FGBC Standard

The Florida Green Building Coalition realizes that there are many Best Management Practices not listed on the standard that could result in similar environmental and economic benefits for local governments and their citizens. If a local government feels they deserve credit for an activity not listed in the

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standard, the applicant is asked to describe the activity on a Standard Modification Form, and submit the form with the application. List only one activity per form, and utilize as many forms as necessary. The Project Evaluator or Research and Technical committee of the Florida Green Building Coalition will review the activity and determine an appropriate amount of credit.

For each criterion, documentation is required in order to receive credit. The standard lists a suggested form of documentation that could be used, however it is up to the applicant to determine what form of documentation will best enable the Project Evaluator to determine the extent of implementation.

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OVERVIEW OF THE FLORIDA GREEN LOCAL GOVERNMENT STANDARD

The Florida Green Local Government Standard is similar to other green standards currently in effect in Florida and many other states, yet very unique in its target. In essence, a list of criteria is presented, and each is assigned a point value. A minimum total point value is set that represents a bar, and local governments who incorporate sufficient criteria such that they meet or exceed the bar are “certified” or “registered” as a Green Local Government. The fact that this standard targets local governments makes it somewhat unique in terms of “green” standards. Typical components of green building programs have traditionally targeted individual buildings and land developments. One of the goals of the Local Government Standard is to increase the penetration of many types of green activities.

The standard organizes criteria in terms of individual local government department functions, and focuses on improving their environmental performance through a number of mediums (energy, water, air, land, waste) and through a number of “techniques”. Primary techniques include recommendations for what the local government can do in house to set an example to the community, incentives and ordinances that can be enacted to foster green building within the community, and education of local government staff, as well as the community. This broad scope is also what makes this standard unique. Past similar standards have had limited focus to a single environmental medium, a single local government function, or a single “technique”. The Florida Green Local Government Standard leverages such existing programs, and also presents new criteria. Existing programs that are leveraged include statewide programs such as Waterfronts Florida, and Florida Main Street Designation, and national programs such as Tree City USA from the National Arbor Day Foundation. Examples of criteria that are not defined by an existing program include developing local government energy reduction plans, instituting an environmentally preferable purchasing program, utilizing green fleet management, and working with water utilities to promote conservation. In order to set realistic goals, the standard has been developed in conjunction with the City of Gainesville, Sarasota County, Alachua County, and Miami-Dade County, who acted as pilots in the program. These local governments have already demonstrated green excellence in a number of areas, and agreed to survey their green accomplishments and share success stories, which provide an exemplary path for others to follow.

It is envisioned that successful local governments will create and enforce landscape codes that help preserve natural Florida ecosystems, conserve water, create pedestrian-friendly environments, and follow green policies throughout their own organization in everything from ball field maintenance to in-house recycling.

The standard is presented in such a way that it is much more than just a program - it is a powerful tool. The guiding documents of the standard are designed to act as educational material for a wide audience of readers. Here, the documents not only present opportunities for a local government to “be green”, but also provide examples and resources covering how to do it. In many cases, based on current application of criteria in pilot Florida cities and counties, as well as other US local governments, quantifiable results can also be presented such as dollar savings, tons of CO₂ reduction, pounds of waste diverted from landfill, etc. With such a broad scope and the uniqueness of tying in many suggestions, resources, existing programs to leverage, etc. into one comprehensive standard, a “one stop shop” of information is created so to speak. In this case, the standard is an excellent reference for Florida local governments to refer to when trying to accomplish environmental goals - whether from a regulatory, a risk / asset management, an economic development, or a cost reduction standpoint. The standard is meant to be a useful reference even for those local

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governments who have no interest in becoming certified, but are trying to accomplish a singular goal, rather than the big "green" picture. For those that do wish to become certified, there are flexible paths to qualification so that cities and counties can tailor qualification to meet their goals, while still maintaining the well-rounded profile that has come to define "green". Flexibility is also important, for no two local governments look alike, nor do they all perform the same functions.

