



City Council Report

City Council Meeting: October 23, 2018
Agenda Item: 7.C

To: Mayor and City Council
From: Susan Cline, Director, Public Works, Office of Sustainability & the Environment
Subject: Introduction and First Reading of an Ordinance Amending Chapter 4.55 of the Santa Monica Municipal Code to Authorize and Regulate Electric Vehicles in City Park Parking Lots After Hours

Recommended Action

Staff recommends that the City Council introduce for first reading the attached ordinance amending Chapter 4.55 of the Santa Monica Municipal Code to authorize and regulate electric vehicles in city park parking lots after hours.

Executive Summary

The Electric Vehicle Action Plan (EVAP) was adopted by Council in November 2017 to provide strategic direction to staff to expand the City's electric vehicle (EV) charging infrastructure. This includes increasing access to existing charging stations in addition to adding new stations. According to Department of Motor Vehicle records, electric vehicle adoption is growing rapidly among residents, many of whom live in multi-family buildings without access to personal charging stations and must rely on public charging infrastructure. Staff recommends amending SMMC 4.55 to allow the use of charging facilities in designated City park parking lots overnight to provide additional charging options for EV drivers.

The proposed ordinance would authorize and regulate EVs charging stations in designated City park parking lots after hours from 11:00 p.m. through 6:00 a.m. It would allow a person to be in a City park parking lot after hours only if he/she is engaged in charging his/her electric vehicle at an electric vehicle charging station overnight, or for other specifically related activities.

Background

On November 14, 2017, Council adopted the EVAP to provide strategic direction to staff to expand the City’s EV charging infrastructure and accelerate the adoption of electric vehicles (Attachment B). At the November 14, 2017 Council meeting, Council directed staff to maximize the hours that chargers in public spaces are available. This direction was in response to public comments requesting overnight access to the charging stations located at Virginia Avenue Park.

The City has replaced obsolete and non-networked charging stations at Virginia Avenue Park with new smart charging stations through Agreement #10507 with ChargePoint, Inc. (Attachment C), and will be installing smart charging stations at other public parks. These smart charging stations have a range of software functions including station usage monitoring, cost recovery (charging a fee), maintenance alerts, and customer notifications when batteries are full.

Past Council Actions

07/25/17 (Attachment D)	Staff report for award of proposal and authority to negotiate an agreement with ChargePoint, Inc.
11/14/17 (Attachment B)	Staff report for adoption of EVAP; and EVAP adopted by Council
03/06/18 (Attachment C)	Staff report to authorize a first modification to ChargePoint agreement for the purchase of 45 electric vehicle charging stations

Discussion

Electric vehicle adoption is growing rapidly in Santa Monica. According to the California Department of Motor Vehicles, the total number of electric vehicle registrations in Santa Monica (including both pure battery electric vehicles and plug-in hybrids) has grown from 1,003 in 2015 to 2,494 in 2018. Allowing additional access to charging stations in parks would increase access to the City’s public charging infrastructure.

Current Park Chargers

Location	Number of Charging Ports
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Virginia Avenue Park	4
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Planned Park Chargers

Location	Number of Charging Ports
Clover Park	4
Gandara Park	4
Marine Park	2
Memorial Park	TBD
Airport Park	TBD

Santa Monica Municipal Code 4.55.120 currently prohibits entering, remaining or being present in a City park when the park is closed, which is between the hours of 11 p.m. and 6 a.m. for most parks. The current proposal would enable a person to be in a designated City Park Parking Lot from 11:00 p.m. through 6:00 a.m. when engaged in: (i) parking or unparking an electric vehicle for charging; (ii) plugging in or unplugging an electric vehicle; or (iii) departing or entering a City Park Parking Lot in order to charge an electric vehicle. This proposal also allows a person to accompany a person engaged in these activities. The phrase “City Park Parking Lot” is defined as parking lots within Virginia Avenue Park, Clover Park, Gandara Park, Marine Park, Memorial Park and Airport Park under the new definition proposed under SMMC Section 4.55.020. Similar to regulations of City parking structures, SMMC Sections 4.55.120 and 4.55.420 make anyone present in a park after hours and not subject to an exemption (such as the charging activities described above) subject to a misdemeanor, infraction, or administrative citation.

