



# AGENDA REPORT

**TO:** Edward D. Reiskin  
City Administrator

**FROM:** Ryan Russo  
Director, Oakland  
Department of  
Transportation

**SUBJECT:** Electric Vehicle Charging Project at  
Coliseum Gardens Park

**DATE:** February 18, 2022

City Administrator Approval

Date: Mar 3, 2022

## **RECOMMENDATION**

### **Staff Recommends That The City Council Adopt:**

- 1. A Resolution Authorizing The City Administrator To Finalize And Execute A Contract With The Pacific Gas & Electric Company (PG&E) In Support of Electric Vehicle Charging Installation At Coliseum Gardens Park Adjacent To 6818 Lion Way At No Direct Cost To The City And Adopting Appropriate California Environmental Quality Act Findings; and**
- 2. A Resolution Granting A Conditional And Revocable Major Encroachment Permit To Carbon Solutions To Allow Portions Of Electric Vehicle Charging Stations At Coliseum Gardens Park Adjacent To 6818 Lion Way To Encroach Into The Public Right-Of-Way Along Lion Way Near Hawley Street And Adopting Appropriate California Environmental Quality Act Findings.**

## **EXECUTIVE SUMMARY**

Approval of the proposed resolutions will authorize the City Administrator or designee to enter into a contract with the Pacific Gas & Electric Company (PG&E) and issue a major encroachment permit to Carbon Solutions, an electric vehicle (EV) charging company, for EV charging installations at 6818 Lion Way and adjacent to Coliseum Gardens Park.

The encroachment permit requires Carbon Solutions to comply with the conditions of an approved site plan and indenture agreement. The encroachment would be along the curb and would not impact the use of the sidewalk or obstruct the path of travel for pedestrians or persons with disabilities. Where appropriate, the encroachments would allow for a five-foot (5') unobstructed access to the public right of way. The contract with PG&E would enable PG&E to install the necessary utility infrastructure and charging equipment at the Coliseum Gardens Park site, funded through their "EV Fast Charge Program" at no cost to the City of Oakland.

Together, these resolutions will authorize a project that will result in the preparation, installation and maintenance of six EV fast-charging stations at Coliseum Gardens Park, all at no direct cost to the City. Two of these EV charging stations will be accessible to persons with disabilities.

To further enhance the value of the new stations to the Lion Creek Crossings community and accelerate adoption and use of EV in the area, Carbon Solutions has agreed to provide two different kinds of affordable EV leasing programs for residents. Once operational, the EV fast-chargers will serve as a resource for residents and an important contribution to Oakland's ongoing efforts to reduce greenhouse gas emissions and achieve its goals. This is a rare opportunity to bring fast EV charging to East Oakland, which lacks electric vehicle infrastructure.

In September 2021, Oakland Department of Transportation (OakDOT) staff in partnership with PG&E, Carbon Solutions Group (Carbon Solutions), ChargePoint, East Bay Asian Local Development Corporation (EBALDC) and East Oakland Collective (EOC) conducted two virtual public meetings to discuss the project and educate residents about EV technology, EV incentives, and Carbon Solution's EV leasing offer. Residents in attendance were generally supportive, with staff receiving and answering questions about the technology, how residents can access EV incentives, and how the site will be maintained and managed. If approved, staff will support the project by continuing to provide ongoing education and outreach to residents in the project vicinity as part of the Zero Emission Vehicle Action Plan, estimated to be completed in Spring of 2022.

### **BACKGROUND / LEGISLATIVE HISTORY**

In 2009, the City Council adopted two greenhouse gas (GHG) emissions reduction targets relative to a 2005 baseline level: 36 percent by 2020, and 83 percent by 2050. In 2012, Council adopted an Energy and Climate Action Plan (ECAP) that set the roadmap for how the City would reach its 2020 target, including transportation-related measures such as vehicle efficiency, vehicle electrification, and reduced vehicle miles traveled. ECAP Priority Action Item 37, "Plan for Electric Vehicle Infrastructure," includes developing new processes to support local use of EVs. It also identifies processes to facilitate installation of EV infrastructure as a strategy to support the City's energy and climate goals.

In 2013, the Bay Area Air Quality Management District (BAAQMD) published a Bay Area Plug-in Electric Vehicle Readiness Plan, which anticipated at least 246,900 EVs on Bay Area roads by 2025.

In February 2017, City Council adopted additional building codes requiring all new multifamily and non-residential buildings to be "EV Ready," exceeding levels required by State code.

In October 2017, Assembly Bill 1452 (Parking: Exclusive Electric Charging and Parking on Public Streets) allowed cities to enforce on-street EV charging.