Part of what started the development of the Florida Green Local Government Standard was a desire of the Florida Energy Office and the US Department of Energy to achieve "Energy and Environmental Integration" within government. A solicitation was announced, and The Florida Solar Energy Center (part of the University of Central Florida), the Florida Green Building Coalition, and Miami/Dade Department of Environmental Management (DERM) teamed together on a winning proposal. The original request for proposal indicated that while energy and environmental elements are tightly linked in natural and economic systems, federal, state, and local governments have traditionally approached these two issues by segmenting them into separate organizations in a way that obscures their connections. One goal of the Florida Green Local Government Standard is to bring together entities with common objectives and overlapping interests to develop integrated energy/environmental solutions to statewide as well as local issues. Such integrated energy/environmental strategies offer new opportunities for increased energy efficiency, multi-pollutant prevention, and environmental improvements as well as greater operational efficiency, increased customer service, and expanded public acceptance. These goals can be well accomplished by incorporating the actions of green building into the framework of local governments, through the process of striving to meet a green building standard. Part of the process for determining qualification with the standard is to look across all local government departments to determine what is currently being done, what the needs/desires are, and what remains to be done in order to qualify. This process inherently requires extensive communication between departments, eventually identifying areas of potential cooperation to better achieve common goals.

Another aspect is that as local governments learn more about how being green can help them accomplish their goals, they will see the benefit of encouraging the private sector to apply the same principles through the creation of green homes, green commercial buildings, and green land developments. There are already standards in effect for these sectors in Florida, and green local governments can increase the penetration of green buildings and land developments through various incentives. The City of Gainesville recently passed an ordinance giving a \$300 discount on building permits for certified green projects, as well as free fast track permitting (a \$350 value). They are also actively promoting and publicizing such projects. Green building is not just good for the property owner or those living on the property, it is good for the whole community.

Developing a standard, rather than a comprehensive guidebook is important for a number of reasons. Creating a standard and setting a bar gives local governments a meaningful goal to aim towards. The bar is designed to be a realistic one (based on pilot city/county involvement), and gives local champions of the effort something to point towards in order to keep things on track. It may provide enough driving force to push a local government who would have only achieved 50% of the bar with a simple guidebook achieve 100% of the bar such that they can become certified. The certification will allow a local government to publicize their efforts in order to gain the recognition they deserve from the local community as well as the state. Other stakeholders will also be taking part in publicizing the existence of the standard, as well as the efforts of certified cities and counties. It is also envisioned that the standard will act as an excellent metric on which to base eventual statewide incentives to cities and counties who become certified. It could also be used in the regulatory arena, where a non-compliant

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local government could be given the option of achieving the certification, as opposed to other regulatory actions that may be taken against them.

Florida Green Local Government Designation Standard

1. GENERAL PROVISIONS

- 1.1. **Purpose.** The provisions of this document are intended to establish a voluntary, statewide standard for green local government designation. This enhances the goal of achieving uniform and meaningful green local government designations for Florida.
- 1.2. **Scope.** These standards apply to local governments located in Florida. The local governments could be cities or counties. The Green Local Government Designation applies to local government functions, and their interaction with the surrounding community. Other green standards (Homes, Hi-Rise Residential, Commercial Buildings, and Developments) apply to individually permitted parcels and building construction.

2. OPERATING PRINCIPLES

- 2.1. Qualification shall not circumvent any local or other jurisdictional laws, unless so allowed by the jurisdictional body as an incentive for complying with this standard.
- 2.2. Credit points are gained through measures that benefit the environment. The basis for the weighting of points shall be environmental benefit; however, it is understood that in some cases the weighting, by necessity, is subjective due to the various types of environmental benefit incurred (water vs. air pollution; tree protection; etc.).
- 2.3. A list of qualifying improvement features and their respective Credit Points shall be maintained by the Florida Green Building Coalition such that the Credit Point list is open to new features through a regular, technical and public review and acceptance process that is defined by this Standard.
- 2.4. The Credit Point features list (Schedule A) shall be organized into categories. A minimum may be required by category, as well as a minimum overall. A maximum by category may also apply so as to spread the effort among various local government features.
- 2.5. For each local government that qualifies for the Green Local Government Designation, written certification, fully disclosing all the features that qualify the local government, shall be available to any citizen or local officials upon request. Failure of a local government to disclose this information will be grounds for removal of the designation.

