

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, AMENDING THE CITY'S FEES AND CHARGES SCHEDULE IN RESOLUTION NO. 23317, AS AMENDED, PROVIDING FOR BICYCLE EQUIPMENT AND FACILITIES RENTAL FEES

WHEREAS, the City has established programs to facilitate bicycle usage throughout the City, including a bike share program and bike locker rental program; and

WHEREAS, bicycles and lockers will be available for rent for a fee by members of the public through the use of mobile applications; and

WHEREAS, the City desires to establish a City Bicycle Equipment and Facilities Rental Program and adopt the rental fees in connection with such program; and

WHEREAS, the City has the authority to impose fees under its police power under Article XI, §7 of the California Constitution and under its complementary powers under Section 37112 of the California Government Code and Section 200 of the Riverside City Charter; and

WHEREAS, the adoption of a schedule of fees and charges to be paid by those requesting special services and the percentage of costs reasonably borne by those persons receiving such special services are necessary so that the City might effectuate its policies; and

WHEREAS, on June 12, 2018, the City adopted Resolution No. 23317, which, together with Resolution No. 21960 and its amendments, is referred to as the "Master Fees and Charges Schedule;" and

WHEREAS, it is desirable to revise the adopted Master Fees and Charges Schedule, to add the fees and charges associated with the City Bicycle Equipment and Facilities Rental Program; and

WHEREAS, all of the proposed fee revisions fall within the stated exceptions to the definition of "tax" established by Proposition 26, and are therefore not subject to the requirements of Article XIII C of the California Constitution; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside, California, as follows:

1 Section 1: The above recitals are hereby found to be true and correct and are hereby
2 incorporated herein as if stated in full.

3 Section 2: Resolution No. 23317 and all applicable amendments thereto are hereby
4 amended as shown in Exhibit “1,” attached hereto and incorporated herein.

5 Section 3: The schedule of fees and charges, as established in this resolution and set
6 forth in the attached Exhibit “1,” are hereby directed to be computed and applied by the various
7 departments, officers, employees, and agents of the City and collected by the City for the herein
8 listed special services when provided by the City or its designated contractors.

9 Section 4: All fees set by this resolution are for each identified service as set forth in
10 Exhibit 1.

11 Section 5: The fees and charges revisions set forth in Exhibit “1” fall within the
12 stated exceptions to the definition of “tax” established by Proposition 26 and therefore are not
13 subject to the requirements of Article XIIC of the California Constitution.

14 Section 6: This resolution may be interpreted by the administering City department
15 head in consultation with the City Manager and, should there be a conflict between two fees,
16 then the lower in dollar amount of the two shall be applied.

17 Section 7: The Chief Financial Officer is hereby authorized and directed to maintain
18 a current Master Fees and Charges Schedule, along with all attachments, which will include all
19 amendments to the Fees and Charges Resolution.

20 Section 8: If any portion of this resolution is for any reason declared invalid or
21 unconstitutional by the decision of any court of competent jurisdiction, such decision shall not
22 affect the validity of the remaining portions of this resolution; the City Council hereby declaring
23 that it would have adopted this resolution and every other section, subsection, paragraph,
24 subparagraph, item, sub-item, clause, phrase, or portion thereof, irrespective of the fact that any
25 one or more section, subsection, paragraph, subparagraph, item, sub-item, sentence, clause,
26 phrase, or portion be declared invalid or unconstitutional.

EXHIBIT 1