

CITY OF HAGERSTOWN, MARYLAND

**A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY
OF AN ELECTRIC VEHICLE CHARGING SERVICES AGREEMENT
BETWEEN THE CITY OF HAGERSTOWN AND THE
ELECTRIC VEHICLE INSTITUTE, INC.**

RECITALS

WHEREAS, the City of Hagerstown, hereinafter referred to as “the City,” desires to develop and formally adopt written policies which promote electric vehicle adoption and use and the reduction of dependency on petroleum as a transportation fuel and;

WHEREAS, the Electric Vehicle Institute, Inc., hereinafter “EVI,” a Delaware corporation authorized to conduct business in Maryland and with an office in Baltimore, Maryland, is an electric vehicle supply equipment company which provides electric vehicle charging station development and installation;

WHEREAS, EVI wishes to promote electric vehicle usage and provide support of the City’s electric vehicle infrastructure and initiatives by providing material, technical, labor support to provide a network of electric vehicle charging stations;

WHEREAS, EVI has received private and public grant funds and wishes to use said funds to support the City’s infrastructure through the installation and maintenance of EVI Level 2 and Level 3 electric vehicle charging stations;

WHEREAS, the Parties entered into an Electric Vehicle Charging Station Grant Agreement on or about July 13, 2018 (“Grant Agreement”) with the term of said Grant Agreement being for a period of five (5) years from completion of completion of the electric vehicle charging station deployment;

WHEREAS, deployment of four (4) EV Fast Charging Stations (the “Charging Stations”) occurred on or about December 10, 2018 at the City’s parking lot located at 14 North Potomac Street, Hagerstown, Maryland;

WHEREAS, the Grant Agreement provided that the Parties may enter into a separate, written agreement regarding transaction fees, revenue splits, etc. with respect to the Charging Stations;

WHEREAS, the Parties are entering into this Electric Vehicle Charging Services Agreement for the purpose of defining their respective rights and obligations with respect to transaction fees, revenue generated by the Charging Stations and related matters;

WHEREAS, attached hereto and incorporated herein is an Electric Vehicle Charging Services Agreement; and

WHEREAS, the Mayor and Council have determined that it is in the best interest of the City and citizenry to enter into this Electric Vehicle Charging Services Agreement, which has among its benefits the apportioning of the revenue generated by the Charging Stations and the promoting the goals of energy efficiency and conservation of the City.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Hagerstown, Maryland as its duly constituted legislative body as follows:

1. That the foregoing recitals are incorporated herein as if fully set forth.
2. That the City of Hagerstown be and is hereby authorized to execute the Electric Vehicle Charging Services Agreement, a copy of which is attached hereto, and its Mayor and/or Staff may execute such other and further documents as are necessary to effectuate the same. If warranted, City Staff are explicitly authorized to update the pay-to-charge model, as set forth in Paragraph 2.c. of the Agreement.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon its approval.

WITNESS AND ATTEST
AS TO CORPORATE SEAL

MAYOR AND COUNCIL OF THE CITY
OF HAGERSTOWN, MARYLAND

Donna K. Spickler, City Clerk

By:_____
Robert E. Bruchey, II, Mayor

Date of Introduction: August 25, 2020
Date of Passage: August 25, 2020
Effective Date: August 25, 2020

PREPARED BY:
SALVATORE & MORTON, LLC
CITY ATTORNEYS