



## Legislation Details (With Text)

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**Title:** ORDINANCE APPROVING EASEMENTS IN SUBSTANTIAL FORM AND POWER YOUR DRIVE SITE HOST PARTICIPATION PROGRAM AGREEMENTS WITH SDG&E FOR ELECTRIC VEHICLE CHARGING SITES LOCATED AT: GENERAL SERVICES PARKING LOT, 1400 TIDELANDS AVENUE, NATIONAL CITY, CALIFORNIA, 91950 AND HARBOR POLICE HEADQUARTERS PARKING LOT, 3380 NORTH HARBOR DRIVE, SAN DIEGO, CALIFORNIA, 92101, INCLUDING APPLICATION FEES OF \$4,410. FY 2018 EXPENDITURES ARE BUDGETED

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**Attachments:** 1. 26. 2017-0418 Attachment A - Color, 2. 26. 2017-0418 Attachment B - Color, 3. 26. 2017-0418 Attachment C, 4. 26. 2017-0418 Attachment D, 5. 26. 2017-0418 Attachment E, 6. 26. 2017-0418 Attachment F, 7. 26. 2017-0418 Attachment G, 8. 26. 2017-0418 Draft Ordinance

Date	Ver.	Action By	Action	Result
4/10/2018	1	Board of Port Commissioners	adopted	Pass

**DATE:** April 10, 2018

**SUBJECT:**

**ORDINANCE APPROVING EASEMENTS IN SUBSTANTIAL FORM AND POWER YOUR DRIVE SITE HOST PARTICIPATION PROGRAM AGREEMENTS WITH SDG&E FOR ELECTRIC VEHICLE CHARGING SITES LOCATED AT: GENERAL SERVICES PARKING LOT, 1400 TIDELANDS AVENUE, NATIONAL CITY, CALIFORNIA, 91950 AND HARBOR POLICE HEADQUARTERS PARKING LOT, 3380 NORTH HARBOR DRIVE, SAN DIEGO, CALIFORNIA, 92101, INCLUDING APPLICATION FEES OF \$4,410. FY 2018 EXPENDITURES ARE BUDGETED**

**EXECUTIVE SUMMARY:**

Power Your Drive is an electric vehicle (EV) charging station program administered by San Diego Gas and Electric (SDG&E). The purpose of the program is to install 3,500 EV charging stations at apartments, condominiums and businesses in San Diego County. This is a first-come-first-served application based program that will fund the installation and maintenance of EV charging stations for 10 years upon execution of an easement and site host agreement. There is an application fee of \$630 per charging port per site for the installation of chargers with the exception of sites located in disadvantaged communities, which are exempt. Charging stations funded for the San Diego Unified Port District (District) through Power Your Drive are for employee use only.

The District is seeking to apply to the Power Your Drive program to install 16 charging stations at two locations on District tidelands: at the General Services Building at 1400 Tidelands Avenue, National

City, CA 91950 and at Harbor Police Headquarters at 3380 North Harbor Drive, San Diego, CA 92101. The site at the General Services building in National City is exempt from application fees. Staff is recommending the Board adopt an ordinance granting easements in substantial form for SDG&E to connect power for charging stations and provide regular maintenance at the two locations described, and also approve SDG&E Power Your Drive Program Site Host Participation Agreements which obligate the Port to grant the easements previously discussed. Charging stations at a third site at the District's Administration building located at 3165 Pacific Highway are being considered and may be brought to the Board of Port Commissioners at a later meeting. For all District sites, users will pay for charging directly from individual accounts.

### **RECOMMENDATION:**

Adopt an ordinance approving easements in substantial form and Power Your Drive Program Site Host Participation Agreements with SDG&E for electric vehicle charging sites located at General Services Parking lot, 1400 Tidelands Avenue, National City, CA 91950 and Harbor Police Headquarters Parking Lot, 3380 N Harbor Drive, San Diego, CA 92101, including application fees of \$4,410.

### **FISCAL IMPACT:**

There is no fiscal impact associated with the easements, or agreements. Application fees in the amount of \$4,410 are budgeted within the Climate Action Plan Strategic Initiatives line item in the District's FY 2018 annual budget.

### **COMPASS STRATEGIC GOALS:**

This agenda item supports the following Strategic Goal(s).

- A Port that the public understands and trusts.
- A thriving and modern maritime seaport.
- A vibrant waterfront destination where residents and visitors converge.
- A Port with a healthy and sustainable bay and its environment.
- A Port with a comprehensive vision for Port land and water uses integrated to regional plans.
- A financially sustainable Port that drives job creation and regional economic vitality

### **DISCUSSION:**

The District's Climate Action Plan (CAP) contains several strategies to curb greenhouse gas emissions including supporting the use of alternate fueled, electric or hybrid vehicles on District tidelands (T2). Port staff estimates that creating opportunities for District employees to charge their electric vehicles will facilitate a potential 4.7 metric tons of Carbon Dioxide equivalent (MT CO<sub>2e</sub>) reduction annually per electric vehicle, and address a growing demand for electric vehicles<sup>1</sup>. CO<sub>2e</sub> is a metric used to compare the emissions from various greenhouse gases based upon their global warming potential. Also, based on previous employee outreach, there is growing interest and demand for EV charging.

