



**City of Miami  
Legislation  
Ordinance**

**SR.1**

**File Number: 06-01042**

**Final Action Date:**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING THE CODE OF CITY OF MIAMI, FLORIDA AS AMENDED, TO CREATE CHAPTER 22.5, ENTITLED GREEN INITIATIVES TO PROVIDE FOR ENVIRONMENTALLY RESPONSIBLE INITIATIVES AND POLICIES, AND CREATING ARTICLE 1 ENTITLED GREEN FLEETS TO ADD DEFINITIONS AND SECTIONS TO PROVIDE FOR ENVIRONMENTALLY RESPONSIBLE PURCHASING REGULATIONS FOR CITY OF MIAMI VEHICLES, AND CONTAINING A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Miami ("City") recognizes that energy use associated with the operation of its motor vehicle fleets exacerbates local air quality problems and results in greenhouse gas emissions that contribute to global climate change; and

WHEREAS, the City recognizes that its departments have a significant role to play in improving local air quality and reducing greenhouse gas emissions by improving the energy efficiency of its fleets and reducing emissions from fleet operations; and

WHEREAS, the City recognizes that significant monetary savings will result in the long term by improving the energy efficiency of its fleets; and

WHEREAS, the City wishes to exercise its power as a participant in the marketplace to ensure that purchases and expenditures of public monies are made in a manner consistent with the policy of improving local air quality and reducing greenhouse gas emissions; and

WHEREAS, the City wishes to establish a Green Fleet ordinance addressing the management, operation, and procurement of fleet vehicles under the control of the City of Miami in order to improve the energy efficiency of its fleets and reduce emissions from its fleet; and

WHEREAS, the City wishes to be a model of fuel-efficiency by striving to replace its existing fleet with hybrid or fuel-efficient vehicles wherever possible;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF MIAMI, FLORIDA:

Section 1. The recitals and findings contained in the Preamble to this Ordinance are adopted by reference and incorporated as if fully set forth in this Section.

Section 2. A new article, entitled Environmental Preferable Purchasing Ordinance is added to Chapter 22.5, of the City Code entitled Green Initiatives in the following particulars:{1}

"CHAPTER 22.5  
GREEN INITIAVES

\* \* \* \* \*

ARTICLE I. GREEN FLEETS

Sec. 22.5 -XX Definitions

Biodiesel means diesel fuel derived from a renewable resource such as plants, waste oils, and animal fats.

Emergency response vehicle means any vehicle used to respond to imminent threats to public health or safety.

Greenhouse gases mean gases which will likely contribute to global warming, as identified by the US Environmental Protection Agency (EPA). Currently, the EPA lists carbon dioxide, methane, nitrous oxide, and fluorinated gases as the primary greenhouse gases of concern. For the purposes of this ordinance, the primary greenhouse gas of concern is carbon dioxide produced by the combustion of fossil fuels such as gasoline and diesel.

Heavy Duty Vehicle means any wheeled motor vehicle, licensed for use on roadways, having a manufacturer's gross vehicle weight rating greater than 14,000 pounds.

Idling means:

- 1) Where the engine is running and in park or neutral in vehicles with automatic transmissions;
- 2) Where the engine is running but not in gear for vehicles with manual transmissions.

Fuel Economy means the estimated miles a vehicle can travel for each gallon of fuel consumed. For vehicles 8,500 pounds or less, this value is determined by the EPA's Corporate Average Fuel Economy (CAFE) standards.

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Light Duty Truck means any wheeled motor vehicle, with a manufacturer's gross vehicle weight rating of 6,000 pounds or less, which is designed primarily for purposes of transportation of property or is a derivative of such a vehicle, or is available with special

features enabling off-street or off-highway operation and use.

Medium Duty Vehicle means any wheeled motor vehicle having a manufacturer's gross vehicle weight rating of 14,000 pounds or less and which is not a light-duty truck or passenger vehicle.

Vehicle means any device powered by an engine and used for the transportation of persons or property upon roadways, excluding aircraft.

Passenger Vehicle means any wheeled motor vehicle designed primarily for the transportation of persons and having a design capacity of twelve persons or less.