Posted time limits for EV charging would apply during regular park open hours (6:00 a.m. to 11:00 p.m.), but time limits would not be in effect during park closure hours (11:00 p.m. to 6:00 a.m.). For example, a driver may park and charge his/her electric vehicle from 11:00 p.m. to 6:00 a.m. (seven hours), but after 6:00 a.m., the driver must adhere to the posted time limits (three hours at Virginia Avenue Park).

Pursuant to SMMC Section 4.55.400, the Director of Community and Cultural Services may issue rules and regulations governing the use of the EV charging stations within the City Park Parking Lots. For example, this would allow for charging time limits to be modified based on community feedback and staff review of charging behavior.

To ensure judicious use of the stations, smart charging stations have been installed at Virginia Avenue Park and will be installed at future park and other public sites. Smart charging stations can send notifications to drivers when their vehicles have finished charging, notify station managers when stations need to be serviced, and charge fees for service and/or fines for exceeding time limits. Use of the public charging stations is currently free. Staff plan to return to Council to establish a fine for exceeding the time limit at EV charging stations following recommendation from the Electric Vehicle Subcommittee and Task Force on the Environment.

Per the November 14, 2017 staff report, staff will return to Council with a recommended fee structure after 25 public smart charging stations have been installed and operating for 90 days. To date, 23 public smart charging stations have been installed. Staff has begun to analyze station usage and behavior data from these new smart charging stations to inform an appropriate fee schedule.

Staff from Planning and Community Development, Community and Cultural Services, the Police Department, the City Attorney's Office, and the Office of Sustainability and the Environment worked together to develop the proposed policy to allow overnight charging in park facilities.

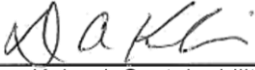
Financial Impacts and Budget Actions

There is no immediate financial impact or budget action necessary as a result of the recommended action.

Prepared By: Ariana Vito, Sustainability Analyst

Approved

Forwarded to Council



Dean Kubani, Sustainability Manager

10/17/2018



Rick Cole, City Manager

10/19/2018

Attachments:

- A. Park EV Charging Ordinance
- B. November 14, 2017 Staff Report (Web Link)
- C. March 6, 2018 Staff Report (Web Link)
- D. July 25, 2017 Staff Report (Web Link)
- E. Powerpoint Presentation
- F. Written Comments

ORDINANCE NUMBER_____ (CCS)

(City Council Series)

AN ORDINANCE OF THE CITY COUNCIL OF SANTA MONICA
AMENDING CHAPTER 4.55 OF THE SANTA MONICA MUNICIPAL CODE TO
AUTHORIZE AND REGULATE ELECTRIC VEHICLES IN CITY PARK PARKING LOTS
AFTER HOURS

WHEREAS, the City of Santa Monica adopted the Electric Vehicle Action Plan (EVAP) in November 2017 to expand access to public electric vehicle (EV) charging infrastructure to help meet greenhouse gas reduction goals; and

WHEREAS, demand for EV charging stations exceeds available supply; and

WHEREAS, the City seeks to install additional EV charging stations in designated parking lots of public parks as part of the implementation of the EVAP; and

WHEREAS, the EV charging stations currently located in public park parking lots are accessible only during hours the park is open to the public and not after hours; and

WHEREAS, the City seeks to allow any person engaged in charging his/her registered electric vehicle at an EV charging station within designated public park parking lots to do so after hours to maximize the availability of the City's currently limited public EV charging infrastructure.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Santa Monica Municipal Code Section 4.55.020 is hereby amended to read as follows:

4.55.020 Park and beach—Definitions.

As used in this Chapter, the following words and phrases shall have the following meanings:

“Beach facility” shall mean any building, structure, recreational facility, parking facility, synthetic turf, furniture, fence, monument, equipment, apparatus, walkway, wall, curb, rail, fountain, statue or other City property located on the beach.

“Compensation” shall mean payment for work or services performed, by salary, wages, commission, or otherwise, including the giving of goods as remuneration.

“Department” shall mean the Department of Community and Cultural Services.

“Director” shall mean the Director of the Department of Community and Cultural Services.

“Interim Airport Open Space” shall mean and refer to an approximately six-acre parcel located southeast of the Santa Monica Airport Administration Building and at the Santa Monica Airport.