In January 2018, Governor Jerry Brown signed executive order B-48-18, setting a target of 250,000 EV charging stations in California, 1.5 million zero-emission vehicles on California roads by 2025 and 5 million by 2030.

In May 2018, the City Council adopted a new interim GHG emissions reduction target of 56% by 2030, based on extensive analysis that identified vehicle electrification as one of five major strategies required for the City to reach both the 2030 and 2050 GHG reduction targets.

In May 2018, the California Public Utilities Commission (CPUC) approved \$22.4 million for the EV Fast Charge Program, through which PG&E will pay to install infrastructure that supports Direct Current Fast Charging for electric vehicles.

In July 2019, the City Council accepted and appropriated a \$440,000 grant from the CalTrans Sustainable Communities Grant Program to write a Zero Emission Vehicle Action Plan. This Plan is intended to be a roadmap to creating a zero-emission transportation system in Oakland, while addressing the inequities in EV infrastructure that currently exists.

In Summer 2019, the planning process for the East Oakland Mobility Action Plan (EOMAP) began in partnership with East Oakland Collective and Just Cities, with a final plan document expected in 2022. Action 3.9 in the Draft EOMAP is “Establish EV education, work with the community to locate charging stations and facilitate an EV Car Sharing Program”. Siting EV fast chargers at Coliseum Gardens Park can help to further the goals of draft action 3.9 by building a charging network in East Oakland and introducing the community to the benefits of the technology.

In July 2020, the City Council unanimously voted to adopt the 2030 Equitable Climate Action Plan (ECAP) that establishes actions the City and its partners will take to equitably reduce Oakland’s climate emissions and adapt to a changing climate.

In September 2020, Governor Gavin Newsome signed executive order N-79-20 requiring that 100% of in-state sales of new passenger cars and trucks are to be zero-emission by 2035.

## **ANALYSIS AND POLICY ALTERNATIVES**

Staff recommends that the city council adopt a resolution authorizing the City Administrator to finalize and execute a contract with the Pacific Gas & Electric company (PG&E) in support of EV charging installation at Coliseum Gardens Park adjacent to 6818 Lion Way; and a resolution granting a conditional and revocable major encroachment permit to Carbon Solutions to allow portions of those EV charging stations to encroach into the public right-of-way along Lion Way near Hawley Street.

EV chargers help to increase vehicle electrification, which is an important strategy for climate action and air quality improvement and a priority action in Oakland’s Equitable Climate Action Plan (ECAP). EV charging helps to achieve the goal of **vibrant, sustainable infrastructure** by reducing greenhouse gas (GHG) emissions from transportation. Transportation accounts for 67% of Oakland’s local GHG emissions, with 95% of those emissions coming from passenger vehicles.

Electric vehicles can also be a powerful tool for social equity. They can reduce pollution associated with private automobile use in communities fronting major freeways, while reducing lifetime driving expenses through lowered fueling and maintenance costs for vehicle owners.

Over the past decade, as “secondary market” of used EV’s has emerged, make EV purchases more accessible to lower-income residents over time—but only if those residents are confident that they can reliably charge their vehicles. To date, most of Oakland’s publicly available EV chargers are in Downtown or North Oakland. Large sections of West Oakland, Fruitvale and East Oakland are EV charger “deserts,” with no publicly available EV chargers.

To meet state and local vehicle electrification targets, Oakland must efficiently scale its EV charging infrastructure. Approximately 12 percent of cars statewide must be EV's by 2025 to meet the state's target of 1.5 million zero-emission vehicles by 2025. While most existing EV drivers currently charge at their homes, public fast charging is essential for EV drivers who lack access to charging where they live or work. In Alameda County this is critically important as 47 percent of residents, or nearly half the population, are renters living in multi-unit dwellings (MUD).

Public charging amenities are therefore needed, particularly in areas accessible to Fruitvale, East Oakland, West Oakland and other underserved communities. Residents of these communities live more often in older and/or multifamily buildings, where home charger installation is significantly more challenging, so public charging is a necessity. Unfortunately, investment in publicly available EV fast charging infrastructure in East and West Oakland has been limited to date. Installing EV fast chargers adjacent to affordable housing at Lion Creek Crossings will facilitate the adoption of EVs (leased or owned) among those who would benefit the most from lower vehicle operating costs and cleaner air. In order to address this disparity, not only must ZEV infrastructure be sited in underserved communities, but it also must be paired with amenities and programs that increase access to ZEV technology as well.

