



December 19, 2023

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

SUBJECT: Approval of, and Authorization for the County Executive Office (CEO) Sustainability Officer to Sign, a Charging Infrastructure and Rebate Participation Agreement with Southern California Edison (SCE) for Participation in the Charge Ready Program for the Installation of Electrical Vehicle (EV) Charging Stations at the Ventura County Health Care Agency Fillmore Clinic and Receipt of \$60,000 in SCE Rebates; Approval of, and Authorization for Ventura County Public Works Agency (PWA) Director to Sign, a Grant of Easement for the Location of EV Charging Station Infrastructure in the County Right-of-Way at the Fillmore Clinic; Waive Certain Ventura County Administrative Manual Contract Policy Requirements; Find that the Project is Categorically Exempt from the California Environmental Quality Act and Direct the PWA Director to File a Notice of Exemption; Approve a General Fund Contribution in the Amount of \$85,000 to the CEO Sustainability Division for the Purchase and Installation of Four EV Charging Stations; and Authorize the Auditor Controller to Process Necessary Budgetary Transactions. (RECOMMENDATION NO. 6 REQUIRES 4/5ths VOTE).

RECOMMENDATIONS:

1. Approve, and authorize the County Executive Officer (CEO) Sustainability Officer or designee to sign, a Charging Infrastructure and Rebate Participation Agreement (Agreement) with Southern California Edison (SCE) for participation in the Charge Ready Program for the installation of electric vehicle (EV) charging stations at the Ventura County Health Care Agency (HCA) Fillmore Clinic and receipt of \$60,000 in SCE rebates. (Exhibit 1)
2. Approve, and authorize the Ventura County Public Works Agency (PWA) Director or designee to sign, a grant of easement for the location of EV charging station infrastructure in the County Right-of-Way at the Fillmore Clinic (Easement). (Exhibit 2)

3. Waive Ventura County Administrative Manual requirements that prohibit County agreements and contracts from including (i) indemnification provisions that are not limited to the claims of third parties; and (ii) provisions requiring the payment of attorney's fees applicable to approval of the Agreement.
4. Find that the project is categorically exempt from the California Environmental Quality Act (CEQA) and direct the PWA Director or designee to file a notice of exemption with the County Clerk's Office.
5. Approve a General Fund contribution of \$85,000 from Assigned Fund Balance to CEO Sustainability Division to offset the cost of the purchase and installation of four EV charging stations; and
6. Authorize the Auditor Controller to process the necessary budgetary transactions to revise the following appropriations, revenues, and adjust fund balance (REQUIRES 4/5ths VOTE):

County Executive Office – General Fund G001

INCREASE 1010-1021	Equipment (4601)	\$145,000
INCREASE 1010-1021	Miscellaneous Revenue	\$60,000
DECREASE G001	General Fund -Fund Balance	\$85,000
	Assigned to Program Mitigation	

FISCAL/MANDATES IMPACT:

Mandatory:	No
Source of Funding:	General Fund – Fund Balance Assigned to Program Mitigation, SCE Charge Ready Program
Fund Matching Requirement:	No
Impact on Other Departments:	Yes

Summary of Revenues and Costs	<u>FY 2023-24</u>	<u>FY 2024-25</u>
Revenue:	\$ 60,000	\$ 0
Costs:		
Direct	\$ 145,000	\$ 0
Indirect-Agency/Dept.	\$ 0	\$ 0
Indirect – CAP	\$ 0	\$ 0
Total Costs	<u>\$ 145,000</u>	<u>\$ 0</u>
Net Cost:	\$ 85,000	\$ 0

FY 2023-24 Budget Projection for County Executive Office – Division 1010				
	Adopted Budget	Adjusted Budget	Projected Budget	Estimated Savings/(Deficit)
Appropriations	\$ 34,727,259	\$ 52,016,234	\$ 52,016,234	\$ 0
Revenue	\$ 18,560,539	\$ 22,188,061	\$ 22,188,061	\$ 0
Net Cost	\$ 16,166,720	\$ 29,828,173	\$ 29,828,173	\$ 0

STRATEGIC PLAN:

The expansion of publicly available EV charging stations at County facilities supports the County of Ventura Strategic Plan Priority 3: Reliable Infrastructure and Sustainability by providing robust infrastructure, facilities, technology, and land-use policies to enable vibrant and sustainable communities. Specifically, the installation of public charging stations achieves Priority 3, Goal 3 by investing in sustainable infrastructure, renewable energy, and preserving our natural resources.

BACKGROUND

California has an ambitious goal to reach 5 million Zero-Emission Vehicles (ZEV) by 2030. Furthermore, the State mandated that by 2035 100 percent of new cars and light trucks sold in California will be ZEVs, including plug-in hybrid EVs. To reach these objectives, significant strides need to be made to increase the production of ZEVs and installation of EV charging station infrastructure.

