RESOLUTION NO.

1	RESOLUTION NO.
2 3	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
4	I LES
5	WHEREAS, the City has established programs to facilitate bicycle usage throughout the
6	City, including a bike share program and bike locker rental program; and
7	WHEREAS, bicycles and lockers will be available for rent for a fee by members of the
8	public through the use of mobile applications; and
9	WHEREAS, the City desires to establish a City Bicycle Equipment and Facilities Rental
10	Program and adopt the rental fees in connection with such program; and
11	WHEREAS, the City has the authority to impose fees under its police power under
12	Article XI, §7 of the California Constitution and under its complementary powers under Section
13	37112 of the California Government Code and Section 200 of the Riverside City Charter; and
14	WHEREAS, the adoption of a schedule of fees and charges to be paid by those requesting
15	special services and the percentage of costs reasonably borne by those persons receiving such
16	special services are necessary so that the City might effectuate its policies; and
17	WHEREAS, on June 12, 2018, the City adopted Resolution No. 23317, which, together
18	with Resolution No. 21960 and its amendments, is referred to as the "Master Fees and Charges
19	Schedule;" and
20	WHEREAS, it is desirable to revise the adopted Master Fees and Charges Schedule, to
21	add the fees and charges associated with the City Bicycle Equipment and Facilities Rental
22	Program; and
23	WHEREAS, all of the proposed fee revisions fall within the stated exceptions to the
24	definition of "tax" established by Proposition 26, and are therefore not subject to the
25	requirements of Article XIIIC of the California Constitution; and
26	NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside,
27	California, as follows:
28	

CITY ATTORNEY'S OFFICE 3900 MAIN STREET RIVERSIDE, CA 92522 ((951) 826-5567 <u>Section 1</u>: The above recitals are hereby found to be true and correct and are hereby
 incorporated herein as if stated in full.

3 <u>Section 2</u>: Resolution No. 23317 and all applicable amendments thereto are hereby
4 amended as shown in Exhibit "1," attached hereto and incorporated herein.

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

9Section 4:All fees set by this resolution are for each identified service as set forth in10Exhibit 1.

11 <u>Section 5</u>: 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 XIIIC of the California Constitution.

14 <u>Section 6</u>: 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 <u>Section 7</u>: 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.

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

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CITY ATTORNEY'S OFFICE 3900 MAIN STREET RIVERSIDE, CA 92522 ((951) 826-5567

1	Section 9: Resolution No. 23317 and all applicable amendments thereto are hereby
2	amended as of the date this resolution becomes operative and any previously established fee or
3	charge that is not amended herein shall remain in full force and effect.
4	
5	ADOPTED by the City Council this day of, 2018.
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7	
8	WILLIAM R. BAILEY, III Mover of the City of Diverside
9	Mayor of the City of Riverside Attest:
10	
11	
12	COLLEEN J. NICOL City Clerk of the City of Riverside
13	City Clerk of the City of Riverside
14	I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the
15	foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City
	at its meeting held on the day of, 2018, by the following vote, to wit:
16	
16 17	Ayes:
17	Ayes:
17 18	Ayes: Noes:
17 18 19	Ayes: Noes: Absent:
17 18 19 20	Ayes: Noes: Absent: Abstain:
17 18 19 20 21	Ayes: Noes: Absent: Abstain: IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of
17 18 19 20 21 22	Ayes: Noes: Absent: Abstain: IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of
17 18 19 20 21 22 23	Ayes: Noes: Absent: Abstain: IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this day of, 2018.
17 18 19 20 21 22 23 24	Ayes: Noes: Absent: Abstain: IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this day of, 2018. COLLEEN J. NICOL City Clerk of the City of Riverside \\rc-citylawprod\Cycom\WPDocs\D023\P027\00433130.doc
17 18 19 20 21 22 23 24 25	Ayes: Noes: Absent: Abstain: IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this day of, 2018. COLLEEN J. NICOL City Clerk of the City of Riverside
17 18 19 20 21 22 23 24 25 26	Ayes: Noes: Absent: Abstain: IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this day of, 2018. COLLEEN J. NICOL City Clerk of the City of Riverside \\rc-citylawprod\Cycom\WPDocs\D023\P027\00433130.doc
17 18 19 20 21 22 23 24 25 26 27	Ayes: Noes: Absent: Abstain: IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this day of, 2018. COLLEEN J. NICOL City Clerk of the City of Riverside \\rc-citylawprod\Cycom\WPDocs\D023\P027\00433130.doc

EXHIBIT 1