



STAFF REPORT

August 17, 2022

File Number 0600-10; A-3426

SUBJECT

AUTHORIZATION OF PARTICIPATION AGREEMENT, EASEMENT, AND PLOT PLAN APPROVAL FOR EV CHARGERS

DEPARTMENT

Development Services Department, Planning Division

RECOMMENDATION

It is requested that the City Council adopt Resolution No. 2022-119 authorizing the Mayor to execute, on behalf of the City, a Power Your Drive for Parks Public EV Charging Program Participation Agreement ("Agreement") and related easement ("Easement") with San Diego Gas & Electric ("SDG&E") for the installation of nine electric vehicle ("EV") charging stations at the Woodward Parking Lot of Grape Day Park, and approve SDG&E's Plot Plan (City Case No. PL22-0323) for the design of the EV charging stations ("Plot Plan").

Staff Recommendation: Approval (Development Services Department: Andrew Firestine)

Presenter: Adam Finestone, City Planner

FISCAL ANALYSIS

Fiscal impacts of the Agreement are limited to staff time and resources necessary to carry out related administrative tasks, including but not limited to report preparation, and record and release of the proposed easement. Staff time and resources for such administrative tasks will be included within the Development Services Department and City Manager's Office budgets.

During the eight-year term of the Agreement, SDG&E will own, maintain, and operate the EV charging stations equipment installed at the Woodward Parking Lot of Grape Day Park. Thus, there will be no cost to the City for the design, installation, and operation of EV charging station equipment and infrastructure.

The City will have the option to purchase the EV charging station equipment from SDG&E at fair market value, subject to regulatory approval, at the end of the Agreement term.

PREVIOUS ACTION

The City Council previously adopted Resolution No. 2021-52 on April 7, 2021, authorizing the Mayor to execute, on behalf of the City, a Power Your Drive for Parks Public EV Charging Program Participation Agreement and related easement with SDG&E for the installation of ten electric vehicle ("EV") charging



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stations at the Woodward Parking Lot of Grape Day Park, and approved SDG&E's Plot Plan (City Case No. 21-0039) for the design of the EV charging stations.

BACKGROUND

In an effort to reduce greenhouse gas emissions, SDG&E adopted its Power Your Drive for City and County Parks EV Charging Infrastructure Program ("Program") to maximize the use of renewable energy to charge electric vehicles at highly trafficked community facilities in the region. The Program is the latest in a series of initiatives undertaken by SDG&E to expand EV charging to make it easier for more people to switch to zero-emission transportation, which is key to reducing greenhouse gas emissions and air pollution. The Program is intended to move San Diego County toward supplying 10% of Governor Jerry Brown's goal for 1.5 million zero-emission vehicles in California by 2025.

Grape Day Park, and the associated Woodward Parking Lot, was identified as a preferred location for installation of ten EV charging stations due to its proximity to existing SDG&E underground infrastructure, surrounding uses, and downtown amenities. A Plot Plan for the installation of the proposed EV charging station equipment was approved in 2021 to install two types of EV chargers to include eight level 2 (208-240 volt) chargers, which can provide up to 10-20 miles of range per hour of charging; and two DC fast chargers (480 volt), which can provide about 20-30 miles for every 15 minutes of charging. The EV chargers would be located towards the east side of Stone Pool within the parking lot west of the Boys and Girls Club. However, due to conflicts with the proposed Grape Day Park Master Plan and redevelopment of the James Stone pool facility, a new location has been identified for the proposed EV chargers to located them on the west side of the pool. A new Plot Plan application (City Case No. PL22-0323) was submitted for nine level 2 EV charging stations capable of charging 14 vehicles (5 dual charger and 4 single charger units). The two DC fast chargers have been eliminated from the new proposal.

During the eight-year Agreement term, SDG&E will own, maintain, and operate the nine EV charging stations installed at the Woodward Parking Lot of Grape Day Park. Thus, there will be no cost to the City for the design, installation, and operation of electric vehicle charging station infrastructure. The City will have the option to purchase the EV charging station equipment from SDG&E at fair market value, subject to regulatory approval, at the end of the Agreement term. At the end of the eight-year Agreement term, the Easement may be abandoned and encumbrance on the property's title may be released

City residents and customers that utilize the EV charging stations installed at the at the Woodward Parking Lot will pay SDG&E at time-of-use rates. A third-party vendor selected solely by SDG&E will provide related charging and billing services.

Staff previously requested that SDG&E include an insurance provision in the Agreement. Pursuant to the insurance provision proposed by staff, SDG&E would have been required to procure and maintain insurance against claims for injuries to persons or damages to property that may arise from or in connection with the Agreement. In lieu of adding the proposed insurance provision, SDG&E provided



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evidence of its self-insurance. SDG&E further indicated that, throughout the term of the Agreement, it will be responsible for maintaining, operating, and repairing the nine EV charging stations in a manner similar to any of its other facilities existing on private property or within the public right of way (e.g. pole, transformer, switch cabinet, manhole, handhole). SDG&E's obligations to maintain, operate, and repair the nine EV charging stations shall be in accordance with SDG&E's obligations as a utility provider regulated by the Public Utilities Commission.

Similarly, staff proposed to include an indemnification provision within the Agreement. The proposed indemnification provision would have required SDG&E to indemnify, defend, and hold harmless the City (including its officials, officers, agents, employees, and volunteers) from and against any and all claims, suits, liabilities, or injuries arising from the Agreement, except where caused by the sole negligence or willful misconduct of the CITY. SDG&E declined to incorporate the proposed indemnification provision into the Agreement.

ENVIRONMENTAL REVIEW

The California Environmental Quality Act ("CEQA") Guidelines list classes of projects that have been determined to not have a significant effect on the environment and as a result are exempt from review under CEQA. The Project site is located within a developed urban area of the City and developed as a municipal parking lot. The proposed project qualifies for a categorical exemption from CEQA pursuant to CEQA Guidelines section 15303, as a new construction of a small structure. The CEQA Notice of Exemption is attached to the draft Resolution No. 2022-119 as Exhibit "B" and incorporated herein by this reference. The Notice of Exemption demonstrates that the Project qualifies for the exemption and does not have a significant effect on the environment.

RESOLUTIONS

- a. Resolution No. 2022-119 with Exhibits "A" through "F"