

ORDINANCE # O-2023-XX

AN UNCODIFIED ORDINANCE GRANTING A FRANCHISE FOR THE TERM AND UPON THE CONDITIONS STATED IN THE ACCOMPANYING AGREEMENT TO OWN AND OPERATE EV CHARGING STATIONS AT A TOWN-OWNED PARKING LOT ON THE 100 BLOCK OF MILL STREET FOR COMMERCIAL USE

WHEREAS, the Town of Occoquan, Virginia (“the Town”), owns a public parking lot and associated property at the southeast corner of Washington and Mill Street on the 100 block of Mill Street at approximately 170 Mill Street (approximately 38.683330N, -77.259506W); and

WHEREAS, The Town has the authority to grant franchises and other authorizations for the use and occupancy of the public property of the Town, after due advertisement and review of bids as provided in Sections 15.2-2100 through 15.2-2102 of the Code of Virginia; and

WHEREAS, the Town authorized and conducted a public hearing prior to approving the franchise pursuant to Section 15.2-1800 of the Code of Virginia; and

WHEREAS, the Town intends to exercise, to the fullest extent permitted by applicable law, the power to grant a franchise to own and operate EV charging stations at the parking lot and associated property located on the 100 Block of Mill Street for the term and on the conditions listed in the attached draft Agreement; and

WHEREAS, the Town has received bids from interested parties for grant of the franchise to own and operate said EV charging stations.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Occoquan, Virginia, hereinafter referred to as the “Town Council,” meeting in regular session this ____ day of _____, 2023, that the Town Council grants a franchise to _____ (hereinafter, “Grantee”) as follows:

1. Grant of Franchise. That the right (the “Franchise”) is hereby granted by the Town of Occoquan (hereinafter the “Town”) unto Grantee, its successors and assigns, for the term and subject to the conditions and limitations stated in the draft Agreement, to use the parking lot and property located at 170 Mill Street for the commercial purposes of owning and operating EV charging stations.

2. Completion of Draft Agreement. The Town Manager is directed to fill in the blanks throughout the draft Agreement consistent with the bid accepted by the Town Council; to finalize, in coordination with the accepted bidder, the details of the draft Agreement’s “Bid”, to make other minor amendments to the draft Agreement in concurrence with the Town Attorney; to remove the “draft” designation; to execute the finalized Agreement on behalf of the Town after the Grantee has executed it; and to accept an addendum for engineering plans as submitted by the Grantee in concurrence with the Town Attorney.

3. Effective Date: This Ordinance shall be in force from its passage.

BY ORDER OF THE TOWN COUNCIL

Meeting Date: December 5, 2023

Town Council Meeting

Ord. No. O-2023-XX

RE: An Uncodified Ordinance Granting A Franchise For The Term And Upon The Conditions Stated In The Accompanying Agreement To Own And Operate EV Charging Stations A A Town-Owned Parking Lot On The 100 Block Of Mill Street For Commercial Use Use

MOTION:

SECOND:

ACTION:

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

CERTIFIED COPY

_____ **Town Clerk**