This project will create 6 EV charging spaces, 2 of which are accessible spaces to persons with disabilities (per state requirement), replacing 8 current parking spaces on Lions Way, south of Hawley Street and adjacent to Coliseum Gardens Park.

If authorized, the City will enter into an agreement as the "site host" with Pacific Gas and Electric Company (PG&E) as part of the PG&E Fast Charge Program (Fast Charge Program, or Program). Under this program, PG&E will subsidize, design, and construct EV charging infrastructure from the transformer to the parking spaces. Based on PG&E estimates and the City's own installation experience, EV charging infrastructure typically constitutes 60 to 80 percent of the total project cost.

In addition to PG&E the City will partner with Carbon Solutions and ChargePoint. Carbon Solutions will enter into the agreement as the "EVSE Owner," using rebates if available and covering the remainder of the costs not covered by the PG&E program. PG&E and Carbon Solutions will design the project with the help of ChargePoint, specifying ChargePoint Express 250 high-power DC Fast Chargers, which provide up to 125 kilowatts (kw) in its paired configuration.

The proposed project represents was made possible by this collaborative effort to bring fast EV charging and low-cost leases to an East Oakland community currently lacking access to both EVs and EV infrastructure. Once operational, staff expects the project will become a resource for residents and a major step in achieving the goals of the ECAP.

### ***Partnering with Carbon Solutions, ChargePoint and PG&E***

Carbon Solutions is an owner-operator of distributed energy assets including solar, battery and electric vehicle charging with 45 charging stations in operation as of 2021. They are also an aggregator and marketer of renewable energy certificates and carbon offsets. In this project, Carbon Solutions will own and operate the chargers at Lion Creek Crossings. Carbon Solutions will also offer Lion Creek Crossings residents access to low-cost leases of up to six 2019 Nissan

Leaf SV Pluses. The lease term is 5 years and they are offering both a residential lease with a \$199 monthly fee and a rideshare lease (if the vehicle will be used when working for rideshare/hail apps such as Uber, Lyft, Doordash, etc.) of \$459. These lease rates are highly competitive compared to costs from businesses like Uber (\$1,050 per month, not including gasoline). The cost to customers for charging their vehicles is unknown at this time and will be determined by the owner of the chargers, Carbon Solutions. Staff will continue conversations with Carbon Solutions to explore ways to provide subsidized charging rates to Lion Creek Crossing residents. OakDOT staff are developing a Zero Emission Vehicle Action Plan, which includes actions aimed at increasing the affordability of electric vehicle charging to low-income Oakland residents.

ChargePoint is not only a major EV charger manufacturer, but also spearheaded the effort that brought in Carbon Solutions and won support from PG&E's Fast Charge Program. ChargePoint has over 125,000 charging locations in North America, and all chargers come with the ChargePoint Assure Service, which includes an uptime guarantee of 98%, 24/7 support, and response time within 1 business day and resolution time within 2 business days. The City currently owns multiple ChargePoint chargers in multiple facilities. The chargers at Coliseum Gardens Park will be the best-in-class hardware known as "CPE 250". ChargePoint took the lead in the proposal and application process that led PG&E to identify the Lion Creek Crossings site for its program.

*Pacific Gas and Electric Company (PG&E)* is the primary electric utility provider for northern and central California, and is actively involved in investing in "make ready" (i.e. service connection and supply) infrastructure for electric vehicle charging including transformers, panels, and wiring for parking spots.

### ***PG&E Fast Charge Program***

PG&E's EV Fast Charge Program has a budget of \$22.4 million and a goal of implementing 52 fast charging projects at sites across Central and Northern California. Sites that are located in Disadvantaged Communities (DACs), as defined by the California Environmental Protection Agency's "CalEnviroScreen" tool, may qualify for a rebate up to \$25,000 per charger to offset costs and are prioritized in PG&E's application review. Additionally, The program requires 24/7 public access to the chargers and minimum power of 50 kw. The Fast Charge Program funds are available on a first-come, first-served basis until the program is fully subscribed.

In November 2020, OakDOT staff identified 6 City-owned locations across Oakland, all of which are in DACs, and applied for the Program together with partners ChargePoint and Carbon Solution. Of those six locations, only the Lion Creek Crossings location was selected and approved for the Program by PG&E.

