



Legislation Text

File #: CB 120637, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the City Light Department; authorizing the Department to lease real property to and from private parties for the purpose of installing and operating electric vehicle charging stations and supporting infrastructure; amending Section 21.49.130 of the Seattle Municipal Code; and ratifying and confirming certain prior acts.

WHEREAS, transportation accounts for 61 percent of the City's core greenhouse gas (GHG) emissions and Seattle has a goal to reduce transportation emissions by: 82 percent below 2008 levels by 2030 and to reduce them to net zero by 2050; and

WHEREAS, RCW 70A.45.020 sets goals to limit anthropogenic emissions of GHG across the state by: 45 percent below 1990 levels by 2030; 70 percent below 1990 levels by 2040; and 95 percent below 1990 levels by 2050; and

WHEREAS, RCW 35.92.450 authorizes municipal utilities to adopt and implement transportation electrification plans and associated incentives, programs, policies, and other mechanisms that accelerate installation of transportation electrification infrastructure to reduce greenhouse gas emissions from the transportation sector; and

WHEREAS, the Seattle City Council passed Ordinance 126196 granting authority for the City Light Department to offer incentive programs in the electrification of transportation for its customers, including the promotion of electric vehicle adoption and advertising programs to promote the utility's services, incentives, or rebates; and

WHEREAS, Seattle City Light is partnering with communities to prioritize investments and programs to

deliver on the inaugural Transportation Electrification Strategic Implementation Plan; and

WHEREAS, Seattle's Transportation Electrification Blueprint sets forward a path toward a clean and equitable transportation system that makes it possible for Seattle to use Seattle City Light's majority renewable and non-emitting, affordable, and reliable electricity to power everything that moves people, goods, and services; and

WHEREAS, Mayor Bruce Harrell signed Executive Order 2022-07 directing City departments to prioritize and expand actions that advance a more equitable transportation system that reduces greenhouse gas emissions and supports people hardest hit by climate impacts; and

WHEREAS, overburdened communities within City Light's service territory continue to lack adequate access to charging facilities, impeding adoption of electric vehicles by members in these communities; and

WHEREAS, an analysis conducted for City Light estimated the City Light service area may require between ten and twenty times more electric vehicle charging stations by 2030 to meet anticipated demand and meet the City's greenhouse gas emission reduction goals; and

WHEREAS, electric vehicle charging station operators have expressed interest in leasing underutilized City Light property for the purposes of installing and operating public electric vehicle charging stations; and

WHEREAS, City Light staff have identified owners of private properties that are interested in hosting City Light-owned and operated public electric vehicle charging stations in exchange for fair rent and the opportunity to provide an amenity to patrons or the community; and

WHEREAS, the City must take necessary actions to confront the urgent need to reduce emissions from the transportation sector and prepare and strengthen our communities' resilience to withstand the impacts of the climate crisis; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 21.49.130 of the Seattle Municipal Code, last amended by Ordinance 126437, is amended as follows:

21.49.130 Authority

* * *

B. Rulemaking and contract authority

1. The Department shall have authority to adopt and file as appropriate rules, regulations, policies, and procedures relating to its performance of the provisions of this Chapter 21.49 and to the operation of the Department's light and power system. The Department may require compliance with such rules, regulations, policies, and procedures as a condition for the supply or continued supply of electric service.

2. Effectively managing its power supply portfolio to achieve balance between supply and customer demand requires that City Light transact in the wholesale energy markets for energy and transmission services and products, including the purchase or sale of short-term capacity or energy, or integration, transmission, or ancillary services. The Department may therefore execute, implement, and administer contracts with any city or town, public utility district, governmental agency, municipal corporation, mutual association, broker, or agent, or with any person, firm, or corporation, or any other member of the general public, outside its service area, for an effective term of not more than 60 months from the month following the date on which the contract is first signed ("prompt month"), providing for the acquisition, exchange, or sale of capacity or energy, or integration, transmission, or ancillary services, or eligible renewable resources, which shall have the same meaning as defined by RCW 19.285.030, on terms most favorable to the Department under such circumstances and in compliance with state law, including RCW 43.09.210. Such acquisition, sale, or exchange shall be made on a basis representing the value of such capacity or energy, or integration, transmission, or ancillary services, under then-existing market conditions, and may include provisions that require indemnification by the Department.

3. The Department may execute agreements with the Bonneville Power Administration providing for reimbursements from Bonneville of some or all of the costs of operating energy conservation programs authorized by the City Council. The Department shall determine that such agreements or amendments

to such agreements shall not incur any indebtedness or the acceptance of moneys imposing any duties or obligations on the City that are inconsistent with the Department's budget appropriation for such energy conservation programs. The Department shall provide a written notification prior to the execution of such contracts and a copy of such contracts to the appropriate authorizing committee of the City Council.

4. The Department may execute contracts for the purchase or sale of environmental attributes, including but not limited to renewable energy credits (RECs), greenhouse gas offsets, and carbon credits to meet policy and regulatory requirements in a cost-effective and timely manner. The Department may enter into such contracts in advance of the target date for acquisition identified in the Department's Integrated Resource Plan or the date required by state or federal law. These purchases will be made within the Department's yearly budget authority limits. Sales will be made on an as-needed basis to balance demand with supply of these products, and to minimize overall costs to ratepayers.

5. The Department may execute contracts for the purchase or acquisition of cost-effective energy conservation resources for an effective term of not more than 84 months, provided that the payment terms for such contracts do not exceed 60 months. "Energy conservation resources" shall have the same meaning set forth in the Energy Independence Act, chapter 19.285 RCW, including, without limitation, long-term energy efficiency projects, new construction, whole-building performance, and pay-for-performance programs.

6. In order to meet the requirements of the Renewable Plus Program, the Department may execute contracts with any city or town, public utility district, government agency, municipal corporation, mutual association, broker, or agent, or with any person, firm, or corporation, or any other member of the general public, outside its service territory providing for the acquisition or exchange of capacity or energy, or integration, transmission, or ancillary services, of renewable resources, which shall have the same meaning as defined by RCW 19.280.020 for a term of not more than 20 years. The Department shall endeavor to match the term of the acquisition contracts with the needs and requirements of the Renewable Plus Program customer contract terms. Such acquisition or exchange of capacity, energy, or services shall be made on a basis

representing the value of such capacity or energy, or integration, transmission, or ancillary services, under then-existing market conditions, and may include provisions that require indemnification by the Department.

7. The Department is authorized to negotiate and to enter into new leases or subleases and extensions or modifications of existing leases or subleases of any real property now or hereafter owned by the Department or private parties for the purpose of installing and operating electric vehicle charging stations and supporting infrastructure, including but not limited to energy storage systems, distributed energy generation systems, and general electrical infrastructure, for an effective term of not more than 84 months.

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Section 2. Any action consistent with the authority of this ordinance taken after its passage and prior to its effective date is ratified and confirmed.

Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2023, and signed by me in open session in authentication of its passage this _____ day of _____, 2023.

President _____ of the City Council

Approved / returned unsigned / vetoed this ____ day of _____, 2023.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

Scheereen Dedman, City Clerk

(Seal)