“Litter” means any abandoned, discarded substance including, but not limited to: garbage, refuse, rubbish, abandoned and inoperable household appliances, discarded packaging or containers, discarded building, plumbing or construction material, unless

pursuant to construction operations, lighted or nonlighted cigarettes, cigars, matches or any flaming or smoldering material, and all other waste matter which, if thrown or deposited as prohibited herein, may be detrimental to public health, safety and welfare.

“Park” shall mean and include the following parks in the City: Airport Park, Ashland (Sunset/Ashland Park) Park, Beach Green, Beach Park #1, Beach Park #4, Barnard Way Linear Park, Chess Park, Clover Park, Crescent Bay Park, Douglas Park, Euclid Park, Gandara Park, Goose Egg Park, Hotchkiss (Mary Hotchkiss Park) Park, Ishihara Park, Joslyn Park, Christine Emerson Reed Park, Ken Genser Square, Marine Park, Memorial Park, Ocean Park Green Space, Ocean View Park, Ozone Park, Pacific Street Park, Palisades Park, Park Drive Park, Schader Park, South Beach Park, Tongva Park, Virginia Avenue Park, and any City-owned landscaped open space in the Civic Center area, and any other area established as a park by the City Council.

“Park facility” shall mean any building, structure, parking facility, recreational facility, synthetic turf, furniture, fence, monument, equipment, apparatus, walkway, wall, curb, rail, fountain, statue or other City property located in a City park.

“Park foliage” shall mean any tree, hedge, bush, shrub, plant, flower, grass, or foliage or turf in any park.

“City Park Parking Lot” shall mean the parking lots within the following designated City Parks:

(a) Clover Park, located at 2600 Ocean Park Blvd, Santa Monica;

(b) Gandara Park, located at 1819 Stewart Street, Santa Monica;

(c) Marine Park, located at 1406 Marine Street, Santa Monica;

(d) Virginia Avenue Park, located at 2200 Virginia Ave, Santa Monica;

(e) Memorial Park, located at 1401 Olympic Blvd, Santa Monica;

(f) Airport Park, located at 3201 Airport Ave, Santa Monica; and

(g) Any other parking lot established as a City Park Parking Lot by the City Council.

“Swim Center” shall mean and refer to the Santa Monica Swim Center located at 2225 16th Street, Santa Monica.

SECTION 2. Santa Monica Municipal Code Section 4.55.120 is hereby amended to read as follows:

4.55.120 Park – Closure.

(a) No person shall enter, remain or be present in a City of Santa Monica park when that park is closed.

(b) Except as otherwise provided in this Section, all City parks are closed between the hours of eleven p.m. and six a.m.

(c) Palisades Park is closed between the hours of twelve midnight and five a.m.

(d) Chess Park is closed between sunset and sunrise.

(e) This Section shall not apply to:

(1) Any public sidewalk immediately adjacent to any public street or highway, or to any street or highway which traverses any park, including the Santa Monica Municipal Pier access road or walkway and any portion of California Avenue; or

(2) Any person present within a park pursuant to authorization from the City; or

(3) Ken Genser Square or any other City-owned landscaped open space in the Civic Center area, as closure hours for these public spaces are governed by laws regulating Civic Center Grounds; or

(4) Any person present in a City Park Parking Lot who is (i) parking or unparking a registered electric vehicle at a City-designated electric vehicle charging station; (ii) plugging or unplugging a registered electric vehicle into a City-designated electric vehicle charging station; (iii) departing from, after parking, or returning to, for unparking, a registered electric vehicle at a City-designated electric vehicle charging station; or (iv) accompanying a person engaged in any activity described in (i), (ii), or (iii) of this paragraph.

SECTION 3. Any provision of the Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION 4. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 5. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective 30 days from its adoption.

APPROVED AS TO FORM:

LANE DILG
City Attorney

EV Charging in Parks



Office of Sustainability & the Environment



City of Santa Monica | Public Works Department | 10/29/2018

Context

- ~2,500 registered EVs & Plug-In Hybrids
 - (as of Jan. 1, 2018)
- ~100 public chargers, primarily in Downtown SM
- 70% of SM residents live in multi-unit dwellings (MUDs)
- Many residents rely on public charging stations as their only means to charge their vehicles






