

RESOLUTION NUMBER R- 307721

DATE OF FINAL PASSAGE OCT 04 2012

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING AN AMENDMENT TO AN AGREEMENT WITH ECOTALITY NORTH AMERICA, INC. TO INSTALL ADDITIONAL ELECTRIC CAR CHARGING STATIONS; FINDING THIS ACTION TO BE CONSISTENT WITH PARK USE; AND NOT APPROVING THIS ACTION FOR COMMERCIAL USE.

WHEREAS, ECotality North America Inc. (ECotality) is the recipient of grant funds from the United States Department of Energy to deploy electric vehicle service equipment in select metropolitan areas to promote use of electric vehicles (the EV Project); and

WHEREAS, on June 6, 2011, the City entered into an agreement with ECotality for the installation of ten (10) electric vehicle charging stations in Balboa Park; and

WHEREAS, to assist ECotality's goals under the EV Project and to pursue the public interest in developing an accessible electric vehicle charging infrastructure in the City of San Diego, the parties desire that an additional one hundred seventeen (117) charging stations be installed on City properties and rights-of-way, subject to Council direction by these resolutions;
NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor or his designee is authorized to execute an amendment to the Charging Site Host Agreement with ECotality North America Inc., to provide an additional one hundred seventeen (117) electric vehicle charging stations at specified City parks, recreation center, libraries, and streets, at the locations and under the terms and conditions set forth in the First Amendment to the Charging Site Host Agreement, on file with the City Clerk as Document No. RR- 307721.


BE IT FURTHER RESOLVED, that notwithstanding entry of the First Amendment to the Charging Site Host Agreement, installation of electric vehicle chargers at any and all of the specified new locations shall remain subject to applicable law with respect to other governmental agencies or bodies, and no installations shall occur until all applicable and proper authorizations have been obtained, including but not limited to coastal review of those sites in the Coastal Overlay Zone.

BE IT FURTHER RESOLVED, that the Council of the City of San Diego finds that the electric vehicle charging stations that are or will be located in dedicated parks pursuant to the Charging Site Host Agreement as amended provide a convenience to users of the parks and are not inconsistent with park uses if the Agreement is administered to prevent such inconsistent uses.

BE IT FURTHER RESOLVED, that except as otherwise provided in the First Amendment, commercial uses of the electric vehicle charging stations installed pursuant to the Charging Site Host Agreement are not authorized by this action, and commercial use shall include but be not limited to use of the stations by car share businesses for collective staging operations.

BE IT FURTHER RESOLVED, that no parking regulations shall be established or posted in relation to the installed electric vehicle charging stations other than by duly adopted ordinance of the Council.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 

Frederick M. Ortlieb
Deputy City Attorney

FMO:mb
09/27/12
Or.Dept:Mayor
Doc.No:446488

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego,
at its meeting of OCT 02 2012.

ELIZABETH S. MALAND, City Clerk

By Mary Zumaya
Deputy City Clerk

Approved: 10-4-12
(date)

JSA
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor