

1 Introduction and First Reading: June 25, 2024
2 Public Hearing, Second Reading, and Final Passage: July 2, 2024
3

4 INFORMATION ON PROPOSED ORDINANCE
5

6 Title

7 AN ORDINANCE to initiate and establish the process for granting a franchise by the
8 City of Alexandria, Virginia to use certain public property for publicly available electric
9 vehicle supply equipment (EVSE).
10

11 Summary
12

13 The proposed ordinance solicits franchise bids for publicly available electric vehicle
14 charging equipment to be installed on certain public property at no cost to the City.
15

16 Sponsor
17

18 Office of Climate Action
19

20 Staff
21

22 Julian Gonsalves, Assistant City Manager
23 Ryan Freed, Climate Action Officer
24 Amy Posner, Electric Vehicle Planner
25 Cheran Ivery, City Attorney
26 Shawn Lassiter, Assistant City Attorney
27

28 Authority
29

30 Alexandria City Charter Secs. 2.01, 2.03(k); §15.2-2100 et seq. of the Code of Virginia
31 (1950) as amended
32

33 Estimated Costs of Implementation
34

35 The Grantee will design, install, own, operate, maintain, repair, upgrade, and remove
36 publicly available EVSE at no cost to the City. The City may receive a share of revenue
37 or fixed payments from the Grantee. The City will continue to pursue federal and state
38 grant opportunities to facilitate the installation of additional chargers across the City, with
39 a focus on Justice40 areas. Staffing efforts during the franchise term include permitting
40 reviews, community engagement, and project oversight to ensure the EVSE is installed,
41 operated, and maintained in accordance with City standards and community expectations.
42

43 Attachments in Addition to Proposed Ordinance and its Attachments (if any)
44

45 None

1 AN ORDINANCE to initiate and establish the process for granting a franchise by the
2 City of Alexandria, Virginia to use certain public property for publicly available electric vehicle
3 supply equipment.
4

5 THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:
6

7 Section 1. That the City of Alexandria (“the City”) proposes to grant a franchise, in the
8 matter prescribed by law permitting publicly available electric vehicle supply equipment on
9 certain public property as set forth in the following proposed franchise ordinance:
10

11 ORDINANCE NO. ____
12

13 AN ORDINANCE to grant to _____, its successors and assigns, a franchise
14 (“Franchise”) under certain conditions, permitting the franchise to use certain public property
15 to design, install, own, operate, maintain, repair, upgrade, and remove publicly available
16 electric vehicle supply equipment (“EVSE”).
17

18 THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:
19

20 Section 1. That this Franchise is hereby granted to _____, hereinafter referred
21 to as “Grantee”, its successors and assigns, to permit the Grantee to use certain public
22 property to design, install, own, operate, maintain, repair, upgrade, and remove EVSE for the
23 use and benefit of the public, including incidental design, construction, and modifications to
24 City infrastructure to further and accommodate such use.
25

26 Section 2. That the said Franchise is granted to the Grantee after public notice and
27 invitation for bids, as required by law, pursuant to Section 3 of Ordinance No. _____, and
28 after the invitation for bids was duly closed and all bids were fully and carefully investigated
29 and evaluated.
30

31 Section 3. That the Grantee be, and hereby is, granted a Franchise for no less than ten
32 years, beginning upon execution of the franchise agreement (“Franchise Agreement”), and the
33 Franchise may be extended by successive five-year periods, not to exceed a total term of forty
34 years, upon mutual, written contract of the parties, to use certain public property to design,
35 install, own, operate, maintain, repair, upgrade, and remove publicly available EVSE for the
36 use and benefit of the public. Grantee may perform incidental design, construction and
37 modifications to City infrastructure to support Grantee’s primary use of such public property
38 with the City’s prior written consent and in compliance with the franchise agreement, all
39 applicable federal, state, and local laws and regulations. Grantee shall strictly comply with
40 the terms of this Ordinance and with the Franchise Agreement, or such agreement
41 substantially similar to the Franchise Agreement, attached hereto and incorporated fully
42 herein by reference, together with all applicable laws and regulations of the City of
43 Alexandria, the Commonwealth of Virginia, and the United States, and any regulatory agency
44 having jurisdiction, including without limitation, compliance with the following conditions:
45

1
2 THE TERMS AND CONDITIONS FOR THE FRANCHISE ARE ATTACHED TO
3 THE ORDINANCE AND ARE AVAILABLE ON THE CITY'S WEBSITE AT
4 [HTTPS://WWW.ALEXANDRIAVA.GOV/ENERGY/ELECTRIC-VEHICLES](https://www.ALEXANDRIAVA.GOV/ENERGY/ELECTRIC-VEHICLES).
5

