

RESOLUTION 2023-077  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT  
BETWEEN THE CITY OF FORT COLLINS AND THE U.S. DEPARTMENT OF  
TRANSPORTATION FOR IMPLEMENTATION OF A SMART GRID ELECTRIC VEHICLE  
CHARGE MANAGEMENT SOLUTION

WHEREAS, the City's 2018 EV Readiness Roadmap and 2019 Municipal Sustainability and Adaptation Plan both list building out the City's electric vehicle (EV) charging infrastructure as a critical component to achieving the City's climate goals; and

WHEREAS, the City does not currently have a way to centrally control, track and manage use of the City's many EVs and EV chargers; and

WHEREAS, in late 2022 the City applied for a grant from the U.S. Department of Transportation (USDOT) Strengthening Mobility and Revolutionizing Transportation (SMART) Grants Program; and

WHEREAS, the DOT has awarded the City \$1,059,037 (the "Grant") to fund a project to create a municipal fleet electrification standard framework and deploy software to manage all City-owned EV charging locations, so that City EVs can be charged during times of lower energy demand, improving energy efficiency and reducing the cost to charge EVs (the "SMART Grid Project"); and

WHEREAS, the SMART Grid Project directly supports the City's Climate Action Plan, which aims to reduce community greenhouse gas emissions by 80% by 2030 and achieve carbon neutrality by 2050; and

WHEREAS, to receive the Grant funds the City must execute an intergovernmental agreement with the USDOT that outlines the terms and conditions of the City's use of the Grant funds, in substantially the form attached as Exhibit "A" and incorporated herein by reference (the "Grant Agreement"); and

WHEREAS, the term of the Grant Agreement is eighteen months, from September 15, 2023, to March 15, 2025; and

WHEREAS, Colorado Revised Statutes Section 29-1-203 provides that governments may cooperate or contract with one another to provide certain services or facilities when the cooperation or contracts are authorized by each party thereto with the approval of its legislative body or other authority having the power to so approve; and

WHEREAS, City Charter Article II, Section 16 empowers the City Council, by ordinance or resolution, to enter into contracts with governmental bodies to furnish governmental services and make charges for such services, or enter into cooperative or joint activities with other governmental bodies; and

WHEREAS, the City Council has determined that the use of the Grant for the SMART Grid Project is in the best interests of the City, and the Mayor should be authorized to execute the Grant Agreement between the City and the USDOT in support thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the City Council hereby authorizes the Mayor to execute, on behalf of the City, the Grant Agreement with the U.S. Department of Transportation, in substantially the form attached hereto as Exhibit A, with such additional or modified terms and conditions as the City Manager, in consultation with the City Attorney, determines to be necessary and appropriate to protect the interests of the City or effectuate the purposes of this Resolution.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 5th day of September, 2023.

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Mayor

ATTEST:

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City Clerk