



City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: SEPTEMBER 17, 2019

FROM: PUBLIC WORKS DEPARTMENT WARDS: ALL

SUBJECT: PROHIBIT THE OPERATION OF SHARED MOBILITY SERVICES; AMEND SCHEDULE OF FEES AND CHARGES – RESOLUTION; REVISE VARIOUS SECTIONS OF THE RIVERSIDE MUNICIPAL CODE - ORDINANCE

ISSUE:

Approve amendments to the Riverside Municipal Code prohibiting the operation of Shared Mobility Services and adoption of respective fees to the Master Fees and Charges Schedule.

RECOMMENDATIONS:

That the City Council:

1. Introduce and subsequently adopt an ordinance amending Title 13 of the Riverside Municipal Code to prohibit the operation of shared mobility services within the City;
2. Adopt a resolution amending the City's Fees and Charges Schedule authorizing and establishing a Shared Mobility Device impound fee to recover City costs to impound Shared Mobility Devices left in the public right-of-way in violation of the Riverside Municipal Code, and repealing fees established for the permitting of shared mobility operations;
3. Approve an update to the Fiscal Year 2019-20 fees and charges to add the Shared Mobility Device impound fee;
4. Approve an update to the Fiscal Year 2019-20 fees and charges for the Public Works Department to repeal existing shared mobility operator fees;
5. Approve the termination of the established Interim Operating Agreement with Bird Rides Inc.; and
6. Rescind authorization of the City Manager, or his designee, to execute individual Interim Operating Agreements for operation of Shared Scooter Services under the terms set forth in the Master Interim Operating Agreement.

BACKGROUND:

On September 6, 2018, Bird Rides, Inc. (Bird) deployed approximately 40 electric, dockless scooters within the City of Riverside, primarily located in and around neighborhoods near the

University of California, Riverside, and California Baptist University. Shortly thereafter, Neutron Holdings, Inc. dba Lime (Lime) deployed a small fleet of dockless scooters. Both companies expanded to various service areas across the City, with Bird deploying up to 500 scooters each day during peak service.

In response to community feedback and with Transportation Committee authorization, staff proposed to establish a Master Interim Operating Agreement to adequately regulate rental operations within the public right of way and provide companies with assurance of continuity of operations while a formal permitting program is developed. On February 12, 2019, City Council approved a Master Interim Operating Agreement and authorized the execution of individual Agreements with Shared Scooter companies requesting to operate within the City of Riverside. Bird entered into an Interim Operating Agreement with the City on April 17, 2019.

The Shared Mobility Operator Permit Pilot Program was drafted and presented to City Council on August 6, 2019. With a four to one vote, motion carried to implement the Program, along with the respective regulations and fees.

On August 20, 2019 the Ordinance to adopt rules and regulations regarding shared mobility devices and operators within the City along with an Ordinance to add an additional category to the fee schedule for shared mobility device operations returned for City Council consideration on the Consent Calendar for formal adoption. The item was pulled from the Consent Calendar for further discussion and a motion to deny adoption of the ordinances carried with a five to two vote.

DISCUSSION:

There are no shared mobility service providers currently operating in the City. However, the City has an established Interim Operating Agreement with Bird. Without the adoption of a permitting program, there is still a need to establish regulation of shared mobility services. Staff is recommending the adoption of an Ordinance to prohibit the operation of shared mobility services within the public right-of-way.

The proposed Ordinance would prohibit any operation of shared mobility services within the City, with the exception of the City's own Bike Share Program. The Ordinance also sets guidelines for impoundment of unauthorized devices.

Those in violation of the proposed ordinance will be subject to an impoundment fee in the amount \$149.14. This penalty amount has been established based on the blended hourly rate of a Code Enforcement Officer to recover the City's costs associated with the impound process. Devices not retrieved by an operator within 15 days of notice may be sold or otherwise disposed of by the City.

The proposed Ordinance would prohibit the operation of shared mobility services indefinitely until such a time City Council directs staff to reevaluate the permitting of shared mobility services.

To create consistency between shared mobility policies and fees, staff is recommending to remove fees associated with the Shared Mobility Permit Pilot Program from the Master Fees and Charges Schedule. Staff is also recommending City Council approve the termination of the exiting Interim Operating Agreement with Bird as well as rescinding authorization to establish any additional agreements.

FISCAL IMPACT:

There is no definitive fiscal impact associated with this action. Any revenue generated by the collection of impound fees will be deposited into the 0010141400-34250100 – Shared Mobility Fees revenue account.

Prepared by: Kris Martinez, Public Works Director
Certified as to
availability of funds: Edward Enriquez, Chief Financial Officer/Treasurer
Approved by: Rafael Guzman, Assistant City Manager
Approved as to form: Gary G. Geuss, City Attorney

- Attachments:
1. Ordinance
 2. Resolution
 3. Presentation