

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATIONS OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE FOR TESLA MOTORS, INC., TO INSTALL, OPERATE, AND MAINTAIN SUPERCHARGER STATIONS AT CERTAIN CITY MUNICIPAL PARKING FACILITIES AT THE SOLE EXPENSE OF TESLA MOTORS, INC.; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT WITH TESLA MOTORS, INC. FOR SUCH PURPOSE; AND, FURTHER, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH TESLA MOTORS, INC., ACCEPTABLE TO THE CITY MANAGER AND CITY ATTORNEY.

**WHEREAS**, on April 19, 2017, the Sustainability and Resiliency Committee ("SRC") passed a motion referring a discussion to the Mayor and City Commission, with a favorable recommendation, regarding the installation of Tesla Supercharger (electric vehicle) charging stations at the Pennsylvania Avenue parking garage or other underutilized City garages; and

**WHEREAS**, on April 25, 2017, at the City's Sustainability Committee meeting, a representative from Tesla Motors, Inc. ("Tesla") provided information on the benefits of Tesla's SuperCharger electric vehicle charging stations and advised that Tesla has installed SuperCharger stations in other cities, at Tesla's sole expense; and

**WHEREAS**, the SRC passed a motion supporting Tesla's installation, operation, and maintenance (including, but not limited to, all electricity costs) of SuperCharger electric vehicle charging stations in certain City municipal garages at Tesla's sole expense; and

**WHEREAS**, on July 26, 2017, the Mayor and Commission referred a discussion item regarding the intallation of Tesla SuperCharger stations in the City to the Finance and Citywide Projects Committee ("FCWPC") for discussion; and

**WHEREAS**, on September 20, 2017, the FCWPC discussed the item and recommended the following:

- An agreement with Tesla with a ten (10) year term with a termination for cause provision in lieu of termination for convenience; and
- Installation of Supercharger stations at either the North Beach Yard location or North Beach Town Center, or both, in addition to the Pennsylvania Avenue Garage and a location in the vicinity of South of 5<sup>th</sup>.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission hereby accept the recommendations of the Finance and Citywide Projects Committee for Tesla Motors, Inc., to install, operate, and maintain Tesla SuperCharger stations at certain City municipal parking facilities at the sole expense of Tesla Motors, Inc.; authorize the City Manager to negotiate an agreement with Tesla Motors, Inc. for such purpose; and, further, authorize the Mayor and City Clerk to execute an agreement with Tesla Motors, Inc., acceptable to the City Manager and City Attorney.

**PASSED and ADOPTED** this 18<sup>th</sup> day of October, 2017.

ATTEST:

\_\_\_\_\_  
Rafael E. Granado, City Clerk

\_\_\_\_\_  
Philip Levine, Mayor

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

*Fred Sanders* 10/10/17  
\_\_\_\_\_  
City Attorney *SA* Date