



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: March 2, 2021
TO: Christine Daniel, City Manager
FROM: Mary Grace Houlihan, Public Works Director
SUBJECT: **Resolution Of The City Council Of The City Of Emeryville Amending The City Of Emeryville Master Fee Schedule For Fiscal Year 2020-21 Regarding Dockless Shared Mobility Systems**

RECOMMENDATION

Staff recommends that the City Council conduct a public hearing to consider the above-entitled resolution and thereafter adopt said resolution.

BACKGROUND

The City of Emeryville charges fees for a variety of specific services offered by City departments. Fees in the Master Fee Schedule are intended to recover the costs of services provided. On May 2, 2019, an Ordinance covering Dockless Shared Mobility Systems¹ (the "Ordinance") took effect. Fees associated with the Ordinance were included in the adopted FY 20-21 Master Fee Schedule ("MFS") that was effective July 1, 2020. The program launch was delayed due to contract discussions with vendors. After further review, staff prepared an amendment to the Ordinance that was considered by City Council for first reading on February 2, 2021, and adopted an amended Ordinance on February 16, 2021². The amended Ordinance will go into effect on March 16, 2021.

DISCUSSION

Staff has performed a review and analysis of the fee schedule for the amended Dockless Shared Mobility System program to ensure that the program's actual costs are recovered and is recommending amendments to the MFS. The Dockless Shared Mobility System program will be administered through the Parking Management Program. The following calculations are based on the mid-range, fully-burdened 2021 cost for the Parking Management Program staff, consisting of one Full Time Equivalent (FTE) staff member at the Management Analyst level and 1.5 FTE at the Police Service Technician level, plus .1 FTE at the Maintenance Worker level. Cost summaries for these positions as well as proposed non-staff costs for the Parking Management Program are shown in Exhibit A.

Dockless Shared Mobility Systems

Annual Application Fee: An applicant for a Dockless Shared Mobility System Permit must submit an annual application which includes information on a number of system requirements as detailed in the Ordinance. This information includes device

¹ Ord. 19-005, Chapter 13 of Title 4 of the Emeryville Municipal Code

² Ord. 21-10

specifications, system safety, insurance, communication plans, and compliance with all applicable laws and regulations. The review of this application is anticipated to take 15 hours of staff time at a \$98.36 pay rate, plus consultation with other City departments including Police, Public Works and Planning, for a total cost of \$2,500 for an operator's initial permit application and \$1,000 for renewal in an immediately subsequent year. This fee is non-refundable and is due at the time of application.

Annual Permit Issuance Fee: The issuance and management of these permits is anticipated to take 5% of the time and resources dedicated to the Parking Management Program, or \$25,000 annually. In addition, a contract with a third-party data management entity is estimated at \$5,000 each year. Staff expect approximately six Dockless Shared Mobility System Permits to be issued each year; therefore, a Permit fee of \$5,000 per operator is proposed to cover those costs. This fee is non-refundable and is due at the time of Permit issuance.

Confiscation and Retrieval Fees: If City staff spend time collecting devices that are improperly parked or otherwise not in compliance with permit terms, a fee to cover staff time for both the removal of the device and its retrieval by the Permit holder is calculated to be \$125 per device. This cost is based on an estimated 2 hours per device at a rate of \$62.34 per hour for a Public Works Maintenance Worker. The Confiscation and Retrieval Fees and the Storage and Disposal Fees will be due to the City upon notice to the Permittee.

Storage and Disposal Fees: If a device that has been collected by the City is not retrieved within the timeframe specified in the Permit, the Permittee responsible for that device will incur storage and disposal fees, which are proposed at \$250 per device for storage and the City's actual cost for arranging for disposal. The storage fee will compensate the City for the use of public property to store these devices until they are retrieved by their owners, or disposed of.

The proposed new fees, above, will become effective upon adoption of the resolution amending the Master Fee Schedule.

STAFF COMMUNICATION WITH THE PUBLIC

Staff communicated with representatives of neighboring cities, including Oakland and Berkeley, and discussed these fee amendments with dockless shared mobility operators including Bird and Spin.

CONCLUSION

Dockless Shared Mobility Systems are a potentially valuable addition to transportation options in Emeryville. The subject fees will enable the City to administer this alternative transportation system.

PREPARED BY: Nancy Humphrey, Environmental Programs Supervisor

**APPROVED AND FORWARDED TO THE
CITY COUNCIL OF THE CITY OF EMERYVILLE:**



Christine Daniel, City Manager

ATTACHMENTS

- Draft Resolution
- Exhibit A, 2021 Fee Schedule for Dockless Shared Mobility