

**REPORT TO MAYOR AND COUNCIL**

TO THE HONORABLE MAYOR AND COUNCIL:

DATE: December 14, 2010

SUBJECT: APPROVING PROJECT NO. 2193, LOCAL GOVERNMENT ELECTRIC VEHICLE (EV) FLEET PROJECT; APPROPRIATING LOCAL MATCH FUNDS OF \$180,000; AND ADOPTING RESOLUTION NO. 10-111 AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING

Report in Brief

The City of Concord has partnered with eight other local jurisdictions and been awarded \$350,000, as part of a larger \$2.8 million grant toward the Local Government Electric Vehicle (EV) Fleet Project, through the 2010-11 Innovative Grant under the Metropolitan Transportation Commission's Climate Initiatives Program. Concord's portion of the Local Government Electric Vehicle (EV) Fleet Project (Project No. 2193), will fund the purchase of ten electric vehicles to be deployed within the City's fleet. The City's local match of \$180,000.. Each agency is required to execute a Memorandum of Understanding Agreement which defines the roles and responsibilities for each participating agency.

Staff recommends that the City Council approve Project No. 2193, Local Government Electric Vehicle (EV) Fleet Project; appropriate Local Match funds of \$180,000; and adopt Resolution No.10-111 authorizing the City Manager, or his designated representative, to execute the Memorandum of Understanding.

Background

In June 2010, the City of Concord applied for an Innovative Grant under the Metropolitan Transportation Commission's Climate Initiatives Program. This grant was to be used to finance the development of a Green Fleet Program for the 294 vehicles within the City of Concord. After an initial review, the Metropolitan Transportation Commission (MTC) contacted the City to request that we collaborate with other local agencies who had submitted similar "Clean Fleet" applications. In August 2010, the Bay Area Climate Collaborative submitted a follow-up proposal to MTC on behalf of eight local jurisdictions, including Concord, for Project No. 2193 to provide a national demonstration project.

This Project is a unique and strategic collaboration that will establish a high impact electric vehicle fleet in the Bay Area. This fleet will consist of Nissan Leaf sedans and Ford Transit Connect vans, both fully electric vehicles. The benefits of the program for Concord include substantial emissions reductions and stimulation of regional interest in EVs. Additionally, the project will provide a nationwide demonstration of this key clean transportation solution. This project hopes to leverage the unique role of fleets to serve as a model for other government and commercial fleets across the country.

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December 14, 2010

Page 2

Project No. 2193 requested the purchase of 90 vehicles with associated charging stations for the following eight jurisdictions: County of Sonoma, City & County of San Francisco, City of Fremont, County of Alameda, City of Oakland, City of San Jose, Marin Municipal Water District and Concord. As requested by MTC, the project proposal included a three-scale option for funding: (Option 1) \$3,369,000 for 110 vehicles, (Option 2) \$2,800,000 for 90 vehicles, and (Option 3) \$2,076,800 for 71 vehicles. Although it was originally believed that MTC awarded funding for Option 1 which would have allocated 12 vehicles to Concord, the project was awarded under Option 2, which allocates 10 vehicles for Concord instead. On October 13, 2010, MTC's Programming and Allocations Committee approved the \$2.8 million grant as part of \$33 million in total grants for the Climate Initiative Grant Program.

Discussion

The EV Project's is funded by a federal Surface Transportation Program (STP)/Congestion Mitigation and Air Quality Improvement (CMAQ) grant which is administered by Caltrans. Accordingly the Caltrans federal Local Agency Procedure Manual (LAPM) process must be followed. In order to streamline this Caltrans requirement process, the installation of the charging stations was removed from the project scope to avoid lengthy environmental review and right of way clearances. Each agency has the responsibility of purchasing and installing charging stations in their jurisdiction as part of its Local Match.

The County of Alameda has agreed to act as the lead agency for the project including managing the coordination with Caltrans on grant requirements and acting as the fiscal agent through completion of the project. Each agency is required to execute a Memorandum of Understanding Agreement (Attachment 1) as well as commit to a local financial match. The Memorandum of Understanding defines Concord's role and responsibilities as well as those for each participating agency. Concord's local match is \$180,000; of that amount \$70,000 will be used to support the purchase of electric vehicles and \$110,000 will be used for the installation of ten charging stations.