3. DEFINITIONS AND ACRONYMS

Certification Upgrade – While certified, a local government may submit additional points for review through the Certification Upgrade process. The registration form for a certification upgrade is found in the Schedule A checklist and allows a local government the opportunity to increase their points and certification level (Silver, Gold, Platinum) at a discounted fee without resubmitting the entire package. A Certification Upgrade does not reset the period in which a certification is valid.

Credit Points - Qualification points assigned to features that improve the environmental impact of local government functions or improve the environmental impact of future activities in the local government. *Florida Green Building Coalition (FGBC)* - A Florida non-profit corporation with open membership whose primary mission is to develop and maintain Green Designation Standards for Florida and to promote cost-effective, sustainable improvements in the built environment.

Green Local Government - A city or county that incorporates multiple environmental, ecological and sustainability features throughout the functions they perform (e.g., conservation of resources,

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green utilities, pedestrian-oriented circulation) that improve the environmental performance considerably over a city or county that just minimally meets state and local regulations.

Project Coordinator – An individual assigned by the applying local government to coordinate efforts within the local government and interact with the Project Evaluator.

Project Evaluator - An individual assigned by the Florida Green Building Coalition to evaluate a local government with respect to the criteria contained in this Standard for the purposes of certifying that the qualifications for a Florida Green Local Government Designation have been achieved.

Registered – A status for a local government that has submitted their initial application and minimum deposit

Re-certification – The process of reapplying to the Florida Green Local Government Designation program to verify certification status, as certification is valid for a 5 year period. Re-certification should occur within the six months prior to expiration.

4. CERTIFICATION PROCESS

- 4.1. A registration form for green designation given in Schedule A shall be completed by the local government and the full fee paid for at the time of application. Registration forms received under previous versions are subject to the current fee structure. The registration form is found on the FGBC website within the spreadsheet application tool.
- 4.2. A project evaluator shall be assigned by FGBC after receiving a registration form and fee deposit.
- 4.3. The project evaluator will answer questions regarding necessary submittal documents and verify that all necessary materials, as specified in Schedule A and the reference guide for the applied for points, have been received. The project evaluator is to simply be the evaluator for FGBC, and a reference regarding any interpretation of the standards, not a consultant for the local government.
- 4.4. The project evaluator shall verify the correct points earned based on information received and any other verification. Verification will often require a meeting with representatives from the local government.
- 4.5. The project evaluator shall forward the verified schedule A and any calculations and documentation to FGBC for archiving.
- 4.6. The Florida Green Building Coalition shall uphold the standard including, if need be, denying certification of applicants for failure to meet the minimum requirements of the standard. Failure to comply with the standard shall not be grounds for any refund of the application fee to the applicant.
- 4.7. Certification of a Florida Green Local Government Designation shall be provided in writing and accomplished in accordance with the provisions of this Standard.
- 4.8. Each Florida Green Local Government Designation certificate shall include the following:
 - 4.8.1. The seal of the Florida Green Building Coalition;
 - 4.8.2. The name of the local government;
 - 4.8.3. The signature and typed or printed name of the evaluator or an FGBC Representative (Executive Director, President, etc.)
 - 4.8.4. The date the certification was completed; and
 - 4.8.5. The statement: “This certification is provided by the Florida Green Building Coalition. Any questions, comments, or complaints regarding the green designation of this local government may be directed to the Florida Green Building Coalition”

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- 4.9. This certification is good for a period of five years. At the end of five years, in order to remain certified, the local government must submit a new application to the Florida Green Building Coalition.
- 4.10. In the event a Certified Green Local Government would like to upgrade its certification status, add, or modify credits, the local government may do so by providing the appropriate documentation for each credit and submitting the appropriate fee. At which point a project evaluator shall be assigned (or reassigned) to verify credits submitted in the project. A certification upgrade does not alter the period in which a certification is valid.
- 4.11. Each Florida Green Local Government Designation certification shall include a disclosure stating that the project evaluator had no financial interest within the local government or current contracts/obligations with any member or organization of the local government.

