

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. 21960, AS AMENDED, AMENDING BICYCLE EQUIPMENT AND FACILITIES RENTAL FEES

WHEREAS, THE City has established a City Bicycle Equipment and Facilities Rental Program where bicycles and lockers are available for rent for a fee by members of the public through the use of mobile applications; and

WHEREAS, the City desires to amend the fees charged for these services and provide for promotional rates to assist with advertising and promoting the 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, the City adopted its Master Fees and Charges Resolution, Resolution No. 21960, on January 12, 2010 and, 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 amend the fees and charges associated with the City Bicycle Equipment and Facilities 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:

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

1 Section 2: Resolution No. 21960 and all applicable amendments thereto are hereby
2 amended to revise the fees shown in Exhibit “1,” attached hereto and incorporated herein. This
3 Resolution shall affect only those fees listed in the Exhibit “1” attached hereto that are in
4 connection with the City Bicycle Equipment and Facilities Rental Program and shall have no
5 impact on any other previously established fee or charge.

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

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

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

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

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

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

Section 9: Resolution No. 21960 and all applicable amendments thereto are hereby amended as of the date this resolution becomes operative and any previously established fee or charge that is not amended herein shall remain in full force and effect.

ADOPTED by the City Council this _____ day of _____, 2019.

WILLIAM R. BAILEY, III
Mayor of the City of Riverside

Attest:

COLLEEN J. NICOL
City Clerk of the City of Riverside

I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the 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 _____, 2019, by the following vote, to wit:

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 _____, 2019.

COLLEEN J. NICOL
City Clerk of the City of Riverside

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EXHIBIT 1