

Intro. Res. No. 1028-2006

Laid on Table 1/3/2006

Introduced by Legislators Vioria-Fisher, Montano, Schneiderman, Romaine, Losquadro, Horsley, Browning, Eddington, Mystal, Lindsay, Stern, D'Amaro and Cooper

**RESOLUTION NO. 126 –2006, IMPLEMENTING LEADERSHIP
IN ENERGY AND ENVIRONMENT DESIGN (LEED) PROGRAM
FOR FUTURE COUNTY CONSTRUCTION PROJECTS**

WHEREAS, the LEED Building Rating System 2.1 was developed by the United States Building Council for the United States Department of Energy for use in connection with commercial building projects, as a standard that meets environmental and economic performance of commercial buildings, using established and/or advanced building principles, practices, materials and standards; and

WHEREAS, simply paying attention to energy conserving construction techniques could drive down County operating costs on a systematic basis; and

WHEREAS, the County of Suffolk could benefit from implementation of such a program for future construction and future major renovation of County buildings; now, therefore, be it

1st RESOLVED, that the County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section C8-2(W) of the SUFFOLK COUNTY CHARTER, to apply the principles of the LEED Building Rating System 2.1, as a standard that meets environmental and economic performance of commercial buildings, using established and/or advanced building principles, practices, materials and standards, for:

- a.) planning of new construction project occurring on or after the effective date of this Resolution, with a construction cost of \$1,000,000.00 or more; or
- b.) planning of renovation of an existing County building occurring on or after the effective date of this Resolution, which requires the expenditure of \$1,000,000.00 or more;

and be it further

2nd RESOLVED, that the Project Check List, attached hereto and made a part hereof as Exhibit "A", shall be followed by the County Department of Public Works in implementing the 1st RESOLVED Clause of this Resolution; and be it further

3rd RESOLVED, that any Capital Project meeting the criteria set forth in the 1st RESOLVED Clause shall be ranked in accordance with the certified silver, gold and platinum ranking system set forth in Exhibit "A", separate and apart from the ranking system contained in Resolution No. 571-1998, as amended, which established a formalized priority ranking system for Capital Projects; and be it further

4th RESOLVED, that no appropriations for construction may be made for a Capital Project covered by this Resolution unless it receives a "certified" ranking under the Project Check List; and be it further

5th **RESOLVED**, that compliance with the requirements herein may only be waived if:

- a.) the Commissioner of the County Department of Public Works files a Certification with the Suffolk County Legislature and the Suffolk County Executive setting forth the existence of Federal and/or State engineering design standards or historic district or preservation requirements or the existence of special or extraordinary engineering design circumstances which would prevent compliance with the LEED Program; and
- b.) such Certification is accepted and compliance with LEED is waived by a duly enacted resolution of the County of Suffolk;

and be it further

6th **RESOLVED**, that the Suffolk County Council of Environmental Quality (CEQ) shall consider the LEED Building Rating System 2.1 set forth in Exhibit "A", attached hereto and made a part hereof, in its review of County action under SEQRA and Section 279 of the SUFFOLK COUNTY CODE; and be it further

7th **RESOLVED**, that the County Department of Public Works is hereby further authorized, empowered, and directed, pursuant to Section C8-2(W) of the SUFFOLK COUNTY CHARTER, to promulgate such rules and regulations as it deems necessary and appropriate for the implementation and enforcement of any provisions of this Resolution; and be it further

8th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: February 7, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: February 14, 2006