

5/24/2022 #33013

(R-2022-473)

RESOLUTION NUMBER R- 314141

DATE OF FINAL PASSAGE JUN 03 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE ESTABLISHMENT OF FEES
FOR SHARED MOBILITY DEVICE SERVICE PROVIDERS
FOR INCLUSION IN THE RATEBOOK OF CITY FEES AND
CHARGES MAINTAINED IN THE OFFICE OF THE CITY
CLERK.

WHEREAS, the proposed Shared Mobility Device Ordinance (San Diego Ordinance O- 2022-107), which is considered along with this resolution, establishes a contract process and revises regulations governing businesses that provide shared mobility devices (providers) to members of the public in exchange for financial compensation within the City of San Diego (City); and

WHEREAS, it is the policy of the City to establish fees to recover the costs of providing services in accordance with San Diego Administrative Regulation 95.25 and Council Policy 100-05, "User Fee Policy"; and

WHEREAS, the City conducted a full evaluation of the costs and revenues associated with providing City services to implement and enforce the Shared Mobility Device Ordinance, in accordance with the California Constitution, which authorizes local governments to impose fees or charges related to government services, regulatory fees, and charges for use of local government property; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that upon the effective date of Shared Mobility Device Ordinance (San Diego Ordinance O- 2022-107 (Ordinance O- 21467), the following fees are adopted to recover costs incurred by the City in providing services, goods, or regulation, and as otherwise permitted under article XIIC of the California Constitution for use of City property:

1. A \$20,000 annual fee to be paid in full at the time of execution of a provider's contract with the City, and annually for each year under the term of the contract as described in Ordinance O- 21467.
2. A daily device fee of \$0.65 for each shared mobility device deployed by a provider as described in Ordinance O- 21467.
3. A daily climate equity fee of \$0.10 for each shared mobility device deployed by a provider as described in Ordinance O- 21467.
4. A \$75 fee for each shared mobility device impounded by the City, to be paid prior to retrieval of the shared mobility device by the owner as described in Ordinance O- 21467.
5. Monetary penalties in the following amounts as described in Ordinance O- 21467 :
 - \$ 250 for first violation;
 - \$ 500 for second violation;
 - \$1,000 for third violation.

BE IT FURTHER RESOLVED, that the City Clerk is directed to amend the Ratebook of City Fees and Charges maintained in the Office of the City Clerk to include the fees described above.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is directed to establish a new General Fund revenue general ledger account to record the per-device fees and monetary penalties described above.

BE IT FURTHER RESOLVED, that the requirement for proposed fees to be reviewed by the Budget and Finance Committee (now the Budget and Government Efficiency Committee) as set forth in Council Policy 100-05, User Fee Policy, is waived.

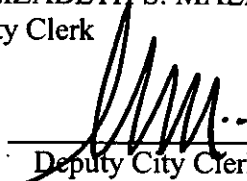
APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Cassandra E. Mougin
Cassandra E. Mougin
Deputy City Attorney

CEM:cc:cm
April 19, 2022
Or.Dept: Sustainability & Mobility
Doc. No. 2957699

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 24 2022

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 6/2/22
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on MAY 24 2022, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 03 2022.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 314141