



## Legislation Text

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### Report to Mayor and City Council

Tuesday, January 09, 2024

Consent

#### **SUBJECT:**

**CONSIDER APPROVAL OF GRANT OF EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY AT THE CARSON COMMUNITY CENTER WHICH IS LOCATED AT 801 EAST CARSON STREET FOR THE TESLA SUPERCHARGER PROJECT (CITY COUNCIL)**

#### **I. SUMMARY**

In conjunction with the Tesla Supercharger Lease Agreement at the Carson Community Center which is located at 801 E. Carson Street, Carson, CA 90745, the City of Carson agreed to provide a utility easement to Southern California Edison (SCE) to provide utility services to the premises. The lease term, inclusive of renewal options, is 15 years.

The Grant of Easement (Exhibit No. 1) is attached and sets forth the terms and conditions of the easement along with the legal description and sketch of the area.

#### **II. RECOMMENDATION**

TAKE the following actions:

1. APPROVE a Grant of Easement to Southern California Edison Company associated with the Tesla Superchargers at the Carson Community Center.
  
2. AUTHORIZE the Mayor to execute a Grant of Easement to Southern California Edison Company associated with the Tesla Superchargers at the Carson Community Center, subject to approval as to form by the City Attorney.

#### **III. ALTERNATIVES**

TAKE another action the City Council deems appropriate, consistent with the requirements

of the law.

#### **IV. BACKGROUND**

Tesla intends to install twenty (20) superchargers at the Carson Community Center which is located at 801 E. Carson Street, Carson, CA 90745. The engineering design and the plans have been approved. A utility easement is required to provide utility services to the premises, and a Grant of Easement to SCE is attached for the City's consideration.

Final approval for construction hinges on this utility easement, and upon approval, Tesla plans to initiate a pre-installation meeting with City staff, followed by a 10-16 week construction period. The supercharges are estimated to be open to the public no later than June 2024.

##### Legal Considerations:

The Grant of Easement allows SCE to determine in its discretion when the easement is no longer needed:

To the extent that Grantee, in the exercise of its discretion, determines that this easement is no longer needed, then upon written request, Grantee shall execute a quitclaim deed on a mutually acceptable form at no cost to Grantor.

The City Attorney requested certain edits be made to the Grant of Easement, including having the easement expiration tied to the end of the Tesla lease, or at minimum, to modify the language to match the easement language previously agreed upon for SCE charge-ready projects which says, "upon written request, Grantee will execute a quitclaim of this easement on terms reasonably acceptable to Grantee and Grantor." This language gives City control of when the easement will be terminated and removed from title. However, SCE refused to make any modifications to the easement language thereby placing City in a position where it has little choice but to accept the form of Grant of Easement presented by SCE. Fortunately, staff has no reason to believe this will result in any negative impacts to City.

#### **V. FISCAL IMPACT**

None.

#### **VI. EXHIBITS**

1. Grant of Easement. (Pgs.3- 8)

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