### ***Encroachment Permit Description***

The Oakland Municipal Code (OMC) Chapter 12.08 requires a major encroachment permit for building elements encroaching into the public right-of-way, as stated in the OMC Chapter 15.04.679 for revisions to the California Building Code (CBC) Section 3201.5

The proposed encroachments consist of above ground electrical equipment and below ground electrical lines. The project will comply with the conditions of the encroachment permits as detailed in the authorizing resolution and pending approvals by the Planning and Building Department. The aboveground equipment will be placed to not interfere with public use of the

right-of-way. The encroachments will not obstruct the sidewalk and have no impact on public welfare and convenience. The projects will provide at least five- feet (5') six-inches (6") of clear path of travel for pedestrians and persons with disabilities. The recommended major encroachment permit includes indenture provisions that will hold Carbon Solutions liable and responsible for private improvements in the public right-of-way. It will allow the City to revoke the permits if necessary and require Carbon Solutions to remove the improvements and restore the public right-of-way.

### **FISCAL IMPACT**

There is no direct cost to the City for the proposed EV chargers. Staff costs for processing the necessary permits are covered by fees set by the Master Fee Schedule and paid by the applicant. Ongoing maintenance, operation, networking, and electrical costs will be solely incurred and paid by Carbon Solutions. Staff resources across several departments, but especially in OakDOT, were needed for developing this project. Ongoing efforts to support vehicle electrification will require dedicated resources. Those requirements will be the subject of a report and recommended actions associated with the Zero Emission Vehicle Action Plan that staff is currently preparing.

### **PUBLIC OUTREACH / INTEREST**

In April 2021, OakDOT Staff prepared an informational report and provided a presentation for the Parks and Recreation Advisory Commission on the Zero Emission Vehicle Action Plan and the proposed EV Fast Charging project at Lion Creek Crossings.

In September 2021, OakDOT staff conducted two virtual public meetings to discuss the project and educate residents about EV technology, EV incentives, and Carbon Solution's EV leasing offer. OakDOT staff were joined by staff from PG&E, Carbon Solutions, ChargePoint, EBALDC and EOC. Around the same time, OakDOT staff also conducted outreach about this project and the Zero Emission Vehicle Action Plan at the Black Cultural Zone's Akoma Market at Liberation Park in partnership with East Oakland Collective.

Generally, Lion Creek Crossings residents in attendance at the two virtual meetings were supportive while raising questions and concerns about the project, the technology and how they can access EV incentives. A summary of questions and comments from outreach with Lion Creek Crossings residents follows:

- *General enthusiasm to learn about EV incentives and about the low-cost lease program* - Consistent with staff's experience during the ZEV Action Plan process, residents are incredibly interested in learning and applying to state and regional EV incentives, as well as the possible low-cost lease program provided by Carbon Solutions.
- *Worries about noise and proximity to the residences* – Some residents were worried about possible noise from the electric vehicle chargers. The sound of an EV charger or an EV while charging can only be heard within a short range of the charger. It's comparable to the amount of noise from a gas pump. Beyond this, residents may experience noise related to the actual construction over the course of 2-3 months.

- *Concerns about new technology and effects on internet services, and if they emit electromagnetic fields or radiation* – EV charging infrastructure is a new technology and many people are unaware of how it works. PG&E shared with residents that there is no danger from magnetic fields, radiation, or effects on internet service from EV chargers.
- *Possible Vandalism and Maintenance of Chargers* – There were concerns about possible vandalism and who is responsible for charger maintenance. While vandalism could be an issue, maintenance will be the responsibility of the owner of the charger, Carbon Solutions. In the event of vandalism or any maintenance issue residents can either contact Carbon Solutions directly or use the City's Oak311 service request system.
- *24-Hour Accessibility* – There were some concerns about having the chargers be accessible 24/7 due to possible late-night activity. However, PG&E's Fast Charge Program requires that EV Fast Charger sites are accessible 24 hours a day, seven days a week. PG&E aims to ensure that drivers who need to charge their vehicles can get it when they need it, which is consistent with other statewide programs including through the California Electric Vehicle Infrastructure Project (CALeVIP). This is similar to some gas stations that are available for traditional cars to fuel up 24/7, and we do not expect the charging to disrupt local residents.
- *Access to Electric Vehicles and State Incentives* – Many residents requested more information on electric vehicles and how to access state incentives. Whether or not this project moves forward, staff will continue to provide ongoing education and outreach to residents in the project vicinity under the Zero Emission Vehicle Action Plan, , which will include actions to address deep concerns about equitable zero emission vehicle access.
- *Parking Concerns* - Some residents expressed concerns about the possible loss of parking (net two spaces) and cited the current constrained parking situation and unenforced double-parking. Staff will explore options to alleviate immediate parking concerns in the area and consider a phased enforcement approach for the charging spaces.