The CEO's Sustainability Division (CEO Sustainability) acts as the Project Manager for implementing the County's Climate Action Plan (CAP). Several CAP policies support the installation of EV charging stations at County facilities, including General Plan Policies CTM-6.5 (EV Charging Stations) and PFS-2.8 (EV Charging Station Infrastructure) and General Plan Program PFS-F (Trip Reduction for County Staff), which incentivizes the use of EVs by County staff through providing charging stations at County facilities. CEO Sustainability also provides a variety of electrified transportation related-technical assistance and support services to County of Ventura agencies as well as Ventura County regional partners including but not limited to cities, special districts, school districts, business, multifamily housing operators, and community members. Accordingly, CEO Sustainability has a goal to accelerate and support the deployment of electrified transportation and charging stations through EV awareness, outreach, and education by providing reliable, clean electric mobility services and by supporting workforce engagement and training.

In 2019, CEO Sustainability finalized the Ventura County Regional EV Blueprint and the associated EV Ready Blueprint Interactive Map. The Blueprint contains comprehensive recommendations to help local policymakers, community, and business stakeholders take bold action to further accelerate the adoption of EVs and expand access to charging stations. The Blueprint's Interactive Map is a visualization tool intended to inform the

installation of public EV charging stations with special emphasis placed on locating charging stations at the largest workplaces, multifamily housing, and public destinations in Ventura County. To support the deployment of charging stations at workplaces, CEO Sustainability prioritized locating public charging stations at County facilities since the County serves the public and is one of the largest employers in the region. CEO Sustainability conducted two online surveys in English and Spanish to all County employees (in 2019 and 2022) asking where charging stations should be placed at County facilities. Additionally, CEO Sustainability utilized the Blueprint's Interactive Map to determine the most optimal locations for new charging stations at County facilities. CEO Sustainability is taking a phased approach to installing charging stations, with Phase 1 proposing to install public charging stations at fifteen County facilities.

DISCUSSION:

The Fillmore Clinic EV Charging Station Project

CEO Sustainability is proposing to partner with SCE via its Charge Ready Program to reduce infrastructure investment costs through utilizing SCE's technical support and rebates. CEO Sustainability submitted fifteen online applications for Phase 1 public charging stations to SCE to participate in their Charge Ready Program. Of the multiple applications that were submitted, SCE accepted nine applications. CEO Sustainability withdrew two of the nine applications for public charging stations due to the significant costs of installing the infrastructure associated with the charging stations as well as impacts to the availability of public parking. Three of the nine applications for public charging stations - Oxnard Airport, Ventura County Behavioral Health Facility located at 1911 Williams Drive in Oxnard, and the Camarillo Airport - were approved by SCE and the associated Agreements were approved by your Board on September 13, 2022 and September 26, 2023, respectively. SCE has since approved an additional CEO Sustainability application for the installation of four new dual-port EV charging stations (a total of 8 ports) at the Ventura County Health Care Agency's Fillmore Clinic. Under attached Agreement (Exhibit 1), SCE will provide \$60,000 in rebates to offset the total cost of installing the new EV charging stations at the Fillmore Clinic, which they estimated to cost \$75,360. With this board letter, CEO Sustainability is also requesting additional funds for the remaining cost to purchase and install the four EV charging stations, which CEO Sustainability estimates to cost \$85,000.

CEO Sustainability and Ventura County General Services Agency (GSA) staff met with SCE representatives to perform an assessment of the potential locations for the proposed EV charging stations. Upon site evaluation by SCE, SCE provided a Transmission & Distribution (T&D) Narrative for the Fillmore Clinic (Exhibit 3). The T&D Narrative was reviewed by CEO Sustainability, GSA Facilities and Materials, and HCA Fillmore Clinic staff, and without obligating the County to any action, accepted the T&D Narrative as notice to SCE that CEO Sustainability would be seeking further approvals of agreements for participation on the Charge Ready Program. Upon your Board's approval of the Agreement (Exhibit 1), CEO Sustainability and GSA Facilities and Materials staff will

contract with a design/build entity to draft the infrastructure design, obtain a plan check and building permit from Ventura County Resource Management Agency's Building and Safety Division, install new electrical service to the EV charging stations, and install the four dual-port charging stations.

The proposed Agreement (Exhibit 1), prepared by SCE, requires the County to accept all terms, without amendment of any provision. SCE advises that, due to the substantial interest in the Charge Ready Program, they are unable to deviate from standard terms that are being used in cities and counties across the State. Additionally, in order to participate in this program, the County will be required to grant SCE an Easement at the HCA Fillmore Clinic for the location of the charging infrastructure (Exhibit 2). SCE currently has easements for other infrastructure on County properties, and granting a new easement should not present any issues. Further, County must agree to a new electrical service account dedicated to the EV charging stations, to be responsible for the account, and to accept participation in a demand response program for that new account. The four new dual-port charging stations must be networked so that SCE is able to access trend data from the charging stations.

