



**CITY OF MARTINEZ**

**CITY COUNCIL AGENDA  
February 5, 2014**

**TO:** Mayor and City Council  
**FROM:** Mercy G. Cabral, Deputy City Clerk  
**SUBJECT:** Adopting Ordinance 1378 C.S.  
**DATE:** January 29, 2014

**RECOMMENDATION:**

Adopt Ordinance No. 1378 C.S. amending Title 10, Vehicles and Traffic, by adding Chapter 10.38 to the Martinez Municipal Code establishing Fees and Parking Regulations for City owned electric vehicle parking charging stations.

**BACKGROUND:**

At the City Council meeting of January 22, 2014, the above ordinance was introduced, and a public hearing was held in accordance with California Government Code. Council amended the ordinance to include an increase of fees to one dollar for short and long term parking which has been included. The ordinance is now before you for adoption and will become effective after 30 days.

**FISCAL IMPACT:**

No fiscal impact; the proposed ordinance amendment does not change parking meter rates or revenues.

**ACTION:**

Motion to adopt Ordinance No. 1378 C.S. amending Title 10, Vehicles and Traffic, by adding Chapter 10.38 to the Martinez Municipal Code establishing Fees and Parking Regulations for City owned electric vehicle parking charging stations.

Attachment: Ordinance

**APPROVED BY:**

  
Interim City Manager

ORDINANCE NO. C.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARTINEZ  
ADDING CHAPTER 10.38 TO THE CITY OF MARTINEZ MUNICIPAL CODE  
ESTABLISHING FEES AND PARKING REGULATIONS FOR  
ELECTRIC VEHICLE PARKING STALLS AND SPACES

The City Council of the City of Martinez does ordain as follows:

**SECTION I.** Chapter 10.38 is added to Title 10 of the Martinez Municipal Code to read as follows:

CHAPTER 10.38

ELECTRIC VEHICLE PARKING STALLS AND SPACES

10.38.010 Findings.

The City Council makes all of the following findings in establishing this chapter:

A. The City Council finds that there is a need for parking stalls and spaces to be located within the City which are made available to the public for charging of electric vehicles over short-term or long-term periods in order to promote greater fuel conservation and enhance fuel and energy efficiency.

B. The City Council finds that the City has previously invested in electric vehicle charging infrastructure through grants obtained by 511 Contra Costa, the transportation demand management program for all jurisdictions within Contra Costa County, with funding supplied through Measure C and Measure J half-cent sales tax for Transportation Improvement Projects along with Transportation for Clean Air funding from the Bay Area Air Quality Management District. Through such funding sources, the City has constructed and installed various electric vehicle charging stations for the use of owners of electric vehicles to connect their electric vehicles to charging stations and charge their vehicle power sources.

C. The City Council finds that the public use of the City-owned electric vehicle charging stations has resulted in significant costs being incurred by the City including energy usage, software program costs, equipment depreciation, personnel costs, maintenance, and repair and replacement costs; none of which may the City recover while it continues to provide such service without charging the vehicle owners' fees for the benefits being received by them. Unreimbursed expenditures of money from the

General Fund and other resources shall continue to be incurred by the City each time a vehicle owner uses a City-owned vehicle charging station without payment of a fee to the City.

D. The City Council finds that it is beneficial to the public and the environment that the City's electric vehicle charging stations continue to be used and available to owners of electric vehicles and that the establishment of certain regulations, including fees for the reimbursement of the City for its costs incurred in providing such service and hourly limits for parking in short-term parking spaces, will enable the City to continue to make available the electric vehicle charging service to the public on both short-term and long-term charging basis.

E. The City Council finds that the fees being established in the amounts set forth by this Ordinance are reasonably proportionate to each user's portion of costs incurred by the City in providing the service, and further finds that based upon the anticipated level of usage such fees as a whole are reasonable and necessary for the City to recover even a portion of its costs of providing electric vehicle charging parking spaces or stalls for public use.

#### **10.38.020 Fees.**

The following fees shall be charged for utilizing City-owned electric vehicle charging station spaces or stalls:

A. Short-term rates shall consist of one dollar per hour. No vehicle shall be parked, left standing, or connected to a charging station for more than four consecutive hours in any electric vehicle charging station space or stall having short-term rates. Short-term rates shall be charged for all electric vehicle charging stations spaces or stalls located within the City Hall parking lot and for electric vehicle charging stations parking stalls or spaces located on or along Court and Main Streets.

B. Long-term rates shall consist of one dollar per hour, with a maximum of \$12 being charged per each electric vehicle charging session, no matter how long such session may continue. Notwithstanding the fees established by this subsection, no vehicle shall be parked, left standing, or connected to a charging station for more than 24 consecutive hours in any electric vehicle charging station space or stall having long-term rates. Long-term rates shall be charged for all electric vehicle charging stations stalls or spaces within the parking lots for the Amtrak and Pacheco Transit Hub stations.

**10.38.030 Designation and Posting.**

The City hereby designates each of the parking stalls and spaces described by this chapter to be exclusively for the purpose of charging and parking a vehicle that is connected for electric charging purposes. Each of the parking stalls and spaces so designated shall be posted in accordance with subdivision (d) of Section 22511 of the California Vehicle Code.

**SECTION II. Severability.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional, 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 and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrase or clauses be declared unconstitutional on their face or as applied.

**SECTION III. Effective date.** This ordinance shall become effective 30 days after the date of adoption.

**SECTION IV. Posting.** At least five (5) days prior to its final adoption, a certified copy of the full text of this ordinance shall be posted in the office of the City Clerk.

Within 15 days after adoption the City Clerk shall publish a summary of this ordinance with the names of those City Council members voting for and against the ordinance in a newspaper of general circulation published and circulated in the City of Martinez.

APPROVED: \_\_\_\_\_  
Rob Schroder, Mayor

ATTEST: \_\_\_\_\_  
Deputy City Clerk

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing ordinance was duly and regularly introduced at an Adjourned Regular Meeting of the City Council of the City of Martinez, held on the 22<sup>nd</sup> day of January, 2014, and duly passed and adopted at a Regular Meeting of said City Council held on the 5th day of February, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RICHARD G. HERNANDEZ, CITY CLERK  
CITY OF MARTINEZ