

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 1. *Comply with all requests of the City Manager of the City of Alexandria (the “City*  
2 *Manager”).*
- 3
- 4 2. *This Franchise may be assigned or transferred with the prior written consent of the*  
5 *City; such consent will not be unreasonably withheld.*
- 6
- 7 3. *Grantee shall obtain liability insurance to the satisfaction of the City Attorney of the*  
8 *City of Alexandria; such insurance shall name the City as an additional insured.*
- 9
- 10 4. *Grantee shall protect all property of the City or any other person during any work to*  
11 *design, install, own, operate, maintain, repair, upgrade, and remove EVSE for the use*  
12 *and benefit of the public, including incidental design, construction and modifications to*  
13 *City infrastructure to further and accommodate the use of public property, and shall*  
14 *fully restore, in kind, any property damaged or destroyed during any such work.*
- 15
- 16 5. *Additional conditions provided in the Franchise Agreement attached hereto and*  
17 *incorporated fully herein by reference, or other agreement substantially similar to the*  
18 *Franchise Agreement.*
- 19
- 20 6. *Grantee shall remove its property at its own expense at the expiration or termination of*  
21 *this Franchise (or any extension hereof) unless otherwise agreed to in writing that the*  
22 *City will accept such property.*

23

24 *Section 4. That the City Manager be and hereby is authorized to execute such*  
25 *documents as may be required to effectuate this Franchise hereby granted.*

26

27 *Section 5. That the City Clerk of the City of Alexandria (the “City Clerk”) be and*  
28 *hereby is authorized to attest the execution of said documents and to affix thereon the official*  
29 *seal of the City.*

30

31 Section 2. That as soon as this Ordinance has been finally passed, the City Clerk shall  
32 cause to be advertised, once a week for two successive weeks in a newspaper published in the  
33 City, a descriptive notice of the proposed ordinance contained in Section 1 of this Ordinance,  
34 and, in addition thereto, shall by such advertisement invite bids for the Franchise proposed to be  
35 granted by such proposed ordinance, by publishing with the descriptive notice of such ordinance  
36 a notice which shall be in substantially the following form:

37

38 NOTICE

39

40 BIDS ARE INVITED BY THE CITY OF ALEXANDRIA, VIRGINIA, FOR THE  
41 GRANT OF A FRANCHISE PERMITTING THE GRANTEE TO USE CERTAIN  
42 PUBLIC PROPERTY TO DESIGN, INSTALL, OWN, OPERATE, MAINTAIN,  
43 REPAIR, UPGRADE, AND REMOVE PUBLICLY AVAILABLE ELECTRIC  
44 VEHICLE SUPPLY EQUIPMENT FOR THE BENEFIT OF THE PUBLIC,  
45 INCLUDING INCIDENTAL DESIGN, CONSTRUCTION, AND MODIFICATIONS  
46 TO CITY INFRASTRUCTURE TO FURTHER AND ACCOMMODATE SUCH USE.

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](mailto: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.

11  
12

1 ADOPTED:  
2

3 \_\_\_\_\_  
4 JUSTIN M. WILSON, MAYOR

5 ATTEST:  
6

7  
8  
9 \_\_\_\_\_  
10 GLORIA A. SITTON, CMC, City Clerk  
11

12  
13  
14 Ordinance Attachments

15 Exhibit 1:  
16

17  
18  
19 Introduction: June 25, 2024

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