At this point, the Project is continuing to work through the grant requirements with Caltrans and hopes to have final federal approval in January, 2011. The County of Alameda is currently working on a Request for Quotation (RFQ) for the Nissan Leaf and Ford Transit Connect, which will include all Bay Area dealerships, with the delivery of electric vehicles is expected in spring/summer 2011.

Fiscal Impact

Through Project No. 2193, the City will receive ten electric vehicles – equating to approximately \$350,000 – as part of the \$2.8 million award. These vehicles will serve as replacements to our current fleet and provide a savings to the fleet replacement fund. This savings will be used to fund the City's local match of \$180,000, which will go toward the purchase of the electric vehicles, as well as the installation of charging stations.

Public Contact

Posting of the Council agenda

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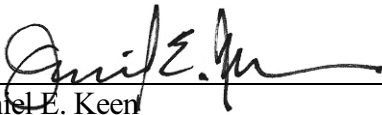
December 14, 2010

Page 3

Recommendation for Action

Staff recommends that the City Council approve Project No. 2193, Local Government Electric Vehicle (EV) Fleet Project; appropriate Local Match funds of \$180,000; and adopt Resolution No.10-111 authorizing the City Manager, or his designated representative, to execute the Memorandum of Understanding.

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Daniel E. Keen
City Manager
dan.keen@ci.concord.ca.us

Attachment 1 – Resolution No. 10-111

Attachment 2 – Memorandum of Understanding, Local Government EV Fleet Project

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**BEFORE THE CITY COUNCIL OF THE CITY OF CONCORD
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA**

A Resolution Approving Project No. 2193, Local Government Electric Vehicle (EV) Fleet Project; Appropriating Local Match Funds of \$180,000; and Authorizing the Execution of a Memorandum of Understanding

Resolution No. 10-111

WHEREAS, the City of Concord has partnered with eight other local jurisdictions and been awarded \$350,000 as part of a larger \$2.8 million grant toward Project No. 2193, Local Government Electric Vehicle (EV) Fleet Project, through the 2010-11 Innovative Grant under the Metropolitan Transportation Commission’s Climate Initiatives Program; and

WHEREAS, the City of Concord will receive ten Nissan Leaf sedan electric vehicles to be deployed within the City’s fleet and serve as replacements to our current vehicles; and

WHEREAS, the City’s Local Match contribution toward the grant will be used to fund the installation of ten electric vehicle charging stations; and

WHEREAS, each participating agency is required to execute a Memorandum of Understanding which more clearly defines the roles and responsibilities for each participating agency and names the County of Alameda as the Project’s Lead Agency.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CONCORD DOES RESOLVE AS FOLLOWS:

Section 1. Approve Project No. 2193, Local Government Electric Vehicle (EV) Fleet Project;

Section 2. Appropriate Local Match funding in the amount of \$180,000 to Project No. 2060 from Public Works & Engineering’s Fleet Replacement fund;

Section 3. Authorize the City Manager, or his designated representative, to execute the Memorandum of Understanding.

PASSED AND ADOPTED by the City Council of the City of Concord on December 14, 2010, by the following vote:

- 1 **AYES:** Councilmembers -
- 2 **NOES:** Councilmembers -
- 3 **ABSTAIN:** Councilmembers -
- 4 **ABSENT:** Councilmembers -

5 **I HEREBY CERTIFY** that the foregoing Resolution No. 10-111 was duly and regularly
6 adopted at a regular joint meeting of the City Council and the Redevelopment Agency of the City of
7 Concord on December 14, 2010.

8 _____
9 Mary Rae Lehman
10 City Clerk

11 **APPROVED AS TO FORM:**

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13 _____
14 Craig Labadie
15 City Attorney

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Memorandum of Understanding
Local Government EV Fleet Project

This Memorandum of Understanding (“MOU”) is hereby made between the non-profit Bay Area Climate Collaborative and the following public entities: Alameda County and Sonoma County, City & County of San Francisco, City of Fremont, City of Concord, City of Oakland, City of San Jose, and the Marin Municipal Water District. The above public entities shall be collectively referred to as the “Parties”, and referred to individually as a “Party”.