This project is being recommended to implement a strategy in the District's CAP at a subsidized cost,

to align with State of California and regional efforts to deploy EV charging, and in response to increasing employee interest.

### **San Diego Unified Port District Power Your Drive Application**

The application process to the Power Your Drive program requires six steps, and is typically done through an online submission: signing on to an interest list, a follow up phone call with an SDG&E representative, an application submission, site visit, signing of an easement, and design and installation. Since application to the program requires an agreement to an easement within 30 days of submission, this was not a route that the District could pursue, because easements would require approval by the District's Board of Port Commissioners. In collaboration with SDG&E staff, an alternative path forward was identified, where the District would apply to SDG&E's Power Your Drive program using a customized process that matched with the District's transparency and records retention requirements.

The District entered into a memorandum of understanding on October 23, 2017 stating that the District and SDG&E would use "commercially best efforts" to maintain a timeline for agreement to participation in SDG&E's Power Your Drive program, as detailed in Attachment G. Following the signing and the execution of the easements and agreements, installation of the charging stations will take place at the following locations as described below:

The charging stations will be installed at two District owned and leased facilities throughout tidelands, as depicted in Attachment A and B. The total cost to the District for application and implementation of the program at the first two sites is \$4,410. Subsidy provided through SDG&E's Power Your Drive program results in an estimated \$292,530.00 in cost avoidance over 10 years for the installation of the chargers, data management and maintenance, an 80% savings<sup>2</sup>. Staff is seeking an ordinance approving easements, as detailed in Attachments C and D for SDG&E to connect power for charging stations at the two District owned locations, and SDG&E Power Your Drive Program Site Host Participation Agreements, detailed in Attachments E and F. Another easement and agreement for a third site at the District's Administration Building may be brought for consideration by the San Diego Unified Port District Board of Port Commissioners, and subsequently the San Diego County Regional Airport Authority Board (SDCRAA) at a later date.

### **Background:**

Power Your Drive is an EV charging station program administered by SDG&E. The purpose of the program is to install 3,500 EV charging stations at apartments, condominiums and businesses in San Diego County. This is a first-come-first-served application based program that will fund the installation and maintenance of EV charging stations for 10 years upon execution of an easement and the execution of a use agreement. There is an application fee of \$630 per charging port for the installation of chargers with the exception of sites located in disadvantaged communities, which are exempt. The site at the General Services building in National City is exempt from application fees. Charging stations funded for businesses through Power Your Drive are for employee use only. The stations provided will be used for personal vehicles in the District's employee lot. All installations must include considerations for American's with Disabilities Act (ADA) accessibility requirements.

### **General Services Building 1400 Tidelands Avenue in National City**

Four dual EV charging stations and one single EV charging station will be installed in the employee lot at the south end of the Port's General Services employee lot. There will be eight standard 9' W x 18' L personal vehicle spaces, one standard 9' W x 18' L American's with Disabilities Act (ADA) compliant space, and one 11' W x 18" L ADA compliant van space. These EV and ADA ready sites

will account for 8% of the total parking spaces in the employee lot. These chargers will be wired to a transformer adjacent to the property.

**Harbor Police Headquarters 3380 North Harbor Drive**

Three dual and one single EV charging stations will be installed in the employee lot at the south end of the Port’s Harbor Police Headquarters employee lot. There will be 5 standard 9’ W x 18’ L personal vehicle spaces, one standard 9’ W x 18’ L ADA compliant space, and one 11’ W x 18” L ADA compliant van space. These EV and ADA ready sites will account for 7% of the total parking spaces in the employee lot. These chargers will be wired to a transformer adjacent to the property.

**San Diego Unified Port District Administration Building 3165 Pacific Highway (Pending future consideration and approval)**

Five dual charging stations are planned to be installed in the employee lot at the north end of the Port’s Administration Building employee lot. There will be eight standard 9’ W x 18’ L personal vehicle spaces, one standard 9’ W x 18’ L ADA compliant space, and one 11’ W x 18” L ADA compliant van space. In addition, the pedestrian gate at the north end of the parking lot will be retrofitted to accommodate ADA access in and out of the lot, and adjacent spaces will be restriped to ensure no net loss in parking. These EV and ADA ready sites will account for 5% of the total parking spaces in the employee lot. These chargers will be wired to a transformer adjacent to the property. Due to an existing lease agreement with the SDCRAA, easement and agreement language approved by the San Diego Unified Port District Board of Port Commissioners must subsequently be approved by the SDCRAA, and the District must participate in the SDCRAA’s Tenant Improvement Process prior to beginning construction. Because of these added steps, the easement for the Pacific Highway site will be considered separate from the easements for the General Services and Harbor Police Headquarters sites at a future Board meeting.