#### Sec. 22.5-XX Intent

The intent of the Green Fleet Ordinance is to reduce vehicle fuel consumption by five percent (5%) per year and reduce greenhouse gas emissions from the fleet by at least five percent (5%) per year to a total of at least twenty-five percent (25%) by 2015. The City will accomplish this goal by:

- 1) Optimizing the fleet size and operation by eliminating unnecessary vehicles.
- 2) Increasing the fleet's average fuel economy to be consistent with operational needs. These standards will be included in each department's Green Fleets Plan and reviewed and approved by the Green Fleets Committee (the "Review Committee").
- 3) Minimizing fuel usage by eliminating unnecessary or redundant trips, by increasing efficiency of routes and by minimizing idling.

#### Sec. 22.5-XX Fleet Inventory

In order to establish a baseline of data showing vehicle specifics so that a Green Fleet Plan ("GFP") can be established, implemented, and monitored, each department director or designee shall develop an inventory and analysis of the fleet vehicles at least once annually and submit to the City Manager or designee before July 1. This inventory shall include, but not be limited to:

- 1) Number of vehicles classified by the model year, make, model, engine size, vehicle identification number (VIN), and drivetrain type (2-wheel drive or 4-wheel drive), and the rated vehicle weight and classification (light-duty, medium-duty, heavy-duty);
- 2) Miles per gallon (or gallon equivalent) per vehicle;
- 3) Type of fuel (or power source, e.g., electricity) used;
- 4) Average cost per gallon (or gallon equivalent) of fuel;
- 5) Annual miles driven per vehicle;
- 6) Fuel (or power) consumption per vehicle;
- 7) Vehicle function (i.e., the tasks associated with the vehicle's use);

8) Total fuel consumption of each fuel type (or power source used) for the fleet

City department directors or designees shall be responsible for providing the baseline data in a uniform, reliable and verifiable manner. Annually, the data from (a) and (b) will be compiled and submitted to the Review Committee as described herein.

The Miami Office of Sustainable Initiatives (MSI) will compute fleet greenhouse gas emissions, fleet fuel efficiency, and average fuel cost per mile based on the data reported above.

Sec. 22.5-XX Department Green Fleet Plans

Annually, the GSA, Fire, Police and Solid Waste departments shall prepare a written GFP, describing the implementation of the policies described in sub-sections (b) through (m) below. The General Services Administration ("GSA") GFP shall address GSA vehicles and all other department vehicles not addressed by other GFPs. Copies of each plan will be submitted to the Review Committee as referenced.

Each department plan shall summarize their fleet inventory and fleet greenhouse gas emissions as described in this ordinance. The plan shall describe how fuel consumption compares to the City's goal of five percent (5%) reduction per year and how greenhouse gas emissions compares to the City's goal of at least five percent (5%) reduction per year.

Departments that provide emergency response functions shall develop an independent GFP and calculate fuel consumption for emergency response and non-emergency response vehicles. In their annual report, departments will identify all emergency response vehicles and the emergency response role of each designated vehicle. The goal for fuel consumption of emergency response vehicles shall be to reduce fuel consumption to the extent feasible without compromising emergency effectiveness or preparedness. Reduction of fuel consumption in emergency response vehicles may include, but are not limited to, purchasing new vehicles that have increased fuel efficiency and reducing fuel consuming activities during non-emergency operations. For all departments, the fuel consumption goal for non-emergency response vehicles remains five percent (5%).

Each department shall establish a minimum fuel efficiency standard in miles per gallon (or gallon equivalent), as defined herein, for each vehicle class that is purchased or leased by the department. The initial standard will be set at a minimum five percent (5%) greater than the current fleet average for the vehicle class. That standard will be mandated to be increased by five percent (5%) annually. Exceptions to this policy may be allowed by the Green Fleets Committee if the fuel efficiency standard does not allow vehicles that meet the operational needs of the department.

The GSA department shall review all vehicle procurement specifications and modify them to allow the purchase or lease of alternatively fueled or powered vehicles.

