



Legislation Details (With Text)

File #: ID19-11170 **Version:** 1 **Name:**

Type: Action Item **Status:** Agenda Ready

File created: 8/16/2019 **In control:** City Council

On agenda: 9/26/2019 **Final action:** 9/26/2019

Title: Actions pertaining to Shared Mobility Devices:
1. BILL - (For Introduction) - Amending the Fresno Municipal Code Relating to Shared Mobility Devices
2. Authorize the City Manager or designee to sign a six-month pilot Franchise Agreement on behalf of the City of Fresno

Sponsors: Office of Mayor & City Manager

Indexes:

Code sections:

Attachments: 1. Shared Mobility Devices - ORDINANCE.pdf, 2. Shared Mobility Devices - Franchise Agreement_CLEAN draft 9.19.19.pdf, 3. Shared Mobility Devices - INDEMNIFICATION LANGUAGE_CLEAN.pdf, 4. Shared Mobility Devices - INSURANCE LANGUAGE_CLEAN.pdf, 5. Shared Mobility Devices - PERMIT Sample.pdf, 6. Shared Mobility Devices - CITY OF FRESNO RELEASE USER.pdf

Date	Ver.	Action By	Action	Result
9/26/2019	1	City Council	approved as amended	Pass

REPORT TO THE CITY COUNCIL

September 26, 2019

FROM: Wilma Quan, City Manager
Office of the Mayor & City Manager

THROUGH: JIM SCHAAD, Assistant City Manager
Office of the Mayor & City Manager

BY: THOMAS W. GAFFERY IV, Parking Division Manager
Planning & Development Department

SUBJECT

Actions pertaining to Shared Mobility Devices:

1. BILL - (For Introduction) - Amending the Fresno Municipal Code Relating to Shared Mobility Devices
2. Authorize the City Manager or designee to sign a six-month pilot Franchise Agreement on behalf of the City of Fresno

RECOMMENDATION

Staff recommends City Council approve a resolution adding Article 34 to Chapter 9, amending Section 14-305, and adding Section 14-312 of the Fresno Municipal Code, authorize the City Manager or designee to sign a six-month pilot Franchise Agreement on behalf of the City of Fresno

EXECUTIVE SUMMARY

This resolution will create the necessary laws to enforce shared mobility devices, and allow the City Manager to negotiate a six month pilot program franchise agreement.

BACKGROUND

There is a need for affordable, environmentally friendly forms of transportation in the City of Fresno and shared mobility devices have been successful in other cities. A six month pilot program franchise agreement will allow the City to determine if Fresno can also benefit from shared mobility devices.

The ordinance and sample franchise agreement address key concerns including shared mobility devices in the right-of-way, protecting ADA paths of travel, programs for low-income residents, ability to accept cash payments, removal of non-compliant shared mobility devices, and ensuring the City's costs to administer are appropriately recouped.

ENVIRONMENTAL FINDINGS

Staff determined this activity is not subject to CEQA pursuant to State CEQA Guidelines Section 15060(c)(2), as it would not result in any direct or indirect physical change in the environment, and that nevertheless, is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15301 (Existing Facilities) and 15306 (Information Collection), and no exceptions to the exemptions as set forth in CEQA Guidelines Section 15300.2 apply to the activity.

LOCAL PREFERENCE

Local preference was not considered as staff concluded there were no local providers. The selected franchisee will hire local staff in support of their pilot program.

FISCAL IMPACT

The franchise fee and penalties proposed in the sample franchise agreement are designed to make this pilot program self-sustaining.

Attachment:

Ordinance
Sample Franchise Agreement
Sample Indemnification & Hold Harmless

Sample Insurance Requirements
Sample Permit
Sample User Release