Background

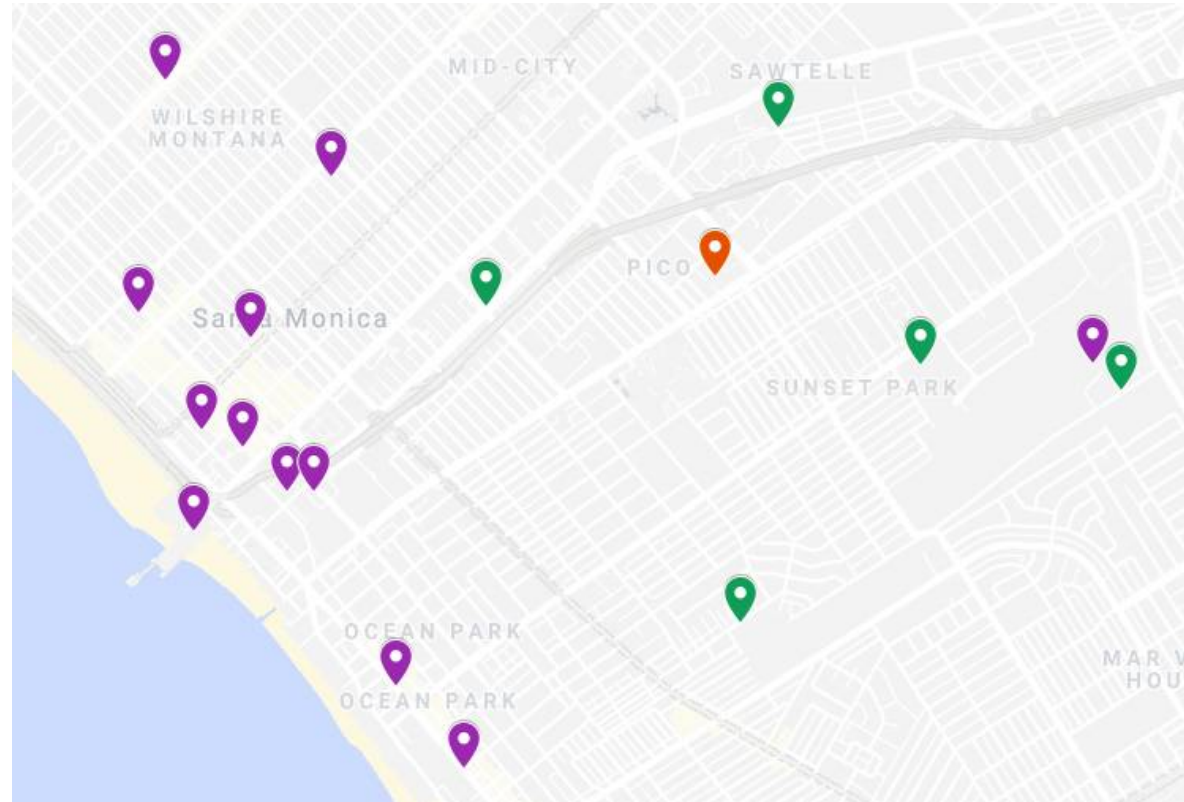
Electric Vehicle Action Plan:

- Adopted Nov. 2017
- Support EV adoption through increased charging infrastructure à 300 public chargers by 2020
- **Council directed staff to maximize the hours in which any charger in a public space is available**



Santa Monica Public EV Charging Stations

-  Existing Non-Park Station Locations
-  Existing Park Station Locations
-  Proposed Park Station Locations



Current and Planned Park Locations

Status	Location	# of Charging Ports
Current	Virginia Avenue Park	4
Planned	Clover Park	4
Planned	Gandara Park	4
Planned	Marine Park	2
Planned	Memorial Park	TBD
Planned	Airport Park	TBD



SMMC 4.55 – Park and Beach Code

Existing Code SMMC 4.55.120

- Prohibits entering, remaining or being present in a City park between the hours of 11:00 p.m. and 6:00 a.m. when parks are closed.