Each department shall review its operational use of vehicles and identify for elimination uses of vehicles which are operationally unnecessary and inefficient.

Each department shall review every new vehicle purchase request and modify them as necessary to ensure that the vehicle is appropriate for its performance requirements.

Each department shall review usage of vehicles and schedule the elimination or replacement of vehicles that are unused or inefficient compared to current fuel economy standards for the department and vehicle class and complies with the approved GFP.

Each department shall develop and implement an anti-idling policy prohibiting City employees from idling City-owned or operated vehicles for an excessive period of time.

Each department shall review fleet maintenance needs and plan to maintain vehicles at optimal efficiency by reviewing current maintenance schedules for all fleet vehicles and increasing maintenance wherever cost-effective benefits will accrue as a result.

The Solid Waste Department and other such route intensive departments shall implement a route optimization program using applicable software and consultations to determine the most efficient routes for waste collection, recycling and street sweeping.

#### Sec. 22.5-XX Monitoring of The Green Fleet Ordinance

There shall be created a Green Fleet Review Committee to ensure goal compliance and monitor departmental responsibilities. The City Manager will appoint a five member Review Committee, which may include one of the following departments:

- 1) Purchasing Department
- 2) General Services Administration
- 3) Police Department
- 4) Fire Department
- 5) Solid Waste Department
- 6) Office of Sustainable Initiatives

The Review Committee's responsibilities shall be to:

- 1) Review the progress towards the goals of this ordinance and the City's Climate Action Plan.
- 2) Recommend new policies or ordinances to improve the City's progress towards its goals of reducing vehicle fuel consumption by five percent (5%) per year and

reducing greenhouse gas emissions from the fleet by at least five percent (5%) per year.

- 3) Review the status of use of biodiesel and the biofuel content of biodiesel where appropriate. In addition, the Review Committee shall evaluate the overall environmental impact of the fuels entire life cycle as compared to fossil fuels, other biodiesel fuels, and other alternative fuels. Based on these reviews, the Committee may recommend changes in the sources and/or quantities of biofuels purchased.
- 4) Review new fuels and technologies that may be incorporated in the City's Green Fleet Program.

On an annual basis, the departmental directors shall submit a draft Green Fleet Plan to the Review Committee. The GFP will also include, as an appendix or addendum, an updated fleet vehicle inventory list in the same format as the fleet vehicle inventory completed in Section IV.

Each GFP shall be reviewed by the Review Committee for overall conformity with the Green Fleet policy and for completeness in addressing the Green Fleet goals as outlined in Section III. Inadequate plans shall be returned to the submitting Department for revisal and discussion with the Review Committee.

Any appeal of the Review Committee's decisions must be made in writing to the City Manager accompanied by appropriate documentation of the reason and justification for the appeal. Valid reasons for an appeal include unavailability of appropriate fleet vehicles, incremental costs in excess of the full life-cycle savings that would accrue from the acquisition of a given vehicle and the primacy of a given vehicle's mission to public safety or a similar area judged to be applicable by the prior acting Review Committee.

Approval of vehicle procurement requests for each department is contingent upon a satisfactory recommendation from the Review Committee as to the merit of the department's Green Fleet Plan. Final approval of individual purchases will be made by the GSA Director.

The department submitting and implementing the most innovative Green Fleet plan shall receive an annual award. The Review Committee shall determine the recipient of the award during the annual Green Fleet Plan review process.

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Section 3. If any section, part of a section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

Section 4. This Ordinance shall become effective thirty (30) days after final reading and adoption thereof.{2}

APPROVED AS TO FORM AND CORRECTNESS:

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JULIE O. BRU  
CITY ATTORNEY

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**Footnotes:**

{1} Words/and or figures stricken through shall be deleted. Underscored words and/or figures shall be added. The remaining provisions are now in effect and remain unchanged. Asterisks indicate omitted and unchanged material.

{2} This Ordinance shall become effective as specified herein unless vetoed by the Mayor within ten days from the date it was passed and adopted. If the Mayor vetoes this Ordinance, it shall become effective immediately upon override of the veto by the City Commission or upon the effective date stated herein, whichever is later.

