

LAND OF SKY CLEAN VEHICLES COALITION

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding made and entered into this ___ day of October, 2012 by and between Land of Sky Regional Council is a regional unit of government created pursuant to statute (hereinafter sometimes referred to as "LOS") and Buncombe County a body politic and corporate, of the State of north Carolina (hereinafter sometimes referred to as "County")

As a member of the Land of Sky Regional Council, Buncombe County desires to join the Land of Sky Clean Vehicles Coalition, organized as part of the U.S. Department of Energy (DOE) Clean Cities Program, and operated under the auspices of Land of Sky Regional Council for the purpose of:

1. Advancing the energy, economic and environmental security of the United States by supporting local decisions to adopt practices that reduce the use of petroleum in the transportation sector;
2. Reducing dependence on petroleum-based and imported fuels in fleets in the Asheville, North Carolina region comprised of Buncombe, Haywood, Henderson, Madison and Transylvania counties, consistent with the goals of the federal Energy Policy Act of 1992, the Energy Policy Act of 2005 and the Energy Independence and Security Act of 2007;
3. Meeting the petroleum reduction goals of the National Clean Cities Strategic Plan, and incorporating those goals into the coalition's own Strategic Plan;
4. Complying with the health-based air quality standards for ozone, carbon monoxide and particulates contained in the federal Clean Air Act Amendments of 1990;
5. Carrying out the State of North Carolina's air quality and energy legislation, executive orders, or policies in a coordinated manner;
6. Increasing public awareness of the energy security and air quality benefits of using alternative motor fuels and vehicles, plug-in electric and hybrid-electric vehicles, idle reduction technologies and other fuel economy measures;
7. Encouraging the development of refueling, recharging, service and maintenance facilities for alternative fuel, plug-in electric and hybrid-electric vehicles;
8. Reducing greenhouse gas emissions from the transportation sector.

Purpose of MOU

The purpose of this Memorandum of Understanding (MOU) is to set forth the respective responsibilities and procedures necessary to carry out the objectives of the Land of Sky Clean Vehicles Coalition, a voluntary activity sponsored by DOE to reduce the consumption of petroleum in the transportation sector.

Guidelines

The Land of Sky Clean Vehicles Coalition will be administered according to the Land of Sky Clean Vehicles Coalition Program Plan, which serves as Attachment A to this MOU, and describes the responsibilities of the parties to Program Plan in more detail. The signatories herein agree that the Land of Sky Clean Vehicles Coalition Program Plan is designed to achieve the objectives of the Clean Cities Program and follows the guidelines described below:

- Sets forth goals defining what the Land of Sky Clean Vehicles Coalition seeks to accomplish and why.
- Creates an organizational structure enabling the Land of Sky Clean Vehicles Coalition to effectively carry out its mission.
- Gathers primary information on fuels, vehicles, infrastructure, idle reduction and fuel economy measures from participating Land of Sky Clean Vehicles Coalition stakeholders.
- Sets forth objectives and action steps, designed to be the “how to” elements of the Program Plan.
- Establishes timetables for achieving goals and objectives.
- Establishes a system for monitoring program management, outreach and education and a method for conveying program performance to DOE.

Public Information Coordination

Subject to the Freedom of Information Act (5 U.S.C. 552), decisions on disclosures of information to the public regarding projects and programs referenced in this MOU shall be made by the DOE following consultation with appropriate parties within DOE and the Land of Sky Clean Vehicles Coalition.

Authority

This MOU is authorized under the following laws and regulations: the Energy Reorganization Act of 1974, which permits DOE to use the facilities of public agencies, requires DOE to consult with the heads of other agencies on the use of their facilities, and allows DOE to enter into

cooperative projects with other public and private agencies; and the Energy Policy Act of 1992 (EPAct), Section 505, Voluntary Supply Commitments, which requires DOE to obtain voluntary commitments to help achieve replacement fuel goals from fuel suppliers, fleet owners, and vehicle suppliers.

Policy

This MOU is non-binding; it is not intended to and does not create any contractual rights or obligations with regard to the signatories or any other parties. This MOU may be amended with the written consent of both LOS and Buncombe County.

Termination

Termination without Cause: The County may terminate this MOU at any time without cause by giving 30 days notice to LOS.

Effective Date

This MOU shall become effective upon its adoption.

LAND OF SKY REGIONAL COUNCIL

BUNCOMBE COUNTY

By: _____

By: _____
County Manager

Attested to:

Attested to:

County Clerk