The Parties to this MOU have collectively submitted and received notice of grant award totaling \$2.808 million for federal Surface Transportation Program (STP) and/or Congestion Mitigation and Air Quality Improvement (CMAQ) through the Metropolitan Transportation Commission (MTC) to purchase electric vehicles, specifically the Nissan Leaf and the Ford Transit Connect models and make (“Subject Vehicles”) and associated charging infrastructure (“Chargers”).

Alameda County shall have the following responsibilities:

1. Alameda County shall act as the lead agency.
2. Alameda County shall manage all coordination with Caltrans regarding grant requirements.
3. Alameda County shall act as fiscal agent through the project completion.
4. Alameda County shall commit to funding our individual match of \$460,000 as outlined in the Local Government EV Project budget approved by the MTC
5. Alameda County shall seek reimbursement for project and financial management as outlined in the Local Government EV Fleet Project budget.
6. Alameda County shall coordinate the reporting requirements of the grant.

Each individual party shall have the following responsibilities:

1. Each Party shall timely prepare and submit to Alameda County all grant required items or information for Caltrans authorization.
2. Each Party shall commit to funding the individual match amount outlined in the Local Government EV Fleet Project budget approved by MTC. The following is a listing of this match amount:
 - a. County of Sonoma \$ 769,700
 - b. City & County of San Francisco \$ 300,000
 - c. City of Fremont \$ 40,000
 - d. City of Concord \$ 180,000
 - e. City of Oakland \$ 51,000
 - f. City of San Jose \$ 51,000
 - g. Marin Municipal Water District \$ 66,000
 - h. Bay Area Climate Collaborative \$ 0

This amount has been authorized and approved by the governing body of the City, County, or Authority signing this MOU.

3. Each party may choose to manage purchase of Level 2 chargers and their installations under their own local budget without federal match in which case the match amount above will be reduced by \$11,000 per Level 2 charger as described in the approved project proposal.
4. Each party shall purchase the Subject Vehicles and Chargers directly from the vendor(s) and not through Alameda County.
5. Each party shall issue its own Purchase Order, if necessary, for the purchase of the Subject Vehicles, and Alameda County shall have no responsibility to do so.
6. Each party shall submit qualified claims for reimbursement to Alameda County for purchases of Subject Vehicles and Chargers.
7. Sonoma County shall submit qualified claims for reimbursement to Alameda County for purchases of Subject MPG meters.
8. Bay Area Climate Collaborative shall submit qualified claims for reimbursement to Alameda County for purchases of Program Management, Analytics and Marketing.
9. Each party shall manage its own Agreement after it has been executed with the vendor(s), and Alameda County shall have no responsibility to do so.

The Parties understand and agree that the MTC may have other requirements and conditions which will have to be met by all Parties.

Each party hereby agrees to defend, indemnify, and save harmless the other Parties to this MOU, its County, its City, its Council, Boards, commissions, officers, employees and agents, from and against any and all claims, suits, actions liability, loss, damage, expense, cost (including, without limitation, costs and fees of litigation) of every nature, kind or description, which may be brought against, or suffered or sustained by, its County, its City, its Council, Boards, commissions, officers, employees or agents caused by, or alleged to have been caused by, the negligence, intentional tortious act or omission, or willful misconduct of any other Party, its officers, employees or agents in the performance of any services or work pursuant to this MOU.

ALAMEDA COUNTY

By: _____
 Name: _____
 Title: _____
 Date: _____

SONOMA COUNTY

By: _____
 Name: _____
 Title: _____
 Date: _____

CITY AND COUNTY OF SAN FRANCISCO

By: _____
 Name: _____
 Title: _____
 Date: _____

CITY OF FREMONT

By: _____
 Name: _____
 Title: _____
 Date: _____

CITY OF CONCORD

By: _____
Name: _____
Title: _____
Date: _____

CITY OF OAKLAND

By: _____
Name: _____
Title: _____
Date: _____

CITY OF SAN JOSE

By: _____
Name: _____
Title: _____
Date: _____

MARIN MUNICIPAL WATER DISTRICT

By: _____
Name: _____
Title: _____
Date: _____

BAY AREA CLIMATE COLLABORATIVE

By: _____
Name: _____
Title: _____
Date: _____

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