**Costs**

Costs include application fees of \$630 per charging port (16 total) for sites at Harbor Police headquarters and the Port Administration building. The site at 1400 Tidelands Avenue in National City is exempt due to proximity to disadvantaged communities. In addition, staff time is estimated at 10% of mid salary range for one Senior Environmental Specialist to administer the deployment and maintenance of the charging stations. Automation for the pedestrian gate at 3165 Pacific Hwy is estimated to cost \$1,600 for parts and installation to allow for ADA accommodation to and from the employee parking lot.

<b>CO<sub>2</sub>E Reduction</b>	<b>MT CO<sub>2</sub>e per year</b>	<b>\$ per MT CO<sub>2</sub>e per year</b>	<b>% of CAP Goal (achieving 109,830 MT CO<sub>2</sub>e per year)</b>
Total Reduction x 16 Charging Ports	75.48 MT per year	\$5.98	0.07%

**Benefits**

Benefits include estimated cost avoidance to the District of 80%, since the Power Your Drive program includes installation, maintenance and data services. In addition, employees will benefit from availability of EV charging, and the reduction of CO<sub>2</sub> Equivalent from running the program at full scale will be approximately 122.65 MT per year, contributing to the achievement of CAP goals by replacing gas powered vehicle trips to tidelands. The elimination of one gas powered vehicle from the road can save as much as 10,400 lbs of CO<sub>2</sub> e per year. Estimated Environmental Benefits (full use)<sup>3</sup>.

### **Next Steps**

Following the approval of easements and site host agreements, SDG&E will enter into the design and construction phase of the program. Work will be completed by a third party contractor hired by SDG&E. All final construction designs will be subject to review and approval by District staff. Once the designs are approved, charging stations will be installed at the three sites described. Management of EV charging station maintenance will be provided by staff from the District's energy team in coordination with SDG&E.

### **General Counsel's Comments:**

The Office of the General Counsel has reviewed and approved the proposed easements and agreements as to form and legality.

### **Environmental Review:**

The proposed Board action includes an ordinance approving easements to SDG&E and a Site Host Participation Agreement with SDG&E for sites including the District's General Services Parking Lot located at 1400 Tidelands Avenue and Harbor Police Headquarters Parking Lot located at 3380 North Harbor Drive, for the installation and maintenance of electric charging stations. The project is Categorically Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), 15304 (Minor Alterations to Land), and 15311 (Accessory Structures) and Sections 3.a(7), 3.c(2), 3.c(3), 3.d(7), and 3.i of the District's Guidelines for Compliance with CEQA because the project in question will involve no expansion of use beyond that previously existing, would involve the construction of limited new facilities, would not involve the removal of mature, scenic trees, and would include placement of minor structures accessory to existing facilities. The District has determined none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2). No further action under CEQA is required.

The project complies with Section 87 of the Port Act, which allows for the construction, reconstruction, repair, and maintenance of highways, streets, roadways, bridges, belt line railroads, parking facilities, power, telephone, telegraph or cable lines or landings, water and gas pipelines, and all other transportation and utility facilities or betterments incidental, necessary, or convenient for the promotion and accommodation of any of the uses set forth in this section. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed project is consistent with the Public Trust Doctrine.

In addition, the proposed Board action is considered "excluded development" pursuant to Section 8.a(2) (Existing Facilities), 8.c(2) (New Construction or Conversion of Small Structures), and 8.d(6) (Minor Alterations to Land) of the District's Coastal Development Permit Regulations; therefore, issuance of a Coastal Development Permit is not required.

### **Equal Opportunity Program:**

Not applicable.

### **PREPARED BY:**

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Attachment(s):

Attachment A: Preliminary Site Design Layout for Port of San Diego 1400 Tidelands

Attachment B: Preliminary Site Design Layout for Port of San Diego Harbor Police

Attachment C: Easement for Port of San Diego 1400 Tidelands

Attachment D: Easement for Port of San Diego Harbor Police

Attachment E: Site Host Participation Agreement 1400 Tidelands

Attachment F: Site Host Participation Agreement San Diego Harbor Police

Attachment G: Memorandum of Understanding

<sup>1</sup> US Environmental Protection Agency (2017): Carbon Footprint Calculator; list of assumptions for Household GHG calculator <https://www3.epa.gov/carbon-footprint-calculator/>

<sup>2</sup> Estimates are based on price quotes and supplemental research on comparable charging stations

<sup>3</sup> Benefits assume replacement of one gas vehicle with an electric vehicle. Calculations are based on EPA estimates based on national averages. Guidelines for calculating CO<sub>2</sub> emissions can be found in the US Code of Federal Regulations 40 CFR 600.113.