5. SELECTION OF FGBC PROJECT EVALUATOR

- 5.1. Any organization or individual wishing to serve as a project evaluator may request to do so by completing an application. An evaluator must be an active participant on the FGBC Green Local Government Committee and must obtain evaluator experience on a minimum of two projects, including at least one as an apprentice with an established evaluator prior to serving as an FGBC Green Local Government Project Evaluator.
- 5.2. At a minimum, the following information shall be required of and kept on file for each applicant for accreditation as a FGBC project evaluator:
 - 5.2.1. Full name of applicant
 - 5.2.2. Permanent mailing address, phone number and, if applicable, e-mail and web page address(es) of applicant
 - 5.2.3. Occupation (primary source of income) of applicant
 - 5.2.4. Employer and length of employment of applicant
 - 5.2.5. Statement of applicant's qualifications for reviewing the breadth of criteria given in Schedule A and the reference guide.
 - 5.2.6. Agreement to report each certified Green Local Government to the Florida Green Building Coalition and to uphold the provisions of this Standard including the no-financial interest agreement (section 4.9 above).
- 5.3. Any project evaluator must be an FGBC member in good standing (membership fees up to date).
- 5.4. FGBC shall contract or assign an organization or person to receive applications. That organization or individual will then assign an appropriate project evaluator from the available list of project evaluators.
- 5.5. A cost for evaluation services rendered shall be negotiated between FGBC and the project evaluator or their organization.
- 5.6. FGBC reserves the right to have their own staff, staff working for FGBC under contract, or qualified volunteers assigned as project evaluators and has the right to select the evaluator of their choice for any given project.

6. BASIS FOR QUALIFICATION

- 6.1. Each local government shall qualify as described in schedule A and the reference guide and each item receiving credit shall be verified by the project evaluator.

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- 6.2. Applicants may comply with the standard in effect when they applied, or if the standard has been revised prior to certification, they may comply with the new standard (see Section 8 below).

7. STANDARD DOCUMENTS

The following documents are part of these standards and shall be made available on a public website:

- 7.1. Schedule A (also referred to as the Green Local Government Designation Standard Checklist)
 - 7.1.1. Schedule A shall include a list of credit features and the maximum points that may be possible for some local governments to achieve for that feature.
 - 7.1.2. Schedule A shall include a location for an applicant to indicate the number of points they believe they have earned for any credit feature.
 - 7.1.3. Schedule A shall include a location for the applicant to total the estimated earned points.
 - 7.1.4. Schedule A shall include a certification application form. At a minimum the applicant must include:
 - 7.1.4.1. The name of the local government.
 - 7.1.4.2. The name of the local government Project Coordinator.
 - 7.1.4.3. The street address, phone, fax, and email address of the project coordinator
 - 7.1.4.4. A signature of the applicant.
 - 7.1.5. Schedule A must include the application fee and indicate accepted channels for payment.
- 7.2. Reference Guide
 - 7.2.1. The reference guide shall serve the purpose of providing details as to how to earn points as well as provide informative information on how a local government can function in an environmentally-friendly manner.
 - 7.2.2. The reference guide shall at a minimum include each possible credit item and a description as to how to earn points.
 - 7.2.3. Every attempt shall be made to describe how the points will be earned such that they can be objectively evaluated.
 - 7.2.4. The reference guide will include what, if any, documentation is required to earn points for a given item.
 - 7.2.5. The reference guide shall make every attempt to include descriptions of environmental benefits associated with each item or category of credit items.
 - 7.2.6. The reference guide shall make every attempt to include resources where local governments can gain more information regarding the environmental benefits of credit items and examples of how the credits can be implemented.
 - 7.2.7. FGBC shall reserve the right to determine if only one resource or more than one resource is used to illustrate a given credit item in the reference guide.
- 7.3. Modification Form

A form used for revision of this standard shall include the following fields:

 - 7.3.1. Name, address, contact information and affiliation of proponent

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- 7.3.2. Full description of change requested
 - 7.3.3. Specific language desired
 - 7.3.4. Technical basis or justification for change
 - 7.3.5. Recommended number of credit points for any credit point changes or additions
 - 7.3.6. Justification for recommended number of credit point
- 7.4. Modules
- 7.4.1. Modules are supplemental material that detail best management practices on environmental landscaping and fleet management/vehicle maintenance.
 - 7.4.2. In some cases, module best management practices are leveraged by the standard to award credit points.
 - 7.4.3. Modules that detail other activities may be added to the standard in the future in accordance with standard revision procedures discussed in section 8.
 - 7.4.4. Existing modules may be revised in accordance with standard revision procedures discussed in section 8.

