

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, WAIVING, BY 5/7TH VOTE, THE FORMAL COMPETITIVE BIDDING REQUIREMENT IN SECTION 2-367(E) OF THE CITY CODE, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY, AND APPROVING AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AGREEMENTS WITH FLORIDA POWER & LIGHT (FPL), FOR THE INSTALLATION OF LEVEL 3 ELECTRIC VEHICLE (EV) FAST-CHARGING STATIONS, AT THE SOLE COST OF FPL (FPL PROGRAM), AT CITY PARKING LOTS, WITH THE AGREEMENT FOR EACH PARKING LOT HAVING AN INITIAL TERM OF TEN (10) YEARS, WITH THREE (3) ADDITIONAL ONE-YEAR AUTOMATIC RENEWAL TERMS, UNLESS EITHER PARTY OPTS NOT TO RENEW THE AGREEMENT; AND APPROVING THE INSTALLATION OF THREE (3) LEVEL 3 FAST-CHARGING STATIONS AT EACH OF THE FOLLOWING PROPOSED CITY PARKING LOTS: 401 ALTON ROAD (P5); 2660 COLLINS AVENUE (P55); AND 1493 MICHIGAN AVENUE (P10), SUBJECT TO FPL COMPLETING ITS FEASIBILITY STUDIES; AND FURTHER AUTHORIZING THE CITY MANAGER TO MODIFY THE INITIAL PROPOSED LOCATIONS, APPROVE NEW PARKING LOT LOCATIONS, AND DETERMINE THE NUMBER OF EV FAST-CHARGING STATIONS FOR EACH PARKING LOT, AS NEEDED, WITH THE GOAL OF PROVIDING EV FAST-CHARGING SERVICES UNDER THE FPL PROGRAM AT CITY-OWNED PARKING LOTS IN THE NORTH BEACH, MIDDLE BEACH, AND SOUTH BEACH AREAS OF THE CITY.

WHEREAS, electric vehicles eliminate ground level air pollution and reduce overall vehicular emissions, thus improving air quality and public health; and

WHEREAS, Florida Power & Light, a Florida corporation ("FPL") has a program that has been approved by the Florida Public Service Commission, which includes the installation of Level 3 electric vehicle (EV) fast-charging stations and related equipment at FPL's sole expense, in order to provide more accessibility to EV fast-charging services and encourage use of electric vehicles (the "FPL Program"); and

WHEREAS, the FPL Program will fund capital costs of the Level 3 fast-charging EV stations and charge the user for the EV charging services; and

WHEREAS, the City and FPL have identified three initial parking lots: (1) 401 Alton Road (P5); 2660 Collins Avenue (P55); and 1493 Michigan Avenue (P10), for the installation of three EV fast-charging stations at each parking lot, subject to FPL completing its feasibility studies for these proposed locations; and

WHEREAS, the goal of the Administration is to place EV fast-charging stations at City-owned parking lots located in the North Beach, Middle Beach and South Beach areas of the City; and

WHEREAS, the Administration recommends approving the initial three proposed City parking lots, subject to FPL completing its feasibility studies; and

WHEREAS, based upon the need for EV fast-charging stations and FPL's ability to install the infrastructure at no cost to the City, the City Manager recommends waiving, by 5/7th vote, the formal competitive bidding requirement in Section 2-367(e) of the City Code, as being in the best interest of the City, and granting the Administration authority to negotiate and execute agreements with FPL, substantially in the form attached to the City Commission Memorandum accompanying this Resolution, with an initial term of ten (10) years, with three (3) additional one-year automatic renewal terms, subject to each party having the opportunity to choose not to renew the agreement; and further authorizing the City Manager to modify the initial proposed locations, approve new parking lot locations, and determine the number of EV charging stations for each parking lot, as needed, in order to provide accessibility to additional EV fast-charging stations in the North Beach, Middle Beach, and South Beach areas of the City.

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 waive, by 5/7th vote, the formal competitive bidding requirement in Section 2-367(e) of the City Code, finding such waiver to be in the best interest of the City, and approve and authorize the City Manager to negotiate and execute agreements with Florida Power & Light (FPL), for the installation of level 3 electric vehicle (EV) fast-charging stations, at the sole cost of FPL (FPL Program), at City parking lots, with the agreement for each parking lot having an initial term of ten (10) years, with three (3) additional one-year automatic renewal terms, unless either party opts not to renew the agreement; and approving the installation of three (3) Level 3 fast-charging stations at each of the following proposed City parking lots: 401 Alton Road (P5); 2660 Collins Avenue (P55); and 1493 Michigan Avenue (P10), subject to FPL completing its feasibility studies; and further authorize the City Manager to modify the initial proposed locations, approve new parking lot locations, and determine the number of EV fast-charging stations for each parking lot, as needed, with the goal of providing EV fast-charging services under the FPL Program at City parking lots in the North Beach, Middle Beach, and South Beach areas of the City.

PASSED and **ADOPTED** this _____ day of _____, 2023.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney

6-23-23

Date