

CITY ORDINANCE NO. CO-091-2023

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL ESTABLISHING THE RATE FOR USE OF CERTAIN ELECTRIC VEHICLE CHARGING STATIONS ACQUIRED THROUGH THE USE OF GRANT FUNDS AND AUTHORIZING THE DIRECTOR OF UTILITIES TO ADJUST SAID RATE

BE IT ORDAINED by the Lafayette City Council, that:

WHEREAS, the Louisiana Department of Environmental Quality (LDEQ), in conjunction with the Louisiana Department of Natural Resources (LDNR), selected Lafayette City-Parish Consolidated Government (LCG) through its Utilities Department d/b/a/ Lafayette Utilities System (“LUS”) as a recipient of grant funding for acquisition of electric vehicle charging stations as Eligible Mitigation Actions under the Volkswagen Environmental Mitigation Trust; and

WHEREAS, the awarded funds will provide for the acquisition of four (4) new Level 2 Chargers and one (1) Direct Current Fast Charger (the “Chargers”), which will be acquired and operated by or for LUS within the City of Lafayette; and

WHEREAS, LUS will provide the electricity for charging and must charge customers who use the Chargers an amount sufficient to recover the cost of electricity consumed and the costs of operating and maintaining the Chargers, which shall reflect the use of grant funding for acquisition of the Chargers, and which therefore is specific to these Chargers and not indicative of the entire cost to charge electric vehicles; and

WHEREAS, LUS will utilize its experience with the Chargers and the costs thereof, including equipment acquisition costs, to develop a fixed or determinable rate for electric vehicle charging sufficient to cover all costs of such chargers in the future; and

WHEREAS, Section 2-11 (7) of the Lafayette City-Parish Consolidated Government Home Rule Charter requires an ordinance be passed to “[r]egulate the rate or other charges for service by the City of Lafayette, the Parish of Lafayette, or the City-Parish government;” and

WHEREAS, LUS desires now to provide an initial rate for electric vehicle charging that is specific to the Chargers and to authorize the Utilities Director to adjust said rate as necessary to recover all costs of electric consumption and costs of operating and maintaining the Chargers as closely as possible.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Lafayette City Council, that:

SECTION 1: All of the aforescribed “Whereas” clauses are adopted as part of this ordinance.

SECTION 2: The Lafayette City Council hereby authorizes LUS to charge customers at a rate of \$0.20 per kwh for the use of the Chargers, and authorizes the Utilities Director to modify said rate as necessary to recover all costs of electric consumption and all costs of operating and maintaining the Chargers.

SECTION 3: The rate and modifications thereof authorized hereby shall be specific to the Chargers, and in due course LUS shall determine and present to the Lafayette City Council a rate for electric vehicle charging that shall recover all costs to LUS for charging stations that includes stations that are not subsidized by grants as are the Chargers that are the subject of this ordinance.

SECTION 4: All ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 5: This ordinance shall become effective upon signature of the Lafayette Mayor-President, the elapse of ten (10) days after receipt by the Lafayette Mayor-President without signature or veto, or upon an override of a veto, whichever occurs first.

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Internal Memorandum

Lafayette Utilities System
Engineering Administration (7081)

TO: Cydra Wingerter

DATE: May 3, 2023

THRU: Jeffrey Stewart ^{SBS}
05/04/2023

FROM: Karen Hoyt

SUBJECT: City Council Agenda Item – Rate for Use of Certain Electric Vehicle Charging Stations Acquired Through Use of Grant Funds

Attached for consideration by the Lafayette City Council is a proposed ordinance authorizing the Director of the Utilities Department to establish a rate for the usage of certain electric vehicle charging stations acquired through the use of grant funds.

LCG, through LUS, was selected by the Department of Environmental Quality of the State of Louisiana (LDEQ) to receive funds awarded for the acquisition of electric vehicle charging stations through the Volkswagen Environmental Mitigation Trust. An ordinance authorizing the Lafayette Mayor-President to enter into an Intergovernmental Contract to accept the grant funds and amending the budget to appropriate the funds for acquisition of these charging stations is being submitted concurrently with this ordinance.

The award provides funding for four (4) Level 2 electric vehicle charges and one (1) Direct Current Fast Charger (the Chargers). The Chargers will be acquired and operated by or for LUS within the City of Lafayette. Customers will pay LUS, which will provide the electricity for this charging, to use the Chargers to charge their vehicles. LUS desires to set an appropriate rate to cover the costs of electric consumption and the operation and maintenance of the Chargers and to authorize the Utilities Director to adjust the rate to recover all such costs as closely as possible. The proposed rate is specific to these Chargers, the cost of which is substantially defrayed by the grant funds, and which will not be indicative of LUS's total costs for charging through stations not subsidized by such grant funds. LUS will use its experience with the Chargers to develop a fixed or determinable rate for charging electric vehicles for use in the future as to charging stations that are not subsidized in this way.

Section 2-11 (7) of the Home Rule Charter requires an ordinance be passed to “[r]egulate the rate or other charges for service by the City of Lafayette, the Parish of Lafayette, or the City-Parish government.”

LUS recommends approval of the attached Ordinance establishing an initial rate for charging using the Chargers and authorizing the Director of LUS to adjust the rate for usage of the Chargers to recover all relevant costs. The proposed Ordinance has been drafted and approved by Assistant City-Parish Attorney Lawrence Marino.

If you approve, please place this item on the City Council Agenda to be introduced on June 20, 2023 with final adoption on July 11, 2023.

Thank you,

Karen Hoyt, P.E.
Engineering & Power Supply Manager

RECEIVED

MAY 05 2023

Lafayette Consolidated Government
Chief Administrative Officer

LAFAYETTE CITY COUNCIL MEETING
AGENDA ITEM SUBMITTAL FORM

- 1) **JUSTIFICATION FOR REQUEST:** An ordinance of the Lafayette City Council establishing the rate for use of certain electric vehicle charging stations acquired through the use of grant funds and authorizing the Director of Utilities to adjust said rate.
- 2) **ACTION REQUESTED:** Adoption of ordinance
- 3) **COUNCIL DISTRICT(S) (if applicable):** N/A
- 4) **REQUESTED ACTION OF COUNCIL:**
A) INTRODUCTION: June 20, 2023
B) FINAL ADOPTION: July 11, 2023
- 5) **DOCUMENTATION INCLUDED WITH THIS REQUEST:**
A) Internal Memorandum (1 page)
B) Submittal (1 page)
C) Ordinance (2 pages)
- 6) **FISCAL IMPACT:**
 Fiscal Impact (Explain)
 X No Fiscal Impact

RECOMMENDED BY:

 05/04/2023
JEFFREY B. STEWART, P.E.
LUS DIRECTOR

APPROVED FOR AGENDA:


CYDIA WINGERTER
CHIEF ADMINISTRATIVE OFFICER