8. REVISION PROCEDURES FOR THE GREEN LOCAL GOVERNMENT STANDARD

- 8.1. Suggested revisions shall be submitted to the Florida Green Building Coalition using a form available at the FloridaGreenBuilding.org web site as described in Section 7.3.
- 8.1.1. Applications shall be compiled and circulated to the Florida Green Building Coalition Green Local Government Committee, past applicants, and project evaluators for comments. The comment period shall be at least thirty days.
 - 8.1.2. Following the public comment period, each application and its public comments shall be reviewed by the Florida Green Building Coalition Green Local Government Committee, which will make written consensus recommendations to the Board of Directors for suggested revisions to the standard along with the original applications.
 - 8.1.3. The Board of Directors of the Florida Green Building Coalition shall adopt, adopt with modification, or reject each application for change.
- 8.2. Revision Cycle for the Green Local Government Designation Standard:
- 8.2.1. Periodic review. At least triennially, the provisions set forth in these Green Local Government Designation Standards shall be reviewed by the Standards Committee of the Florida Green Building Coalition in collaboration with other stakeholders. At a minimum, this review shall include consideration and evaluation of changes in the law, technological innovations, and comments and requests received from interested parties.
 - 8.2.2. All applications for revision shall be disposed of on an annual cycle such that applications received prior to the last working day of June 15 are included in the application review cycle that concludes no later than September 15.
 - 8.2.3. The Board shall approve any changes to the standard by the last day of October in any year in which it is to be revised.
 - 8.2.4. Any new standard shall be in placed on the web site (along with the current standard) no later than November 15.
 - 8.2.5. The effective date of any new Green Local Government Designation Standards shall be January 1. Only those proposals to change these Green Local Government Designation Standards that are received on or prior to June 15 shall

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be considered for the revisions to these Green Local Government Designation Standards that may become effective on January 1 of the following year.

- 8.2.6. The reference guide and module text, graphics and examples may be updated at anytime by FGBC; so long as they are of a clarifying nature.

9. SUSPENSION OR REVOCATION OF FGBC GREEN DESIGNATION

The Florida Green Building Coalition may suspend or revoke the green designation from a local government, requesting all reference to being so designated be removed from all marketing and educational materials and/or other suspension/revoking actions.

9.1. For Failure to Correct Deficiencies.

If the Florida Green Building Coalition determines at any time that a FGBC certified green local government has failed to adhere to the procedures and activities listed in the standard for those items whereby they earned credit points, the FGBC will notify the project coordinator of the specified deficiencies and shall require that specific corrective action, set forth in the notification, be taken not later than 30 calendar days after the date set forth in such notification.

9.1.1. In the event that the deficiencies have not been remedied, the Florida Green Building Coalition shall have the authority to immediately begin the process of revoking the certification by issuance of a Notice of Suspension Proceedings. The notice may be appealed in accordance with procedures set forth herein.

9.1.2. In the event that the specified deficiencies are not corrected within the application period set forth in the Notice of Suspension, a Notice of Revocation Proceeding shall be issued by the Florida Green Building Coalition. Such Revocation Proceeding shall follow the due process procedures contained herein. The Notice of Revocation may be appealed in accordance with the procedures set forth herein.

9.2. For Cause.

Any FGBC green local government certified by the Florida Green Building Coalition may have their accreditation revoked in any of the following circumstances:

9.2.1. Upon determination by the Florida Green Building Coalition that a FGBC local government has acted in such a manner as to impair the objectivity or integrity of the accrediting program or harm the reputation of the Florida Green Building Coalition including, but not limited to submission of false information to the Florida Green Building Coalition or failure to submit to the Florida Green Building Coalition any material information required to be submitted in connection with obtaining or maintaining accreditation; knowingly or negligently issuing certifications that fail to meet all of the certification criteria; or misrepresentation by the local government in advertising or promotional materials of its accreditation status in general or with respect to any service provided by the local government.