The Agreement will offset up to 80 percent of the costs that SCE would otherwise incur for performing the work of installing the charging infrastructure. For this project, this amount shall not exceed 80 percent of \$75,360 (maximum SCE contribution is \$60,000); which, also represents the Customer-Side Make-Ready infrastructure funds that will be reserved as of the Reservation Approved Date – the date in which SCE receives a copy of this Agreement. The actual rebate payment may be less, if 80 percent of the County's actual recorded and documented installation costs are lower than the reserved amount. In addition, the County will receive a rebate offered by SCE on the purchase price of the actual charging hardware, a value of approximately \$2,900. While these rebates significantly help in reducing the relatively high costs of electrification, further funding is required. As such, CEO Sustainability is requesting a contribution from the General Fund in the amount of \$85,000 to offset the cost to install the charging station infrastructure and to purchase and install the EV charging stations required to participate in the SCE Charge Ready Program at the Fillmore Clinic.

CEO Sustainability has submitted three more EV charging station project applications to SCE. CEO Sustainability will be returning to your Board in the near future to request similar funding and approvals if the applications are approved by SCE.

Waiver of Administrative Manual Requirements

Policy No. Chapter VI -1 of the Ventura County Administrative Policy Manual provides (i) that any indemnification provision included in a County contract should be limited to the claims of third parties; and also (ii) that agreements and contracts shall not include provisions for the payment of attorney's fees by one party to the other party. Section 12.3.2 of the Agreement would require the County to indemnify SCE for "from and against any and all claims, actions, suits, proceedings, losses, liabilities, penalties, fines,

damages, costs, or expenses, including without limitation reasonable attorneys' fees... arising out of or resulting from [the County's] design, construction, installation, or use of the Customer-Side Make-Ready infrastructure, including, but not limited to, any action or failure to meet its obligations under [the Agreement.]" As explained above, SCE has informed CEO Sustainability that it is unable to deviate from standard terms in the Agreement because one contract template is being used in cities and counties across the State. Consequently, the County's approval of the Agreement would make it responsible to indemnify SCE for any and all claims that arise out of the design, construction, installation and/or use of the EV charging stations at the HCA Fillmore Clinic, including any attorney's fees associated with such claims.

Notwithstanding the foregoing, CEO Sustainability request that your Board waive the above discussed Ventura County Administrative Policy Manual requirements and approve the Agreement in its current form.

CEQA Exemptions

CEQA Guidelines categorically exempt several classes of projects determined not to have a significant effect on the environment. (CEQA Guidelines, § 15300.) Class 1 exempts "operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use." (CEQA Guidelines, § 15301.) Class 3 exempts "construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure." (CEQA Guidelines, § 15303.) The County's project work qualifies as a Class 3 exemption because the installation of a limited number of new, small facilities (three EV charging stations) involves only minor modifications and/or conversion of the existing Camarillo Airport parking lot. SCE's project work qualifies as a Class 1 exemption because the installation of EV charging station infrastructure involves only temporary minor alteration to existing improvements in the County's right-of-way (roadway) at the Fillmore Clinic; once the infrastructure is installed, the right-of-way (road) will be returned to its previous condition. SCE's work will not involve any expansion of the right-of-way's (road's) use.

In light of the above, staff requests your Board find that (i) the County's installation of four EV charging stations at the Fillmore Clinic; (ii) the County's grant of easement to SCE; and (iii) SCE's installation of related infrastructure to be exempt from CEQA as qualifying for Class 3, Class 1, and Class 1 categorical exemptions, respectively; and (ii) direct the PWA Director or designee to file a notice of exemption for the project with the County Clerk's Office.

Fund Balances and Budget Transactions

The action before your Board today recommends the approval to utilize \$85,000 in funding from the General Fund to invest in EV charging infrastructure yielding eight charging ports at the Fillmore Clinic. Finally, staff recommends authorization for the Auditor Controller to process the budgetary transactions necessary to make the fund balance adjustments/transfer to invest in EV charging station infrastructure.

This item has been reviewed by the County Executive Office, CEO Sustainability, General Services Agency, Auditor Controller's Office, Health Care Agency, and County Counsel. If you have any questions regarding CEO Sustainability's EV public charging projects, please contact Heather Allen at (805) 654-2871.

Sincerely,



Alejandra Téllez
Sustainability Officer



Sevet Johnson, PsyD
County Executive Officer

Exhibit 1 – Charge Ready Charging Infrastructure and Rebate Program Agreement

Exhibit 2 – SCE Grant of Easement for Vehicle Charging Stations

Exhibit 3 – SCE Charge Ready T&D Narrative