Recommendation: Amend SMMC Chapter 4.55

- To authorize and regulate electric vehicles in City Park Parking Lots after hours



“City Park Parking Lot”

Parking lots within the following City Parks:

- Clover Park
- Gandara Park
- Marine Park
- Virginia Avenue Park
- Memorial Park
- Airport Park
- Any other parking lot established as a City Park Parking Lot by the City Council



Proposed Amendment

- **Exemption** to SMMC 4.55.120 (Park Closure Rule) to allow EV drivers to be in a designated “City Park Parking Lot” from 11:00 p.m. through 6:00 a.m. when engaged in:
 - (i) parking or unparking an electric vehicle for charging;
 - (ii) plugging in or unplugging an electric vehicle;
 - (iii) departing from or entering a City Park Parking Lot to charge an electric vehicle;
 - (iv) Accompanying a person engaged in the activities above



Station Management

- Stations notify drivers via text message when their time limit is up and/or when their battery is full

NIGHTTIME	DAYTIME
11pm-6am No time limit	6am-11pm 3-hour time limit

- Staff will return to Council to recommend regulations for vehicles that exceed the time limits



Recommendation: Amend SMMC Chapter 4.55

- To authorize and regulate electric vehicles in City Park Parking Lots after hours



Vernice Hankins

From: Council Mailbox
Sent: Tuesday, October 23, 2018 1:24 PM
To: councilmtgitems
Cc: Dean Kubani
Subject: FW: Council Agenda Item 7C Overnight EV Vehicle Charging

From: Amy Bishop Dunbar [mailto:amy.bishopdunbar@gmail.com]
Sent: Tuesday, October 23, 2018 12:13 PM
To: Council Mailbox <Council.Mailbox@SMGOV.NET>; Rick Cole <Rick.Cole@SMGOV.NET>; Ted Winterer <Ted.Winterer@SMGOV.NET>; Gleam Davis <Gleam.Davis@SMGOV.NET>; Tony Vazquez <Tony.Vazquez@SMGOV.NET>; Councilmember Kevin McKeown <Kevin.McKeown@SMGOV.NET>; Sue Himmelrich <Sue.Himmelrich@SMGOV.NET>; Pam OConnor <Pam.OConnor@SMGOV.NET>; Terry O'Day <Terry.Oday@smgov.net>; Environment Mailbox <Environment.Mailbox@SMGOV.NET>; Planning <Planning@SMGOV.NET>
Cc: Amy Bishop Dunbar <amy.bishopdunbar@gmail.com>
Subject: Council Agenda Item 7C Overnight EV Vehicle Charging

Council Members and City Staff,

7C Ordinance First Reading

Introduction and First Reading of an Ordinance Amending Chapter 4.55 of the Santa Monica Municipal Code to Authorize and Regulate Electric Vehicles in City Park Parking Lots After Hours.

Please additionally allow the EV Charging Stations to operate as after hours phone charging locations at specific locations.

Please consider incorporating phone charging ports to both the EV charging stations, at at the Police Blue Safety Beacons for safety reasons. A recent personal incident highlighted the need to have places available for people to charge their phones. Furthermore in considering the city's need to be prepared for natural disaster, or dire emergency, access to personal phones to direct communication and coordination will be essential. Having charging stations with solar power backups could provide needed assistance as they are currently, and proposed to be, distributed at locations throughout the city.

The incident I am making reference to happened just last week. A man who looked and sounded like an out of town visitor knocked on our door at 2:15 am asking if he could charge his phone. Our lights had been on as my husband and I were up chatting about a conference he had just attended. The man apologized for disturbing us. Though we didn't let him in, we told him to go to the nearby McDonald's, it occurred to us later more than likely ALL places to charge a phone would be closed at that hour. Not to jump to judgement maybe he was an unlucky fellow. A troubling thought since anyone can quickly become stranded without their phone to call a ride, a friend, find their way home etc. It was worrying to project that thought. If in that same situation had happened to one of our daughters what would they do? How would they find their way home? Who could they ask for help?

Recent reading in SmartCitiesDive: Electric Vehicles: The Swiss Army Knife of the Grid - Experts see a future where electric vehicles provide an array of grid services, from demand response to soaking up excess renewable generation. <https://www.smartcitiesdive.com/news/electric-vehicles-the-swiss-army-knife-of-the-grid/539943/>. Suggesting an added benefit for those cities incorporating EV infrastructure.

So i request is to ask the council to set up locations in well lit areas, at the EV charging stations at the parks, at the Police Blue Safety Beacons, at Bus Stops, where people can charge their phones.

Thank you for taking the time to consider my request.

*Amy Bishop Dunbar
32 yr Resident of Santa Monica
Current PIO Resident Board Member
Past VP for SM Commission on the Status of Women &
Past President LWV Santa Monica*