9.3. Suspension/Revocation Due Process

The Florida Green Building Coalition shall comply with the following due process procedures in considering any suspension or revocation actions against a local government.

9.3.1. Notice

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The Florida Green Building Coalition may, at its discretion, initiate a proposed suspension or revocation action against a local government by providing the project coordinator written notice of the proposed action sent by certified mail, return receipt requested, to the last known address of the project coordinator. Such notice shall inform the FGBC local government of the entire basis and justification for the proposed action.

9.3.2. Contest of Proposed Suspension/Revocation

A respondent may contest a proposed suspension/revocation by filing a response with the Florida Green Building Coalition within 30 days of receipt of the notice. The response shall contain all pertinent and substantive information and argument that is in contradiction to the proposed suspension/revocation, including identification of all disputed materials and facts. If the respondent fails to file said response within the allotted time, the Florida Green Building Coalition may, at its discretion, suspend/revoke the accreditation of the respondent effective immediately upon written notification to the respondent.

9.3.3. Hearing

If the respondent files a timely response contesting the proposed suspension/revocation and requests a hearing, the Florida Green Building Coalition will appoint an independent, unbiased, and qualified hearing officer and issue a decision on the proposed suspension/revocation. The hearing officer will review the notice of suspension/revocation and the respondent's contest. If the hearing officer finds that the respondent's contest has raised substantiated and valid factual argument to the contrary of the proposed suspension/revocation, the respondent shall be afforded an opportunity to participate in an open and public hearing, and to submit additional documentary evidence, and rebuttal argument to any material contained in the original notice of suspension/revocation or developed during the course of the hearing officer's investigation. The notice shall be provided to the respondent by written notice by certified mail, return receipt requested, to the last known address of the respondent at a minimum of 120 days before the scheduled hearing.

9.3.4. Hearing Officer's Decision

The hearing officer shall issue a written decision on the proposed suspension/revocation that is based on all the information contained in the hearing record including statements of the factual and legal basis of the decision. If the hearing officer decides to impose suspension or revocation, the decision must include findings regarding all disputed materials, and justification for all findings.

A suspension/revocation

decision by the hearing officer shall take effect upon the issuance of the hearing officer's decision and the written notification of such decision to the respondent.

9.3.5. No Ex Parte Communication

No ex parte communication between the parties and the hearing officer shall be allowed.

10. APPEALS PROCEDURES FOR SUSPENSION OR REVOCATION

10.1. Notification

The Florida Green Building Coalition shall notify the project coordinator and the Florida Green Building Coalition Board of any and all disciplinary actions. Additionally, the

Florida Green Local Government Designation Standard

Florida Green Building Coalition shall clearly notify the project coordinator of all procedures and rights to remedy.

10.2. Appeal

10.2.1. In the event that an accreditation application was not approved or the accreditation has been suspended, the local government shall have the right, for a period of 30 calendar days after the date of notice, to appeal to the Florida Green Building Coalition

10.2.2. In the event that a FGBC local government accreditation is suspended following the expiration of the period to appeal a suspension, in the absence of an appeal having been taken, the local government shall have the right, at its election, for a period of 30 calendar days after the date of issue of a Notice of Suspension, to appeal to the Florida Green Building Coalition

10.2.3. An appeal shall be in writing and sent by certified mail or other method that provides evidence of delivery to the Chairperson of the Florida Green Building Coalition and shall specify the basis for the appeal.

10.2.4. The appellant local government may, at the time of noticing its appeal, request in writing, a hearing. In such an event, the Florida Green Building Coalition shall, not later than 7 calendar days after the filing of the notice of appeal, appoint a hearing officer and notify the appellant local government of the date of the hearing, which shall be held as expeditiously as possible, but not later than 30 calendar days after the receipt of the notice of appeal