

Ordinance No. 790-2023

By Council Members Bishop and Griffin
(by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Capital Projects, on behalf of the Office of Sustainability, to enter into one or more contracts with Volta Charging, LLC for a publicly accessible electric charging station network in the public right-of-way and on City-owned property, for a period of ten years, with one five-year option to renew, exercisable by the Director of Capital Projects; authorizing the Director to apply for and accept any gifts, grants, or services from any private or public entities.

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Director of Capital Projects, on behalf of the Office of Sustainability, is authorized to enter into one or more contracts with Volta Charging, LLC (“Volta”) to install, own, and operate a publicly accessible electric vehicle charging station network in the public right-of-way and on City-owned property, on the basis of its proposal dated March 24, 2023, for a period of ten years, with one five-year option to renew, exercisable by the Director. The compensation to be paid to the City under any such contracts shall be fixed by the Board of Control.

Section 2. That the Director of Capital Projects is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit the performance of any work necessary under the contracts authorized by this ordinance.

Section 3. That the Director of Finance shall establish an “Electric Vehicle Charging Fund” for the purpose of supporting the City’s electric vehicle and electric vehicle charging network strategy; and that the Director of Finance shall earmark all compensation received from Volta to the “Electric Vehicle Charging Fund” for the previous stated purpose.

Section 4. That the Director of Capital Projects is authorized to apply for and accept any gifts, grants, or services to support the implementation and expansion of the City’s electric vehicle charging network; that the Director is authorized to file all papers and execute all documents necessary to receive any gift, grant, or services; and that any funds received are appropriated for the purposes described in this ordinance.

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Section 5. That, notwithstanding and as an exception to the provisions of Chapter 181 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Capital Projects is authorized to purchase any and all of the charging stations installed by Volta prior to or at the termination of the contracts in an amount established by the Board of Control.

Section 6. That under Section 108(b) of the Charter, the services authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Capital Projects may sign all documents that are necessary to obtain such services, and may enter into one or more contracts with the consultants selected through that cooperative process.

Section 7. That the contract or contracts shall be prepared by the Director of Law and shall contain such terms and conditions as the Director deems necessary to protect the City's interests.

Section 8. That that the costs of any purchases authorized by this ordinance shall be paid from the fund or funds to which are credited any gifts or grants accepted under this ordinance, the Electric Vehicle Charge Fund and any other funds that are appropriate for this purpose as determined by the Director of Finance. (RQS 0112, RLA 2023-73)

Section 9. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

JS:nl
7-12-2023
FOR: Director DeRosa

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REPORT
after second Reading

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READ FIRST TIME on JULY 12, 2023

REPORTS

and referred to DIRECTORS of Capital Projects, Finance, Law;
COMMITTEES on Municipal Services and Properties,
Finance Diversity Equity and Inclusion

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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