Additionally, TransForm, a local transportation equity non-profit, is administering a "Mobility Hub" program for Lion Creek Crossings residents, funded by the Metropolitan Transportation Commission. As part of a survey for this program, TransForm found that no survey respondents in the community currently owned an electric vehicle. This is consistent with existing conditions analysis conducted for the Zero Emission Vehicle Plan which found a major disparity between EV ownership and infrastructure and communities like East Oakland which bear the brunt of pollution and climate change impacts. The availability of public charging will help residents to see electric vehicles as an option for them.

## **COORDINATION**

Staff coordinated with the Parks, Recreation and Youth Development Department in the development of this report.

The major encroachment permit supporting this project was originally developed with assistance from the Planning and Building Department, Public Works Environmental Services Division

Sustainability Team, OakDOT's Right of Way Management Engineering Services Unit and Parking and Mobility Divisions, and the Office of the City Attorney. Ongoing site planning and design will be coordinated with the Department of Parks and Recreation and Transportation Americans With Disabilities Act (ADA) Programs Division.

This report and legislation have been reviewed by the Office of the City Attorney and the Budget Bureau.

## **SUSTAINABLE OPPORTUNITIES**

***Economic:*** This project is expected to provide local economic benefits. Direct benefits include local construction jobs to provide and maintain EV infrastructure. In addition, local businesses and residents can realize the economic benefits from transitioning to EVs due to the lower costs of operating their vehicles. Up to six residents of Lion Creek Crossings will further benefit from low-cost EV leases. Consumer cost savings from low-cost EV leases and avoided petroleum purchases will likely increase the number of dollars that are retained within the local economy.

***Environmental:*** Enabling construction of EV chargers directly aligns with the City's commitment to equitably develop EV infrastructure as outlined in the ECAP. The availability of electric vehicle chargers increases the likelihood that drivers residing nearby will purchase or use EVs. Environmental benefits are derived from reduced GHG emissions associated with driving EVs. Each EV displaces approximately 2.6 tons per year of GHG emissions if powered by conventional electricity, and more if powered by renewable electricity. EVs will also reduce local impacts of air pollutants such as ozone and fine particulates.

***Race and Equity:*** This project will enhance racial and social equity by making EV infrastructure and low-cost EV leases available in East Oakland. East Oakland, where many black and Latino residents live, is currently an EV charging "desert". Lack of convenient charging infrastructure is a primary barrier for many East Oakland residents who would otherwise own electric vehicles. While most "early adopter" EV drivers charge their cars at home, home charging is generally not an option for those living in multifamily buildings or older homes, which are common in East Oakland. Installing charging equipment in public locations, especially those serving lower-income and disadvantaged communities, gives confidence to residents of those communities that they will be able to access EV charging when they need it – thus enabling them to consider owning EVs. Enabling all Oaklanders, regardless of income or housing status, to have plentiful access to EV infrastructure will ensure that EV ownership is more attainable. EVs reduce air pollution and are generally more cost effective over the lifetime of the vehicle as compared to conventional vehicles. Expanding access to EVs to lower-income and disadvantaged members of the community can reduce the health impacts related to air pollution disproportionately experienced by vulnerable populations and increase the income security of low-income populations.

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT**

This action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15301 (existing facilities), 15183 (projects consistent with General Plan and Zoning), and 15061(b)(3) (no significant effect on the environment); Section 15183 (projects consistent with a community plan, general plan, or zoning), Section 15301 (existing facilities),



Section 15302 (replacement or reconstruction), and Section 15309 (inspections), each of which provides a separate and independent basis for CEQA clearance and when viewed collectively provide an overall basis for CEQA clearance.

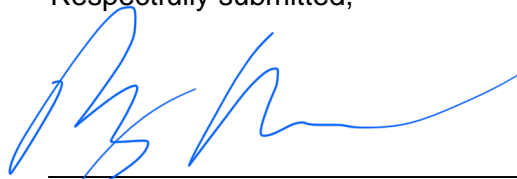
**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Adopt:

1. A Resolution Authorizing The City Administrator Or Designee To Finalize And Execute A Contract With The Pacific Gas & Electric Company (PG&E) In Support of Electric Vehicle Charging Installation At Coliseum Gardens Park Adjacent To 6818 Lion Way At No Direct Cost To The City And Adopting Appropriate California Environmental Quality Act Findings; and
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For questions regarding this report, please contact Michael Ford, Parking and Mobility Programs Manager, at (510) 238-7670.

Respectfully submitted,



RYAN RUSSO  
Director, Department of Transportation

Reviewed by:  
Fred Kelley, Assistant Director, Department of Transportation  
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Prepared by:  
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Attachments (2)  
(A): PG&E Easement Deed  
(B): PG&E Electric Vehicle Fast Charge Contract

City Council  
March 15, 2022