6 THE TERM OF THE FRANCHISE IS NEGOTIABLE BUT SHALL BE FOR AN
7 INITIAL TERM OF NO LESS THAN 10 YEARS WITH SUCCESSIVE
8 EXTENSIONS OF 5 YEARS EACH, NOT TO EXCEED A TOTAL TERM OF
9 FORTY YEARS, SUBJECT TO THE APPROVAL OF CITY COUNCIL.
10

11 ALL BIDS ARE TO BE SUBMITTED IN WRITING IN THE FORMAT REQUIRED
12 BY THE TERMS AND SPECIFICATIONS OF THE INVITATION TO BID. THE
13 BID DOCUMENTS ARE TO BE SENT TO AMY POSNER BY E-MAIL AT
14 AMY.POSNER@ALEXANDRIAVA.GOV AND MUST BE RECEIVED ON OR
15 BEFORE 4 P.M. EASTERN TIME, SEPTEMBER 13, 2024. AT THAT TIME BIDS
16 SHALL BE PUBLICLY OPENED AND BIDDERS IDENTIFIED. THE LOCATION
17 OF THE BID OPENING WILL BE 301 KING STREET, ROOM 2000,
18 ALEXANDRIA, VA 22314.
19

20 IN ADDITION, IDENTIFICATION OF ALL BIDDERS SHALL BE ANNOUNCED,
21 A BRIEF SUMMARY OF EACH BID RECEIVED SHALL BE READ, AND THE
22 PRESIDING OFFICER SHALL INQUIRE IF ANY FURTHER BIDS ARE OFFERED
23 IN OPEN SESSION OF THE CITY COUNCIL FOR THE CITY OF ALEXANDRIA
24 IN COUNCIL CHAMBERS, CITY HALL, 301 KING STREET, SECOND FLOOR,
25 ALEXANDRIA, VIRGINIA, 22314, ON SEPTEMBER 24, 2024 AT 7 P.M.
26 EASTERN TIME. AT THE SEPTEMBER 24, 2024 MEETING, THE PRESIDING
27 OFFICER SHALL DECLARE THE BIDDING CLOSED AND THE PRESIDING
28 OFFICER SHALL REFER THE BIDS RECEIVED TO THE CITY MANAGER
29 AND/OR CITY STAFF TO EVALUATE, REVIEW, AND CONSIDER IN THE
30 MANNER PRESCRIBED BY THE TERMS AND SPECIFICATIONS OF THE
31 INVITATION TO BID, INCLUDING THE SELECTION OF, AND NEGOTIATION
32 OF A FRANCHISE AGREEMENT OR SIMILAR DOCUMENT WITH A
33 RESPONSIVE BIDDER. AS SOON THEREAFTER AS PRACTICABLE, THE CITY
34 MANAGER AND/OR STAFF WILL RECOMMEND THE SUCCESSFUL BIDDER
35 AND PRESENT THE NEGOTIATED FRANCHISE AGREEMENT FOR
36 CONSIDERATION AND APPROVAL BY CITY COUNCIL.
37

38 THE CITY RESERVES THE RIGHT IN THE CITY MANAGER'S SOLE
39 DISCRETION TO REJECT ANY AND ALL BIDS, TO TERMINATE
40 NEGOTIATIONS AT ANY STAGE OF THE SELECTION PROCESS, AND TO
41 READVERTISE THE ORDINANCE WITH OR WITHOUT MODIFICATION.
42

43 THE DESCRIPTIVE NOTICE OF THE PROPOSED FRANCHISE NOTICE IS
44 AS FOLLOWS:
45

1 The proposed ordinance will grant an exclusive franchise under certain
2 conditions, permitting the grantee to use certain public property in the City of
3 Alexandria, Virginia, to design, install, own, operate, maintain, repair, upgrade, and
4 remove publicly available electric vehicle supply equipment, including incidental
5 design, construction, and modifications to City of Alexandria, Virginia infrastructure to
6 further and accommodate such use. Complete text of the ordinance is available in the
7 office of the City Clerk.
8

9 Section 3. That this Ordinance shall become effective on the date and at the time of its
10 final passage.
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12

1 ADOPTED:

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3

4

5 ATTEST:

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GLORIA A. SITTON, CMC, City Clerk

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13

14 Ordinance Attachments

15 Exhibit 1:

16

17

18

19 Introduction: June 25, 2024

20 First Reading: June 25, 2024

21 Public Hearing: July 2, 2024

22 Second Reading: July 2, 2024

23 Final Passage: July 2, 2024

JUSTIN M. WILSON, MAYOR